

# Trial Procedure Reform Amendment

## *Summary:*

The purpose of this Bill is to add more regiment to the current trial procedure system in place. Addressing the issues laid out in the [Icenian Legal Reform Conference November 2023](#), this Bill will give the sitting Judge more control over the proceedings of the trial to ensure that the conduct is orderly and easily readable for future reference.

The following shall substitute section V(b).

This Bill shall not affect any trials in progress or existing trial requests that were submitted before it was passed.

## (c) Trial Proceedings

1. The proceeding may begin with an opening statement from the plaintiff which should give a more detailed account of their grievances as well as any accompanying evidence and witness testimony. The defense is then permitted to begin their opening statement after the plaintiff has finished their statement.
2. If the defense or plaintiff believes that trial procedure is not being followed properly, they may make an objection during the trial which will be sustained or denied by the judge.
3. The Judge may use their discretion to ensure trial procedure is followed, including exercising contempt of court as highlighted in section (f).
4. The two parties may then begin exchanging statements containing evidence, context, and witness accounts in the courtroom. After each statement is delivered, the opposing party may cross-examine the witness or question the evidence provided. The Judge may interject at any time to ask questions or seek clarification..
5. The two parties may participate in argument at the discretion of the Judge.
6. The Judge may exercise discretion in allowing evidence or witnesses to be heard by the court.
7. Once the Judge believes both sides have been given a fair hearing, the Judge may ask the plaintiff to deliver a final statement summarizing their arguments and evidence to the Judge. The defense may then deliver its final statement.
8. Finally, the Judge will deliberate, considering any aggravating and mitigating factors, and deliver their statement siding with the plaintiff or the defendant. This statement shall include their reasoning as well as any applicable sentences.

The following shall be appended to the end of Section V.

(g) Judiciary Discipline

9. Maintaining the decorum of the Court, and the rights of all parties involved, is the responsibility of the Judge, who is thus empowered to do the following, if necessary:
  - a. Mute members of the trial who speak out of order or are disrupting the normal proceedings of the trial.
  - b. Give reasonable deadlines for parties to publish their statements, moving on to different stages of the trial should statements not be provided by their deadlines.
  - c. Dismiss objections from members should they be redundant or inappropriate.
  - d. Demand that parties follow trial procedure.
10. If a party knowingly or repeatedly fails to adhere to the demands and warnings of the Judge, they may be held in contempt of court, which may scale based on severity.
11. Should a party be held in contempt of court, the Judge impose the following consequences until their behavior is remedied regardless of the outcome of the trial:
  - a. Fines owed to the opposing party
  - b. Removal from the courtroom
  - c. Forsaken rights to a trial
  - d. Pearling