

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

**CRIMINAL JURY TRIAL PROCEDURES BEFORE
THE HONORABLE HARVEY E. SCHLESINGER**

These guidelines are provided to assist you in preparing for and conducting trial before the Honorable Harvey E. Schlesinger. If you have questions about these guidelines, or any other matter relating to the trial, please call Mr. Timothy Luksha, Courtroom Deputy, at 904.549.1968.

(a) **Familiarity with Local Rules Required:** Counsel must be familiar with the Local Rules of the United States District Court for the Middle District of Florida. Particular attention should be directed to Local Rule 5.03 regarding courtroom decorum.

(b) **Submission of Proposed Voir Dire Questions, Proposed Jury Instructions and Proposed Jury Verdict Forms:** Counsel shall serve and file with the Clerk's Office all proposed voir dire questions, proposed jury instructions, and proposed verdict forms **not later than six (6) working days before the scheduled trial date.** The Court will not ask any voir dire question not previously submitted under this requirement. Counsel shall meet to agree on a single set of instructions to the jury and shall jointly file same with the Clerk's Office. If counsel cannot agree, counsel additionally shall file proposals as to any contested instructions. The United States shall file a short concise (one or two page) **summary of the charges(s)** against the Defendant(s). The summary shall be written in simple terms and will be used by the Court to familiarize prospective jurors about the charge(s).

(c) **Pre-marking and Numbering Exhibits:** Counsel are responsible for pre-marking and numbering all exhibits before trial under Local Rule 3.07. Copies of blank Exhibit List and labels are available on the Court's preference page on the Clerk's Office website.

(d) **Preparation and Exchange of Exhibit and Witness Lists:** Counsel are also responsible for posting the exhibit number and detailed description of each exhibit to the attached Exhibit List under Local Rule 3.07.

On the first day of trial, counsel shall exchange a copy of their Exhibit List and final Witness List with other counsel and **shall also provide three (3) copies of each list to the Courtroom Deputy.**

(e) **Sharing of Witness Fees:** Unless otherwise limited by the Court, counsel may share the cost of subpoenaing common witnesses.

(f) **Availability of Venire List:** The venire list of prospective jurors will be provided to counsel under Local Rule 5.02(b).

(g) **Method of Voir Dire Examination:** Under Local Rule 5.01, and unless otherwise ordered by the Court, criminal juries will consist of twelve (12) jurors. As a general rule, the Court will seat fifty (50) jurors randomly selected from the venire panel into the jury box. The Court will then instruct the entire venire panel on the nature of the case and such other preliminary matters as may be appropriate. Then the Court will conduct an initial voir dire examination of the fifty (50) jurors.

The parties may request additional questions for the Court to inquire of the fifty (50) jurors, following the Court's initial voir dire examination. The Court will determine whether additional inquiry need be made of particular jurors. Counsel will then exercise their peremptory challenges out of the hearing of the jury.

(h) **Audio and/or visual equipment:** The Court does not furnish audio and/or visual equipment for use during trials. Counsel must make their own arrangements regarding audio and/or visual equipment. If counsel plan to use equipment during trial, please notify the Courtroom Deputy ahead of time so the courtroom can be made available for installation. Also, upon completion of trial, the equipment must be removed immediately.

(i) **Courtroom Attire:** It is the responsibility of defense counsel to ensure the defendant has appropriate courtroom attire for all court proceedings. **If the defendant is in custody, appropriate attire should be provided to the U.S. Marshal's Office, not the jail.**

PLEASE NOTE: Photo identification is required to enter the United States Courthouse. Also, consult Local Rule 7.02 about electronics in the courthouse.

Copies to:
Assistant U.S. Attorney
Defense Counsel