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## HOW NOT TO TRY A LAW SUIT

JUDGE O. Z. IDE, *of the Detroit Bar*

Judge Ide is an experienced trial judge of Detroit, Michigan and has formulated the following thirteen hints on what not to do in the trial of a law suit. These are taken from an article written by Judge Ide which was published in *The Detroit Lawyer*, Journal of the Detroit Bar Association, for April, 1953.

1. Don't come into Court without looking your best. A clean shave, well groomed hair and a well pressed suit will give you a sense of well-being which will make for poise and confidence.

2. Don't have a "foggy" head when you try a law-suit. Get a good rest the night before. It will pay off.

3. Don't be late in arriving at Court. If delay is unavoidable send word to the Court explaining your reasons, and upon your arrival make your apologies in the presence of the jury.

4. Don't be discourteous to Court or counsel. Remember you are an officer of the Court and should attempt to maintain the dignity of the Court and assist in promoting an orderly trial.

5. Don't enter the judge's chambers without invitation or asking permission. His time during short recesses of Court is usually committed to important matters incidental to Court work.

6. Don't ask trick questions on your *voir dire* examination of prospective jurors. Remember they are laymen and will possibly resent any embarrassment which you might cause them.

7. Don't sit or sprawl when examining witnesses, making objections or addressing the Court. Always rise. You look better, think better, and give some indication that you are a gentleman.

8. Don't brow-beat witnesses on cross-examination. The jurors don't like it.

9. Don't over-try your case. Too much corroboration, especially of unimportant points, often indicates that you are weak on the main issues, or think you are.

10. Don't waste time on collateral issues when you have a good case. It diverts the jury's mind from the principal questions involved.

11. Don't attempt to read law to the jury or to explain to them the difference between "reasonable doubt" and "preponderance of the evidence." It sounds learned but is ordinarily a waste of time and usually leaves them in doubt as to what is a reasonable doubt.

12. Don't wait until the arguments are in before submitting special requests to charge. The judge has usually prepared his charge by that time and must necessarily interrupt proceedings to consider your requests if he is to give them at all.

13. Don't repeat the witnesses' answers to your questions, especially if the answers are unfavorable to your cause, unless you are in league with the Court Reporter and aspire to build up a top-heavy transcript; and remember that "repetition is the life of force."