

STATE OF MICHIGAN
IN THE 52-3 JUDICIAL DISTRICT COURT
HONORABLE JULIE A. NICHOLSON

CRIMINAL JURY TRIALS

This case is currently set for a jury trial. To facilitate the efficient conduct of the trial, all parties must comply with the following in accordance with MCR 2.512 and 2.513.

1. **JURY SELECTION:** You must appear for Jury Selection at 8:15 a.m. Failure to appear at the required time may result in a bench warrant and/or show cause. The Court generally will allow the parties to conduct their own voir dire; however, the Court reserves the right to examine prospective jurors pursuant to MCR 2.511(C). Parties will have an opportunity to challenge jurors for cause and exercise peremptory challenges. Juror history questionnaires will be available.
2. **JURY:** Prospective jurors will be selected by a random process. See MCR 2.511(A)(3) and MCL 600.1328. The minimum number of jurors required in district court criminal cases is six (6). It is this Court's policy to impanel one (1) alternate juror in accordance with MCR 2.511(B). Note taking is allowed at the Court's discretion pursuant to MCR 2.513(H); however, questioning of witnesses by the Jury is not permitted. MCR 2.513(I).
3. **JURY INSTRUCTIONS:** Pursuant to MCR 2.512(A) and 2.513(N)(1), the parties must submit any requests for jury instructions in writing to the Court, and serve a copy on all other parties, no less than seven (7) business days prior to Jury Selection. All jury instructions must be submitted without citation of authority or identification of the proponent.
4. **EXHIBITS:** Each original proposed exhibit must be marked by the Court Recorder no less than three (3) business days prior to Jury Selection. See MCR 2.401(H)(2)(h); 2.401(I)(1); and 2.518(A). (Plaintiff- numbers; Defense- letters). All parties are to exchange and/or stipulate to exhibits before the first day of trial. The Court will not accept flash drives or CDs as Exhibits. Photos must be printed and color-copied. The Court will not make copies of Exhibits, Counsel should come prepared accordingly.
5. **PRETRIAL MOTIONS:** Any pretrial motions (including Motions in Limine) must be filed AND heard prior to the Final Pretrial and/or jury selection date(s) unless the Court allows otherwise. See MCR 2.401(H)(2) and 6.610(B). All motions must conform to the Michigan Court Rules with respect to timing and providing a "judge's copy" to the Court.

6. **INTERIM COMMENTARY:** Unless otherwise allowed, interim commentary is not allowed. See MCR 2.513(D).
7. **QUESTIONS OF LAW:** A brief memorandum on questions of law that are reasonably foreseeable shall be submitted to the Court no less than three (3) business days prior to Jury Selection and, if the need arises, during the course of trial.
8. **TRIAL DATE:** Be prepared to proceed to trial the day of Jury Selection and the week immediately following the Jury Selection day if necessary. The Court will determine in accordance with its calendar the date(s) that you are to report.
9. **TRIAL TIME:** Generally, trial is from 8:30 a.m. to 12:00 p.m. for the morning session and 1:00 p.m. to 4:30 p.m. for the afternoon session unless otherwise notified by the Court. If counsel wishes to address the Court, he/she must notify the clerk prior to summoning the jury. Failure to appear at the scheduled times may result in a bench warrant and/or show cause.
10. **ADJOURNMENTS:** Attorney scheduling conflicts and adjournment requests will be governed by MCR 2.501(D). Absent a verified emergency, no adjournments will be granted less than seven (7) business days prior to the Jury Selection date. Parties are to comply with the Court's adjournment procedure, which can be found online at the Court's homepage. <https://www.oakgov.com/courts/dc52div3>, Best Practices for Judge Nicholson.
11. **OPENING STATEMENTS AND CLOSING ARGUMENTS:** Counsel has the right to present an opening statement and closing argument. See MCR 2.513(C) and (L). Opening statements and closing arguments (including rebuttal) are limited to 20 minutes total per party unless otherwise allowed by the Court. *Id.*
12. **COURTROOM TECHNOLOGY:** If counsel and/or a party intend to utilize the technology available in the courtroom, he/she must familiarize themselves with the proper manner of operation of the equipment before the day of trial.