

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
\_\_\_\_\_ DIVISION**

_____ ,	)	
	)	
<b>Plaintiff,</b>	)	
	)	
v.	)	<b>Case No.</b> _____
	)	
_____ ,	)	
	)	
<b>Defendant.</b>	)	

**RULES OF TRIAL**

1. Opening statements are limited to thirty (30) minutes for each side.
2. No visual aid or exhibit shall be used during an opening statement unless opposing counsel has been shown the visual aid or exhibit and has agreed that the item may be used during the opening statement.
3. The interrogation of each witness shall consist of: (1) direct examination; (2) cross-examination; (3) redirect examination; and (4) recross-examination. No further questioning will be permitted except by leave of Court in extraordinary circumstances.
4. The direct examination of each fact witness, other than parties, shall be no longer than sixty (60) minutes. Cross-examination shall be no longer than direct. Redirect shall be no longer than twenty (20) minutes, and recross-examination shall be no longer than redirect. These time limits shall not be changed except with leave of Court for good cause addressed at the earliest opportunity available which in most instances should be at or before the pretrial conference.
5. Only one (1) counsel per party may examine a witness. *See* Local Rule 83.3(b).

6. Counsel may approach the witness for any legitimate purpose without requesting permission to do so. However, witnesses shall be interrogated from a reasonable distance and shall not be badgered.

7. If a podium is provided, counsel may use it but are not required to do so.

8. Except in unusual circumstances, counsel should stand when addressing the Court or when examining the witness. *See* Local Rule 83.3(a).

9. Except in unusual circumstances, a witness should be allowed to complete an answer. If the question calls for a “yes” or “no” answer, you may anticipate that the witness will be allowed an opportunity to explain that answer.

10. Unless permission is granted before the trial begins, a maximum of two (2) expert witnesses shall be allowed to testify for any party on any one (1) subject. After counsel questions an expert about his/her qualifications, do not ask the Court to declare the witness an expert.

11. Visible reactions to the testimony of witnesses, counsels’ presentations or to the Court’s rulings (such as facial or body gestures), are inappropriate.

12. Do not converse with your client or co-counsel in a manner that your conversation may be heard by the Court.

13. Each party shall mark each of their exhibits prior to trial with an exhibit sticker indicating whether the exhibit is being offered by the plaintiff or the defendant, along with the exhibit number. The designation for each exhibit shall match the numeric designation for that exhibit on the exhibit list furnished to the clerk prior to trial.

14. Witnesses will remain in the witness chair unless leave of court is granted for a witness to reference an exhibit and then the witness shall return to the witness chair immediately after referencing the exhibit.

15. No food or drink is allowed in the courtroom except for water.

s/ \_\_\_\_\_  
GARY A. FENNER, JUDGE  
UNITED STATES DISTRICT COURT

DATED: \_\_\_\_\_