

Chapter 9 - Court Trials

A court trial is heard when the defendant or litigant has waived their right to a jury trial, thus enabling the judge to hear all the evidence in the case and make a decision based on the witnesses testimony. Court trials are also used in most minor traffic infractions.

The order of trial is very similar to that of the jury trial. First the prosecutor or the traffic officer presents their case. The defendant then has the opportunity to cross-examine any witnesses. After the prosecution has completed their case, the defense has the opportunity to present witnesses. At this time the prosecutor has the opportunity to cross-examine the defense witnesses. After both sides have completed their testimony, they have a final chance to present a summary of their individual cases to the judge for determination.

After the judge makes a finding of guilty or not guilty, the bailiff should be prepared to proceed if the defendant is to be remanded. Bailiffs should keep in mind that although a court trial is usually a very simple matter, it may become very volatile. This is especially true in traffic matters where there is a matter of difference between the violator and the traffic officer. The key is to maintain control of your courtroom and all persons who are appearing.
