



**LAW OFFICE OF GERALD  
OGINSKI, LLC**

67 Cutter Mill Road  
Great Neck, NY 11021

T 516-487-8207

[Gerry@Oginski-Law.com](mailto:Gerry@Oginski-Law.com)

## Does judge decide how long opening arguments will be?

In a civil lawsuit in New York, does the judge decide how long opening arguments are going to be? Do you want to know the answer? Come join me for a moment as I share with you some information. Hi, I'm Gerry Oginski. I'm a New York Medical Malpractice and Personal Injury Attorney practicing law in the state of New York. The answer is the judge does control how long the opening arguments are going to be. Now, before the trial actually starts, the judge is going to have a private conversation with the attorneys before he brings the jury in. He's going to be asking the attorneys, "All right, Counsel, how long are your opening arguments going to be?"

Now if one of the attorney's says, "Judge, I have a really long, detailed opening. It's going to be three hours." What do you think the judge is going to do? He's likely going to turn around and say, "Counselor, your argument is going to thirty minutes or maybe I'll give you forty minutes, no more." Does the judge have the ability to do that? The answer is, yes, he does. Now why does he do that? It's because the judge controls what happens in the courtroom. The judge controls what witnesses will testify. The judge controls the order in which the witnesses will testify and when the jury takes a break. Everything that happens in the courtroom the judge will control. Now when the attorney says, "Judge, I have a three hour opening argument." The judge is likely going to turn to him and say, "Counselor, no. Your argument is going to be thirty minutes. Cut it down." Can the attorney do that? He has to do that.

You know what? You will find that the best trial attorneys are ones who can tell a great story, who can give great information in a very short time period. Why? Because they know how to transmit information and communicate information in a fast, concise way. If they do that, guess what? The jury appreciates it because this way they're not there bored out of their minds listening to someone drone on and on and hours and hours. The sooner and quicker you get that information to the jury, they need to understand it in clear and concise way, they will appreciate it. Now the mere fact that one attorney has a shorter argument than another does not mean that that at-

torney is going to win, but in terms of sitting there listening, the jury will definitely appreciate a shorter, concise argument, and at the same time the judge will appreciate it as well.

Why do I share this quick tidbit of 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. You know, I realize you're watching this video and I acknowledge you've got questions or concerns about your own particular problem. 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. You know, that's something I do every single day and I'd love to chat with you. You can reach me at 516-487-8207 or by email at [gerry@oginski-law.com](mailto:gerry@oginski-law.com). That's it for today's video. I'm Gerry Oginski. Have a wonderful day.