

ADDITIONAL TRIAL PROCEDURES FOR CRIMINAL CASES

1. All motions in limine must be briefed so as to be fully submitted no later than one week before the Final Pretrial Conference. Two courtesy copies of each submission should be delivered for chambers on the date the paper is served and filed.
2. No later than one week before the Final Pre-Trial Conference
 - i. each party shall serve on each other party and file with the Court its proposed voir dire and verdict form. Prior to service and filing of the proposed voir dire and verdict form, counsel shall provide copies to opposing counsel for inspection and noting of objection; and
 - ii. The parties shall file a single document captioned JOINT REQUEST TO CHARGE, which shall include the full text of all of their respective proposed jury instructions and a brief explanation of the objections, if any, to any disputed requests to charge, with citations to the relevant legal authority.

Two courtesy copies of each submission shall also be delivered for chambers. The proposed voir dire, requests to charge, and verdict forms shall also be submitted to Chambers on a CD-Rom or 3.5" diskette in WordPerfect version 6 or higher format.

3. Any Trial Memorandum must be served and filed no later than one week before the Final Pretrial Conference. Two courtesy copies should be delivered to Chambers that same day. The Trial Memorandum should also be provided to the Court on a 3.5" diskette or CD in WordPerfect version 6 or higher format.
4. Trials will generally be conducted Monday through Thursday from 9:30 a.m. to 4:30 p.m. The Court will be available to meet with counsel from 9:00 a.m. to 9:30 a.m. Testimony will begin at 9:30 a.m. A luncheon recess will run from 12:45 p.m. to 2:00 p.m. Jurors may deliberate on Fridays.
5. Jurors will be selected by the struck panel method as described in Judge Swain's Instructions to Counsel Concerning Jury Selection.

6. Exhibits should be pre-marked.
7. At the start of the trial the Government should provide the Court with three copies of the exhibit list, and one set of pre-marked documentary exhibits and Section 3500 material assembled sequentially in a looseleaf binder, or in separate manila folders labeled with the exhibit numbers and placed in a suitable container for ready reference.
8. Sidebars during presentation of the evidence are discouraged. Counsel are expected to anticipate any problems that might require argument and to raise those issues with the Court in advance of the time that the jury will be hearing the evidence.
9. If counsel intend to distribute copies of documentary exhibits to the jury, make a separate copy for each juror.
10. Counsel should make certain that they have custody of all original exhibits. The Court does not retain them and the Clerk is not responsible for them.