

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

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

RULES OF BENCH TRIAL

1. Normally, court will convene at 9:00 a.m. and recess at 5:00 p.m. **The parties should be in the courtroom at 8:00 a.m. on the first day of trial and 8:30 a.m. on each subsequent day** in order to take up any matters that need to be addressed. The parties may expect morning and afternoon breaks at appropriate times. Lunch break normally will be taken at noon.
2. Opening statements will be limited to twenty (20) minutes for each side.
3. 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.
4. The interrogation of each witness shall consist of: (1) direct examination; (2) cross-examination; (3) redirect examination; and (4) recross examination. Redirect examination will be limited to issues addressed in cross examination. Recross examination will be limited to issues addressed in redirect examination. No further questioning will be permitted except by leave of Court in extraordinary circumstances.
5. Only one (1) counsel per party may examine a witness.

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 treated fairly and respectfully.

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. Objections to evidence should be made only by counsel handling the witness. Objections during opening statements or closing arguments should be made only by counsel making opening statements or closing arguments.

11. During the course of trial, each party shall notify opposing counsel of all witnesses it intends to call the following day. The parties should be prepared to have a witness ready to testify immediately following the conclusion of testimony of another witness.

12. 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.

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

14. 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.

15. 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.

16. All exhibits utilized at trial as part of a party's presentation of evidence, regardless of whether admitted or not, must be kept available for use by other parties during the remainder of the trial.

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

18. The length of closing arguments will be established by the Court during the trial.

19. After the conclusion of the trial, each counsel must take possession of his/her exhibits from the courtroom deputy and sign the receipt at the bottom of the exhibit list.

DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE

DATED: _____