

**BASIC COURTROOM PROCEDURES
FOR INDIAN RIVER COUNTY COURT
(JURY TRIALS)**

The following is a brief summary of the procedures to be followed in this Court with respect to the conduct of jury trials. The requirements stated in this summary are minimal, not all inclusive, and are intended to emphasize and supplement the ethical obligations of counsel under the code of professional responsibility and the laws of the State of Florida. Please familiarize yourself with these procedures.

1. There are “fixed positions” in the courtroom. The prosecution will use the table closest to the jury box.
2. The attorneys may not approach the bench or the jurors without permission of the Court.
3. The attorneys shall refer to the parties, the attorneys, any witness or juror by his or her last name with the appropriate title (Miss, Ms., Mrs., Mr., Dr., etc.). You may not address any person by first or last name only.
4. Prior permission must be given for the use of exhibits in opening statements
5. As far as possible, all exhibits shall be marked for identification in advance of the taking of testimony. Any exhibits to which there is no objection may be marked in evidence in advance.
6. The purpose of voir dire is to obtain a fair and impartial jury by enabling the parties to knowingly exercise challenges for cause and peremptory challenges. It is not the purpose to permit either side to argue their theory of the case, explain principles of law or try to obtain commitments from prospective jurors as to what they will agree to do, other than comply with their oath of office. The attorneys shall comply with the following:
 - a. The Court will select all trial week juries on the first day of the week. All attorneys should be present for the selection process of cases that precede their case and, when possible, not repeat previous questions and points made during previous case selections.
 - b. It is improper to attempt to obtain commitments from prospective jurors as to what they might do, or agree to do, except to listen to the testimony and review the other evidence, follow the Court’s instructions as to the applicable law, and follow their duties as jurors.
 - c. All challenges shall be made orally at the bench. The Court will begin with the State, and then alternate between the State and the defense. When making challenges, the parties shall be limited to the first six jurors then available. The Court will first consider challenges for cause and then peremptory challenges will be considered. Back striking is permitted.
7. A charge conference will be conducted on the record as soon after each side has rested as the Court deems practical. Generally, the relevant standard instructions will be given. Any requests for additional or special instructions shall be in writing and otherwise comply with Rule 3.390, Florida Rules of Criminal Procedure. Additionally, requests for special instructions shall be presented at the charge conference and either emailed to the Court or provided on a USB drive in Word format.
8. During jury deliberations attorneys may leave the courtroom area provided they each give the Bailiff a phone number where they can be reached should their presence be required if the jury has any question or has reached a verdict.

9. All attorneys, parties, witnesses and observers shall remain in the courtroom until the jury has departed.