

**IN THE STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
_____ DIVISION**

_____,)	
)	
Plaintiff,)	
)	
vs.)	Case No. _____
)	
_____,)	
)	
Defendant.)	

COURTROOM RULES OF TRIAL

A. JURY SELECTION

1. The Court will ask both qualifying questions and questions from each party's prepared questions.
2. At the conclusion of the Court's questioning, if time permits, each attorney may be allowed up to 20 minutes to direct questions to the entire jury panel. An attorney may direct follow-up questions to a juror who responds to a question directed to the entire panel.

B. TRIAL

The Court shall exercise reasonable control over the mode and order of interrogation of witnesses and presentation of evidence so as to (1) make the interrogation and presentation effective for the ascertainment of the truth, (2) avoid needless consumption of time, and (3) protect witnesses from harassment or undue embarrassment. Fed. R. Evid. 611.

1. Opening statements are limited to 30 minutes for each party.
2. Do not use any aids or exhibits in opening statements unless opposing counsel agrees.
3. Wireless Internet passwords and audio/visual requests are to be made directly to the courtroom deputy by e-mail at *tracy_diefenbach@mow.uscourts.gov* or by telephone at *816-512-5674*. Said requests are to be made at least five (5) business days prior to trial.

4. Witness interrogation shall consist of Direct Examination, Cross Examination, Re-Direct Examination, and Re-Cross Examination. No further questioning will be permitted except in extraordinary circumstances.
5. Direct Examination and Cross Examination shall be no longer than 60 minutes without good cause shown. Re-Direct Examination and Re-Cross Examination shall each be no longer than 20 minutes.
6. Only one attorney per side may examine a witness (Local Rule 83.3(b)).
7. Interrogate the witness from a reasonable distance and do not badger the witness.
8. Ask leave of the Court before approaching a witness.
9. Let the witness give a complete answer. If you want a yes or no answer, you can anticipate the Court will allow the witness to further explain their answer.
10. At the conclusion of a witness's testimony, each attorney shall advise the Court if the witness may be excused or held for possible recall.
11. A maximum of two expert witnesses shall be allowed to testify for one side on any subject and only to what they have stated in their written and filed opinions.
12. After you question an expert to establish his qualifications, DO NOT ask the Court to declare the witness an expert.
13. Stand to address the Court (Local Rule 83.3(a)).
14. On objection state only the reason for the objection; i.e. leading, hearsay, immaterial, etc. If the Court needs more explanation, you will be invited to the bench.
15. Each party shall mark all exhibits prior to trial and supply an exhibit list to the courtroom deputy. Plaintiff and Defendant shall use Arabic numbers with no sub-parts, designating who is offering the exhibit (P1 for Plaintiff's Exhibit 1, D1 for Defendant's Exhibit 1, J1 for Joint Exhibits, etc.). Each item, each photograph, and each document must have its own exhibit number. All exhibits shall be marked by the parties prior to trial and the exhibit list numbers shall correspond to the numbers on the exhibits.
16. Counsel shall keep all exhibits they use in examining a witness available for use by opposing counsel.

17. Control your clients. Advise them that the jury will be watching them. The Court will not tolerate dramatic reactions to witness testimony, facial or body gestures, or verbal responses. Conduct client conversations in a manner so the jury cannot overhear.

C. CLOSING ARGUMENTS

1. Instructions will be read to the jury *before* final arguments. You may use the Court's copy of the instructions.
2. Closing arguments are limited to 30 minutes per party and plaintiff shall use at least fifteen minutes during the first closing.
3. No personal attacks on opposing counsel. Do not express your opinion on any issues.
4. After the jury retires, each side shall assemble their exhibits and keep them available in the courtroom.
5. Attorneys and clients shall remain in the courthouse while the jury is deliberating. They shall advise the Court where they can be located.
6. When the jury returns its verdict, be prepared to inform the Court if you want the jury polled.
7. After the jury is dismissed, please take possession of your exhibits from the courtroom deputy and sign for them.

Dated: _____.

DEAN WHIPPLE
UNITED STATES DISTRICT JUDGE