

## **A View from the Bench**

In My Experience: Interacting with the Judges and Jury during Trial

*Judge Daniel Hogan*

*Columbus, OH*

**“A VIEW FROM THE BENCH”**

**INTERACTING WITH  
JUDGES AND JURY**

**JUDGE DANIEL T. HOGAN  
COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO**

## **CLOSING ARGUMENT:**

What do you want to say?

## **PRE-PRE-TRIAL**

Communicate with each other ahead of time.

Exhibits?  
Witnesses?  
Stipulations?

What is (are) the issue(s)?

Your trial plan should be in place.

## **MOTION IN LIMINE**

A week ahead of trial, use to educate the judge.

## **JURY INSTRUCTIONS – VERDICT FORMS- INTERROGATORIES**

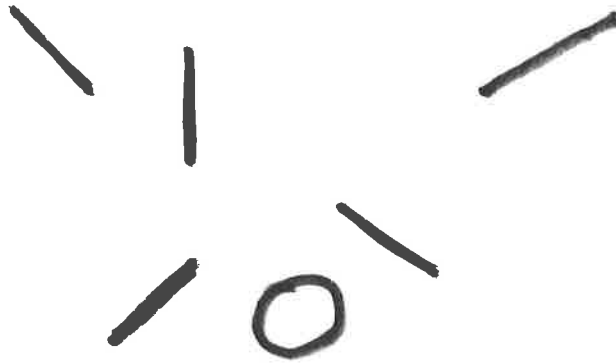
Prepare before trial!!  
Agree?

## **THEME OF CASE**

VD ▶ Opening ▶ Evidence ▶ Closing

## VOIR DIRE

Interrogate!  
Ingratiate!  
Indoctrinate!



## OPENING

Make a statement not an argument  
Tell a story you can prove



## DIRECT EXAMINATION

Rehearse with your partner and dance.

## CROSS EXAMINATION

Dance with your partner and lead.

## REDIRECT – RECROSS

Rule #1: Don't!  
Rule #2: The jazz?

## EXHIBITS

Prepare – Extra Copies.

Mark.

Agree – Joint?

## VISUALS – DEMONSTRATIVE EVIDENCE

Use them:

50% tell

70% show

90% show & tell

Redundancy?

## CLOSING



Argue the facts don't regurgitate the facts

If you have done your job you get to say what you want to say.