

CAUSE NO. _____

IN RE:	§	IN THE DISTRICT COURT OF
	§	
CIVIL TRIALS	§	GALVESTON COUNTY, TEXAS
	§	
TRIED IN THIS COURT	§	10TH JUDICIAL COURT

STANDING ORDER IN LIMINE

On this day, the Court enters this Standing Order in Limine, which will control and be effective for any trial of a civil matter in this Court from this day forward. Unless this Order or any portion of it has been suspended or amended, no attorney will make any reference to or mention of, directly or indirectly, any of the matters set forth below without first approaching the Bench and securing a ruling from the Court. Each attorney for any party shall also discuss this Order with his or her client, client representative and any witnesses which he or she may call, and admonish them to not refer to or mention any of the matters covered by this Order.

Counsel may file separate Motions in Limine to deal with any matters not addressed in this Standing Order and which they in good faith believe are appropriate for the case to be tried. Those Motions should not contain duplicate requests for the matters covered in this Standing Order. Counsel are to confer about their separate Motions in Limine prior to any pre-trial proceedings with the Court, and to advise the Court on the matters in which they are in agreement.

To any extent possible, the Court strongly desires to minimize the number and length of any bench conferences during trial on any of these matters, and to avoid the necessity of removing the Jury from the Courtroom to consider arguments associated with these matters. Counsel are strongly encouraged to bring any exceptions to these matters or issues relating to them to the attention of the Court during pre-trial proceedings.

The matters covered by this Order are set forth below:

1. Whether the defendant is or is not protected by any type of liability insurance, or any other reference suggesting the involvement of any insurance company or insurance coverage.
2. Whether any potential juror is or has been employed by or connected with the insurance industry, or whether any family member has such employment or connection. In the event a juror's information card shows such employment, that juror may be questioned about such employment in a limited fashion. Questions may be posed to any potential juror concerning his or her experience in adjusting,

reviewing or handling “claims,” but no reference is to be made to “insurance.”

3. Whether the named defendant is really not the true defendant, or whether the named defendant will or will not be personally responsible for any judgment resulting from the trial.
4. That any portion of the damages sought have been or will be paid by any collateral source.
5. The time or circumstances under which any party retained an attorney.
6. Whether any party will have to pay attorney fees, or any reference to the amount or basis for any attorney fees, unless there is a valid claim for attorney fees in the case which will be decided by the Court or submitted to the Jury.
7. That any party was willing to or volunteered to have an independent medical or psychological examination.
8. Any reference to the arrest, charge, suspicion or conviction for any criminal offense, unless the Court has specifically ruled that reference to be admissible.
9. Any reference to the use by any party or witness of alcohol, illegal drugs or any controlled substance unless the Court has specifically ruled that reference to be admissible.
10. Whether there have been settlement discussions, settlement offers or other attempts to settle the case.
11. Whether the case has or has not been to mediation or other form of alternative dispute resolution.
12. Any reference to the questions submitted to the Jury as “Plaintiff’s questions” or “Defendant’s questions,” or attempting to tie or relate any questions to any party.
13. Any offer or demand to stipulate to any item, number, dollar amount or other fact in the presence of the jury venire or jury.

14. Any offer or demand to produce any document or contents of any file from an attorney or witness in the presence of the venire or jury. Documents used to refresh recollection are excluded from this paragraph.
15. Whether there were any discovery disputes during the discovery phase of the case, including any party's position on such disputes or the Court's rulings on those disputes.
16. That any party has been a party to any prior suit or claim, or that a prior suit or claim has been made against a party. In the event the damages or injuries claimed in the pending suit are similar to prior damages or injuries, reference may be made to them, as opposed to any prior suit or claim associated with those prior damages or injuries.
17. Reference to the testimony which would have been offered by any witness who is not available to testify or is not expected to testify.
18. Any argument or suggestion that a judgment or award of damages would have an impact on insurance premiums, taxes or the cost of goods and services.
19. Any argument or suggestion that a failure to award damages would result in privation or financial hardship to the Plaintiff.
20. Any argument or suggestion the members of the Jury put themselves in the place or shoes of a party.
21. Offering any piece of evidence or calling any witness if the evidence or witness has not been identified in response to proper discovery requests. If a party believes in good faith there is good cause for the offer of the evidence or calling of the witness, or that no discovery request called for identification of the evidence or the witness, such party shall first approach the Bench and secure a ruling on the admissibility. To any extent practical, these matters are to be called to the Court's attention during any pre-trial proceedings before the case actually begins trial.

22. Any aspect of the rulings contained in this Standing Order, or any rulings which may be made by the Court on any Motions in Limine filed by any party.

Signed: _____, 2013.

JUDGE KERRY L. NEVES
10TH JUDICIAL DISTRICT COURT