

What to Expect at Trial

How will the courtroom be set up?

There are two tables, one for each party to sit at and set their paperwork.

The clerk will sit next to the judge. The clerk takes notes and manages the exhibits during the trial. Each exhibit must have a reference number assigned by the clerk before it may be introduced into evidence.

The court reporter will sit in front of the judge and take down everything said in court. If a court reporter is not there, then the trial will be recorded. To get a good record, it is important for everyone to speak clearly, loud enough, not too fast, and take turns talking.

When do I need to be at court for trial?

On the first day, **show up 30 minutes early to the courtroom.** Trials usually start at 9:00 a.m. and go to 4:30 p.m., with 15 minute breaks in the morning and afternoon and a lunch break between 12:00 p.m. to 1:30 p.m. The judge and your court paperwork will tell you exactly when to be there.

What happens during trial?

- The trial begins when the judge opens court.
- Each party or attorney may make an **opening statement**, which summarizes what issues the court needs to decide and what to expect. If a party wrote a trial brief, they may ask the judge to rely on the trial brief for the opening statement.
- The petitioner puts on their case by calling witnesses and introducing evidence. The petitioner may be a witness. The respondent can cross-examine each witness by asking questions.
- The respondent puts on their case by calling witnesses and introducing evidence. The respondent may be a witness. The petitioner can cross-examine each witness by asking questions.
- The petitioner may present “rebuttal” testimony if something comes up in respondent’s information that the petitioner has not addressed.
- Each party or attorney may make a closing argument summarizing the testimony, evidence, and how they are asking the court to rule.
- The judge announces a decision. This may not happen immediately after closing arguments.

What happens after trial?

The judge must sign one or more orders that explains their ruling in writing. You were provided with a list of the final documents for your case with the Status Conference Information sheet. If you have final documents prepared at trial, the judge may be able to sign an order right after trial. Otherwise, the party who wins at trial needs to schedule a **presentation hearing** to give the judge the documents.