

Guidelines for Trials/Courtroom Decorum for Division 25
Please review these guidelines prior to the start of your trial.

1. These TRIAL GUIDELINES apply to all litigants and counsel appearing in Division 25, and where applicable, witnesses and clients.
2. Opposing counsel, adverse witnesses, and parties will be treated with fairness and consideration. Abusive language or conduct, offensive personal references, etc., will not be tolerated. Litigants or counsel shall refrain from making facial expressions and gestures during the argument of opposing counsel, during the testimony of any witness, or in response to any ruling from the Court.
3. All parties are expected to allow the opposing party to view exhibits prior to handing the exhibits to the Court. Ideally, all parties should have copies of their exhibits for all other parties.
4. All parties shall refrain from interrupting a witness, opposing counsel, or the Court. All proceedings are recorded and to protect the integrity of the record, two litigants must not speak at the same time.
5. When making legal objections, please state the reason for your legal objection briefly.
6. Unless excused by the Court, counsel should stand: (1) as Court is opened, recessed, or adjourned; (b) when the jury, if applicable, enters and retires from the courtroom; (c) when making or responding to objections; and (d) when otherwise addressing the Court unless leave is given from the Court.
7. Counsel may approach a witness without first asking permission from the Court for the purpose of handing the witness exhibits or assisting the witness with the same. In all other cases, the Court shall be asked for permission before counsel approaches a witness.
8. All remarks of counsel or litigants during arguments on motions, objections, etc., shall be addressed to the Court and not opposing counsel or the opposing litigant. Counsel shall refrain from making disparaging personal remarks about or displaying acrimony toward opposing counsel or opposing litigants.
9. Only one litigant or attorney for each party shall examine or cross-examine each witness. The litigant or attorney making any objections during direct examination will be the attorney recognized for cross-examination.

10. If any party objects, please state “Objection.” Once a party has objected, all parties should be mindful of not interrupting the other during objection arguments. Please wait to proceed until the court has resolved the objection.

11. Unless otherwise, directed, examination of witnesses shall consist of:

- a. Direct examination of the party calling the witness;
- b. Cross-examination from the other parties;
- c. Re-direct examination of the party calling the witness;
- d. Re-cross examination from the other parties;
- e. The party calling a witness may question with leave of court.

Guidelines applicable to Jury Trials

12. Parties shall appear in court thirty minutes before the jury is due for the day so that the parties may resolve any issues pending outside the presence of the jury.

13. In making objections in the hearing of the jury, counsel will state only the legal grounds for the objection, e.g., “hearsay,” “relevance,” etc. If necessary, further argument regarding the objection will take place at the bench and out of the hearing of the jury. Bench conference should be kept to a minimum.

14. Lists and copies of exhibits the parties anticipate offering at trial are to be exchanged prior to trial. The format for parties’ exhibit lists shall be in the form on the Division’s website.

15. All parties shall disclose all exhibits to the other party prior to the trial.

16. During voir dire, counsel should avoid asking questions of the venire that have been answered in the jury questionnaires.

17. Easels, video screens or other large items used to display or as a demonstrative exhibit shall be placed so that, as far as is practicable, the exhibit may be seen by the Court, the jury, and the opposing party. All electronic exhibits should be tested prior to the trial so that the jury does not wait for attorneys to pull up exhibits.

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Abbie Rothermich, Associate Circuit Judge
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