

STANDING ORDER CONCERNING
JURY TRIALS FOR COURTROOM 2018

JUDGE BRYAN S. CHAPMAN

FINAL TRIAL CONFERENCE

Attorneys who are trying the case must be present at the Final Trial Conference. Be prepared to present and address motions *in limine*. Have case authority for any “unique” or unusual motions.

Follow the JURY INSTRUCTION PROTOCOL on the second page of this Standing Order for Jury Trial Procedures. In addition, provide one clean copy for the Jury and marked copies for the Court, as well for each attorney, of all proposed instructions. There will be an informal conference off the record, then a formal conference on the record before closing arguments.

Bring objections raised in evidence depositions to the Court’s attention at Final Trial Conference.

Consult on the estimated length of trial and advise the Court at the Final Trial Conference.

All evidence depositions must be completed on or before 14 days prior to the Final Trial Conference. The transcript of all evidence depositions shall be available at the Final Trial Conference so that all objections can be ruled upon at the Final Trial Conference.

If an evidence deposition of a witness is not completed within the stated time, that witness may be called to testify at the trial in person. No evidence depositions shall proceed within 14 days of the Final Trial Conference or thereafter without good cause shown by order of the Court.

JURY SELECTION

The Court will conduct initial questioning, followed by plaintiff, then defendant. Excuse a juror up front if you know you are going to excuse.

Consider stipulating to a unanimous verdict of less than 12, or agree on the number of alternates.

We will select in panels of 4 for jury of 12; panels of 6 for jury of six 6.

Five (5) peremptory challenges per side; up to eight (8) if multiple parties. 735 ILCS 5/2-1106. Exercise peremptory challenges and challenges for cause outside the presence of the jury.

Try not to repeat questions already asked.

The jury selection process will be explained at the Final Trial Conference.

TRIAL CONDUCT

Plaintiff and plaintiff's attorney will be seated at counsel table closest to the jury.

Exhibit lists are to be exchanged between parties prior to the Final Trial Conference with a copy to the Judge at that conference. Exhibits are to be pre-marked, such as "Plaintiff's Ex. #1" or "P's Ex. #1".

Do not instruct a witness or juror. If necessary, request the Court to instruct. Do not address each other in front of jury; address the Court.

Witness examination shall consist of Direct/Cross/Redirect/Done. Anything else - ask for a sidebar.

You may bring a court reporter if you wish, but CourtSmart is the official record. Daily copy is available through CourtSmart.

Rule 213 objections concerning the scope of a witness's testimony during trial shall be taken outside the presence of the jury. Proponent of testimony must point to disclosure or deposition testimony supporting testimony. If necessary, be prepared to provide the Court with a copy of the Rule 213 disclosures and transcripts of discovery depositions.

As a general rule, I do not allow written juror questions to witnesses under Supreme Court Rule 243. If a party wishes to have Rule 243 procedures followed, bring it to the attention of the Court at the Final Trial Conference.

Motions for a directed finding or for a mistrial must be made outside the presence of the jury.

JURY INSTRUCTION PROTOCOL FOR COURTROOM 2018

The jury instructions shall be brought to the Final Trial Conference and included as part of the Final Trial Conference document submission.

The plaintiff is responsible to submit a full set of instructions appropriate to charge the jury. All instructions shall be prepared in 12 point font and double spaced, with the exception that sub-paragraphs (e.g. allegations of negligence) shall be indented and single spaced.

Each instruction shall be labeled in the following fashion: e.g. "Pltf No. 1 IPI 3.04." The only submission required of the defense is proposed modifications of the plaintiff's proposed instructions and additional instructions proposed by the defendant(s).

All plaintiff's and defendant's instructions provided to the jury must be formatted the same way.