



**LAW OFFICE OF GERALD
OGINSKI, LLC**

67 Cutter Mill Road
Great Neck, NY 11021

T 516-487-8207

Gerry@Oginiski-Law.com

At trial, does judge tell jury how much injured victim should get?

At the end of a civil trial here in New York will the judge ever turn to the jury and give his opinion about how much compensation the injured victim is to receive or at least in his opinion should be receiving? You want to know the answer? Come join me for a moment as I show you some great information.

Hi, I'm Gerry Oginiski. I'm a New York medical malpractice and personal injury attorney practicing law here in the state of New York. The answer is no. The judge is never ever going to do that. You want to know why? Because that's not his job. That's not his responsibility. The judge has a specific responsibility at trial. He's supposed to be impartial from the very beginning of the case until the very end of the case. The judge is not supposed to hint or even suggest his beliefs as to who he believes the jury should be giving a verdict for or how much compensation the injured victim should be receiving as a result of what what happened.

Instead the judge is responsible for overseeing how the trial proceeds, for overseeing what testimony gets put into evidence, for overseeing what exhibits get introduced into evidence, for overseeing issues dealing with the law. Issues of law are solely within the focus of the judge. However, the judge is never ever supposed to give his opinions. He's never supposed to give this thought as to who is entitled to a verdict in their favor or how much compensation the injured victim is to receive. If he did that, that would be known as reversible error; meaning that if they took it up on appeal, now in all likelihood that verdict would be overturned, and now the case would have to be tried all over again.

The jury has to reach these conclusions on their own to decide whether we have shown that we are more likely right than wrong, that we are entitled to a verdict in our favor. If they decide that we are, now they have to decide how much compensation to give to the injured victim.

Now, you should know this at the end of the trial during closing remarks there is a very good likelihood that I will make a recommendation to the

jury and suggest how much compensation I believe my client is entitled to. The defense has the same opportunity. I guarantee you the defense is going to turn around, if they choose that strategy, to say that my client's entitled to much, much, much less if anything at all.

Why do I share this quick information with you? I share it with you just to give you an insight and an understanding into what goes on in these civil lawsuits here in New York involving accident cases and medical malpractice cases and even wrongful death cases. I recognize and I acknowledge that you're watching this video because you likely have questions or concerns about your own particular matter. Well, if your matter did happen here in New York and you're thinking about bringing a lawsuit but you have questions that need answers, what I invite you to do is pick up the phone and call me. I can answer your legal questions that's something I do every single day, and I'd love to talk to you. You can reach me at (516) 487-8207 or by e-mail at gerry@oginski-law.com. That's it for today's video. I'm Gerry Oginski have a wonderful day.