

### **3. Hearings of Fact**

#### **§3-101**

At the hearing, the petitioners and respondents will be allowed to call witnesses and present evidence to the Court.

#### **§3-201**

Unless otherwise directed by the Court, the petitioners and respondents, respectively, shall present their opening statements, then, respectively, present their cases at large, followed by the petitioner's rebuttal witnesses and finally, closing arguments.

#### **§3-202**

The Chief Justice shall preside over the hearing and rule on any objections unless otherwise noted.

#### **§3-202.01**

An objection made to a justice's question will be either "sustained" or "overruled" by a roll-call vote of the justices. The roll-call should be made by the Chief Justice.

#### **§3-203**

All witnesses may be directly examined by the calling representative, cross examined by one of the opposing representatives, redirected by calling representation, re-crossed by opposing representation, and examined by justices of the Court, respectively.

#### **§3-203.01**

Justices are urged to not examine witnesses as if they are hostile to the Court, but are able to, at their discretion.

#### **§3-203.02**

The following objections will be recognized by the Court: (a) argumentative, (b) irrelevant, (c) hearsay, (d) beyond the scope of (I) cross examination, (II) re-direct examination, (e) vague question, (f) compound question, (g) counsel is testifying, (h) lack of personal knowledge, (i) leading question, (j) speculative, or (k) motions *in limine*.

#### **§3-203.03**

Motions in *limine* must be filed 24 hours prior to the hearing time and date and ruled upon in chambers by justices by a majority opinion prior to the hearing. Should the motion in *limine* be granted, both parties will be alerted immediately.

#### **§3-204**

After all evidence and arguments have been presented, justices will retire to the Senate Office to deliberate.

#### **§3-301**

Representatives may "appeal" the ruling of an objection by stating that intention and asking for an appeal prior to the next question being asked, or the statement being continued.

#### **§3-301.01**

The petitioner and the respondent may appeal as many times as they feel necessary until they have received three affirmed appeals. At the time that they receive three affirmed appeals, the Court will no longer grant appeals to that party.

### §3-302

When a party requests an appeal the presiding justice will perform a “roll-call” vote of the justices. When a justice’s name is called, that justice should reply, (a) “affirmed,” to uphold the ruling of the presiding justice or (b) “reversed,” to reverse the ruling of the presiding justice, or (c) “chambers,” which requests the justices remove themselves from the proceeding to discuss the objection.

### §3-303

Should the four associate justices reach a majority of “affirmed,” the presiding justice will announce such ruling and allow questioning to continue. Should the four associate justices reach a majority of “reversed,” the presiding justice shall announce the reversal of the ruling and allow questioning to continue accordingly.

### §3-304

If the four associate justices are split equally and no majority is reached, the ruling stands, but is not counted as affirmed for purposes of §3-301.01.

### §3-305

When one justice calls for “chambers” the roll-call will continue until another announces “chambers.” Should no other justice call for “chambers,” the presiding justice will read off the name of the first justice who called for chambers and at that time the justice must announce “affirmed,” or “reversed”

### §3-306

Upon two justices calling for chambers, the presiding justice will announce a recess to those present in court. The justices will then retire the chambers and discuss the decision.

### §3-307

Once a decision has been reached on the appeal. The presiding justice will then call the Court back to order and roll-call vote in accordance with §§3-302 and 3-303.