

## CIVIL NON-JURY TRIALS BEFORE JUDGE ROSSITER

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

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

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

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. Use these microphones for questioning and making objections. Note that the microphones can be muted for client conferences by pushing the button on the base of the microphone.

Courtroom audio: Be aware that when you speak in the courtroom during trial *and during breaks* it is broadcast to Judge Rossiter's chambers.

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

Closing argument (if requested): Generally, counsel are allotted thirty (30) minutes a party 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 not addressed in plaintiff's first argument. The Courtroom Deputy will monitor time and will provide notice of the expiration of such time, and if requested, can provide notice when five (5) minutes is left.

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

Exhibits: See NECivR 39.3.

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.

Depositions: Please refer to the Final Progression Order.

No recross examination: Judge Rossiter will not normally permit recross examination. Cross examination should be limited to the scope of the direct examination, and redirect examination limited to the scope of the cross examination.