

# **Trials**

## **A. Types of Trials**

The Court handles civil trials, jury or non-jury, with the consent of the parties and an order of reference from the district judge. See, 28 U.S.C. § 636(c). These matters will be set for a date certain. Appeals are to the Sixth Circuit Court of Appeals.

The Court handles misdemeanor trials, pleas, and sentencing with the consent of the parties and an order of reference from the District Judge. See Fed. R. Crim. P. 58. Appeals are to the district judge.

## **B. Jury Selection**

The Court often selects juries in cases where the trial may be held before another judge. Counsel and the parties must consent in writing. A form will be provided to counsel, and any party not represented by counsel, in advance of the jury selection.

Counsel will exchange *voir dire* questions in advance. The Court will meet briefly with trial counsel, typically in chambers, several days prior to jury selection to answer any questions and resolve any disputes as to the potential *voir dire* questions. No additional peremptory challenges are granted unless requested in advance by motion.

In civil cases, the strike method is used. Under this method, the number of individuals who will be the jury (e.g., 6) plus the total number of peremptory challenges (e.g., 3 + 3) are seated. *Voir dire* is conducted on this group and when the group has been passed for cause, peremptory challenges are exercised at the bench without additional questioning.

In criminal cases, 12 persons plus alternates are seated in the jury box. Challenges are made separately as to the jury and the alternate jurors in conformance with Fed. R. Crim. P. 24. However, counsel may agree to exercise challenges on the group as a whole instead.

In both civil and criminal cases, the Court will ask the preliminary questions regarding background information, scheduling issues and will then conduct *voir dire*. Counsel may be asked to approach the bench at the conclusion of the Court's *voir dire* to suggest follow-up questions.

## **C. Trial Exhibits**

Each party shall provide the Court with a tabbed binder containing courtesy copies of its exhibits.