

TRIAL GROUND RULES FOR ATTORNEYS
Judge Christian Sande

A. Scheduling

- The standard trial schedule is 9:00 AM -12:00 PM and 1:30 PM - 4:30 PM.
- There will be one 15-20 minute break mid-morning and another one mid-afternoon, and additional breaks as needed and appropriate.
- Except in special circumstances, motions and hearings outside the presence of jurors may be heard at 8:30 AM, 1:00 PM, or 4:30 PM.
- Please call 612-596-2870 to request transcripts during trial. Daily transcripts will likely not be available.

B. Standing and Sitting

- Please stand when the jury is sworn and when jurors enter or leave the room.
- Counsel should stand, either at counsel table or at the podium, when making argument and addressing the Court. Counsel should advise the Court if they would like to sit during questioning and objections.
- Please stand for Opening Statement and Closing Argument. Please advise Judge Sande's clerk if you would like the podium available to you
- Counsel should be mindful of the need to speak at or near a microphone so that the court reporter is able to hear and make a complete record of all proceedings.

C. Use of Courtroom Technology

- Upon request, the Court can make ITV equipment available for trial. Counsel is responsible for ensuring that the equipment connects and operates with counsel's own technology.
- For any witness appearing by ITV (i.e., Zoom®, Skype®, Facetime®, etc.), counsel should comply with Minn. Gen. R. Prac. 131, and inform the Court of any equipment needs.
- Counsel is strongly encouraged to contact chambers before trial and obtain access to the courtroom to test equipment in order to minimize technological delays during trial.

D. Voir Dire

- Judge Sande will ask preliminary questions, and any sensitive questions requested, and then lawyers may ask their own questions.

E. Opening Statements

- Please obtain approval from the Court before using any exhibits.
- State the key issues, facts to be proved and challenged, or where there will be a failure of proof.

F. Objections

- Please let the opposing attorney complete their question before objecting to it.
- Speaking objections are not permitted.
- State the legal basis of the objection and wait for a ruling. When objecting, use 1, 2, or 3 words or cite the rule. No further argument is allowed without permission.
- If you believe argument on an objection is necessary, please ask to be heard. Not all such requests will be granted.
- If you make a foundation objection, please be prepared to state where foundation is lacking. Offers of proof shall be made on the record.
- Please do not thank the Court for evidentiary rulings.

G. Motions during Trial

- Counsel should do their best to anticipate potential motions that might arise during trial, and raise those issues beforehand. Motions made during trial are appropriate only for unanticipated issues, exigent circumstances, or to preserve an issue for appeal.

H. Witnesses

- Please do not instruct the witness how to answer the question. Leading questions for preliminary or non-contested facts are permissible.
- Please do not editorialize or repeat the answers. Do not testify for the witness.
- Please do not refer to adult witnesses by their first name.
- One request to approach your own witness is sufficient. If a witness is hostile, ask to approach each time. Do not loiter by witnesses or away from counsel table.
- It is appropriate and helpful to direct your witness to speak up and into the microphone at the beginning of their testimony.
- Please ask witnesses to spell proper names or terms of art, and to identify acronyms.

I. Exhibits

- Please pre-mark all exhibits before trial, and stipulate to undisputed exhibits.
- All exhibits of more than one page should be individually paginated so that counsel can easily direct witnesses and the Court to specific items during inquiry.
- Please ensure that opposing counsel and the Court have a copy each exhibit before handing it to the witness.
- Always refer to the exhibit number when showing the exhibit to the witness and offering the exhibit into evidence.
- Unless stipulated, each exhibit must be offered and accepted in order to be received into evidence.

J. Closing Arguments

- Please advise the Court beforehand if you intend to show an electronic exhibit (i.e., video or audio) during Closing.

K. Chamber Conferences

- Counsel are expected to brief their clients as to issues discussed in chambers, why the chambers discussion is taking place, and how such discussions are helpful to case management and resolution.

L. Overall Decorum

- At all times, please refer to counsel and witnesses in courteous terms.
- It is appropriate and helpful to advise the Court of an attorney's, a party's, and any witnesses' preferred pronouns and how that person would like to be addressed.
- Please refrain from making facial expressions, gestures, or audible comments to indicate approval or disapproval of testimony, arguments, or rulings. Ensure that your clients and witnesses refrain from such behavior.
- Whenever the blue square panel on the wall is illuminated, the Central Monitoring Room (CMR) court reporting system is engaged and recording audible statements in the courtroom. As such, discussions should occur away from microphones.
- Counsel, parties, and witnesses may bring a beverage in a closed, covered container into the courtroom. Except by permission of the Court, no other food is permitted.
- Please review and follow the GENERAL RULES OF PRACTICE FOR THE DISTRICT COURTS Title I, Rule 2. Court Decorum, Conduct of Judges and Lawyers, and Title II, Part H. Minnesota Civil Trial Notebook.