

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

ASSOCIATION OF COMMUNITY )  
ORGANIZATIONS FOR REFORM NOW, )  
et al., )  
 )  
Plaintiffs, )  
 )  
v. ) Case No. 08-04084-CV-C-NKL  
 )  
DEBORAH E. SCOTT, et al., )  
 )  
Defendants. )

**RULES OF BENCH TRIAL**

1. Opening statements are limited to twenty (20) minutes for each side.
2. No visual aid or exhibit shall be used during an opening statement unless opposing counsel has been shown the visual aid or exhibit and has agreed that the item may be used during the opening statement.
3. The examination of each witness shall consist of: (1) direct examination; (2) cross-examination; (3) redirect examination; and (4) recross-examination. No further questioning will be permitted except by leave of Court in extraordinary circumstances.
4. The Court may place time limits on direct and cross-examination of all witnesses. Cross-examination shall be no longer than direct. Redirect shall be no longer than cross-examination, and recross-examination shall be no longer than redirect.
5. Only one (1) counsel per party may examine a witness. *See* Local Rule 83.3.

6. Counsel may approach the witness for any legitimate purpose without requesting permission to do so. If a podium is provided, counsel may use it but are not required to do so. Counsel may question a witness from any reasonable place in the courtroom.

7. Except in unusual circumstances, counsel should stand when addressing the Court or when examining the witness. *See* Local Rule 83.3.

8. Except in unusual circumstances, a witness should be allowed to complete an answer. If the question calls for a "yes" or "no" answer, you may anticipate that the witness will be allowed an opportunity to explain that answer.

9. When making an objection, counsel should say only "objection" plus the legal reason for the objection, *e.g.*, leading, hearsay, etc. If argument is needed, the Court will request you approach the bench. Bench conferences, however, are discouraged.

10. Visible reactions to the testimony of witnesses, counsels' presentations or to the Court's rulings (such as facial or body gestures) are inappropriate.

11. The length of closing arguments will be established during the instruction conference.

**IT IS SO ORDERED.**

/s/ Nanette K. Laughrey  
NANETTE K. LAUGHREY  
UNITED STATES DISTRICT JUDGE

Dated: July 31, 2008