

CONDUCT IN JURY TRIALS
JUDGE LON HURWITZ
CXC 103

1. Attorneys are to **advise their witnesses** of rulings that will apply to their testimony.
 2. **Do not make speaking objections.** Simply state the objection and the legal grounds. If you wish to argue about a ruling it will be done either at bench off the record, or on the record outside the presence of the jury at a break.
 3. Except for appropriate transitional comments, **do not make any editorial comments** prior to posing a question. (For example, “*We have heard about the defendant’s negligent driving, did you see him change lanes without signaling?*”)
 4. Except for *voir dire*, opening and closing, do not address the jury directly. Ask the Court to do so on your behalf. If you have concerns about the jurors’ comfort, inform the Court of those concerns outside the presence of the jury. During *voir dire* after exercising a peremptory, do not thank and excuse the juror, ask the Court to do so.
 5. Stipulations must be reduced to writing.
 6. **Sidebars** will be kept to a minimum. Ensure that anticipated objections are dealt with *in limine* or otherwise outside the presence of jury.
 7. Challenges for cause and all motions will be discussed at sidebar or otherwise outside the presence of the jury.
 8. The Court will conduct a **Pretrial Conference** on the scheduled trial date or, if arranged, on a date prior to the trial, at which the following issues, among others, will be discussed: jury selection, unusual evidentiary or instructional issues, scheduling, witness problems, summary of expected facts and defenses and pre-trial motions.
 9. Courtesy copies of the Orange County Superior Court Local Rule 317 documents, trial briefs and motions in limine must be delivered to the Court in indexed binders no later than noon on the Friday before the trial date unless the Court orders earlier delivery.
 10. Once trial has commenced, no further motions may be filed without leave of the Court.
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