

Time Limits on Trials

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Authority for time limits:

NC Const., Art. I, Sec. 18:

All courts shall be open; every person for an injury done him . . . shall have remedy by due course of law; and right and justice shall be administered without favor, denial or delay.



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Rules of Evidence:

Rule 102:

These rules shall be construed to secure . . . elimination of unjustifiable expense and delay . . .

Rule 403:

Although relevant, evidence may be excluded if its probative value is substantially outweighed by . . . considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

Rule 611:

The court shall exercise reasonable control over the mode . . . of presenting evidence so as to . . . (2) avoid needless consumption of time

General Rules of Practice:

Rule 1:

They [the rules] shall at all times be construed and enforced in such manner as to avoid technical delay and to permit just and prompt consideration and determination of the all the business before them.

Guidelines for time limits:

Notify the parties of the limits well in advance of trial

Notify the parties how time is to be counted

Be flexible, respond to the actual case before you

Do not let time limits get in the way of hearing all necessary evidence

Rule 614

- (a) **Calling by court.** The court may, on its own motion or at the suggestion of a party, call witnesses, and all parties are entitled to cross-examine witnesses thus called.
- (b) **Interrogation by court.** The court may interrogate witnesses, whether called by itself or by a party.
- (c) **Objections.** No objections are necessary with respect to the calling of a witness by the court or to questions propounded to a witness by the court but it shall be deemed that proper objection has been made and overruled.