

**JEFFERSON COUNTY SUPREME COURT  
GENERAL RULES FOR NON-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. 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.

**5. Pleadings**

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

**6. 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.

**7. 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.

**8. 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.

**9. 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.

**10. 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.