

CIVIL NON-JURY TRIALS BEFORE MAGISTRATE JUDGE NELSON

Trial hours: Trial hours will usually be from 9:00 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m. with fifteen (15) minute breaks in the morning and afternoon.

Placement of counsel at counsel tables: Plaintiff's counsel shall utilize the tables closest to the jury box and Defendant's counsel shall utilize the tables farthest from the jury box.

Questioning: Counsel should generally question from the podium, unless Magistrate Judge Nelson otherwise directs. Counsel should always refer to and address witnesses and parties by their surnames absent prior permission from Magistrate Judge Nelson.

Table microphone: Microphones are placed on each podium, and table microphones are placed on each counsel table. The microphones should be pulled directly in front of and approximately six inches away from counsel. The microphones should be used for questioning and making objections. Note that the microphones can be muted for private conferences by pushing the button on the base of the microphone.

Opening statements (if requested): Generally, counsel receive up to thirty (30) minutes for opening statements. The Courtroom Deputy will monitor time and provide notice of the expiration of such time and, if requested, will provide notice when five (5) minutes is remaining.

Closing argument (if requested): Generally, counsel receive up to thirty (30) minutes for closing argument. Plaintiff may reserve up to fifteen (15) minutes for rebuttal, but it must be true rebuttal and should not raise new issues or points of argument. The Courtroom Deputy will monitor time and provide notice of the expiration of such time, and if requested, will provide notice when five (5) minutes is remaining.

Objections: For objections based upon lack of foundation, objecting counsel should state what foundation is lacking.

Exhibits: *See* NECivR 39.3. Counsel shall provide to chambers a complete copy of exhibits in either an electronic format, e.g. thumb drive, or three-ring binder upon delivery of the exhibit list to the Clerk of Court.

Evidence presentation: Unless good cause exists, counsel shall use the courtroom multimedia systems, including the video presenter, and their own laptops for displaying exhibits on the jury monitors. Counsel are also encouraged to become familiar with the equipment prior to trial by contacting the Courtroom Deputy for training.

No re-cross examination: Magistrate Judge Nelson will generally not permit re-cross examination. Cross examination should be limited to the scope of the direct examination, and redirect examination limited to the scope of the cross examination.

Use of Video Depositions: *See* NECivR 30.1 and 32.1.