

**JEFFERSON COUNTY SUPREME COURT
GENERAL RULES FOR JURY TRIALS
FOR JUSTICE McCLUSKY**

1. Final Pre-Trial Conference

The Court will hold a final pre-trial conference in chambers at 8:45 a.m. on the trial date. Counsel must be prepared to discuss settlement, witness and exhibit lists, scheduling of witnesses, identity of expert witnesses, motions in limine, EBT transcripts, videotaped testimony and stipulations. If an attorney does not have settlement authority, then his or her client and or insurance adjuster must be present at the conference.

2. Trial Hours

Generally the trial will be conducted between 9:00 a.m. and 4:15 p.m. each day, with an hour break for lunch. The starting time of the trial may be delayed based on motion days and or other scheduled matters.

3. Motions in limine

Motions in limine must be filed with the County Clerk's Office and served on opposing counsel at least one week prior to the trial date. Opposing papers, if any, must be filed and served no later than two business days prior to the trial date. Motions in limine are to be made returnable in Chambers at 8:45 a.m. on the trial date.

4. Proposed Jury Charges and Special Verdict Sheets

Proposed jury charges and special verdict sheets must be delivered to chambers no later than 8:45 a.m. on the trial date. These items should be submitted in electronic form compatible with Word. Proposed jury charges must include the PJI section number and title.. If there is no applicable PJI charge, or if counsel is requesting deviation from the PJI, then counsel must provide the text of the proposed charge with citations to relevant legal authority and a highlighted copy of all referenced authority. Counsel need not request PJI charges 1:2 through 1:41 because these form part of the Court's "boiler plate" charge.

5. Pre-Trial Memorandum

If the parties wish they may submit a pre-trial memorandum of law. It shall be submitted at least 3 business days prior to the trial date. Counsel must serve on opposing counsel and deliver to the Court. The pre-trial memorandum should be short (i.e., generally not more than five pages in length) and provide a brief overview of the facts, law and anticipated evidentiary issues. Post trial memorandum generally will not be allowed unless an unanticipated issue arises during trial.

6. Pleadings

Pleadings must be delivered to Chambers one week prior to the trial date, unless previously submitted.

7. Exhibits

A list of all exhibits, except those exhibits used solely for credibility or rebuttal, must be served on opposing counsel and delivered to the Court no later than 3 business days preceding the trial date. The exhibit list must include a brief description of each exhibit. Counsel shall consult in good faith to agree upon the exhibits that will be offered into evidence without objections. The exhibits are to be marked prior to the commencement of the trial.

8. Use of EBT Transcripts and Videotaped Testimony

If counsel intends to read EBT testimony into evidence, then at least three business days prior to trial, counsel must provide opposing counsel with information as to what sections of the transcripts that counsel intends to proffer. In addition, prior to the final pre-trial conference counsel must attempt to reach an agreement with opposing counsel about the admissibility of that testimony. For those portions of testimony upon which agreement is not reached, the party opposing admissibility must provide the Court at the final pre-trial conference with a written memorandum setting forth the legal basis for the objection, with citations.

9. Date Certain and Scheduling of Witnesses During Trial

The trial date is a date certain. Trial adjournments will be granted ONLY upon good cause shown. Once the trial is commenced, it will proceed without interruption until all parties rest. The Court will allow witnesses to testify out of order as necessary.

10. Interpreters and other Special Trial Needs

At the earliest possible time, but no later than three weeks prior to the trial date, counsel must advise the Court if they need an interpreter or any other special trial accommodations.

11. Expert Disclosure

Unless otherwise stipulated between the parties or Ordered by the Court Plaintiff shall disclose expert witnesses 90 days prior to the trial date and Defendants shall disclose expert witnesses 60 days before the trial date.