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Judge reserves his decision during trial. Why would he do that?

You're sitting in court. It's a civil trial in New York, and now you hear that the judge is reserving decision. What does that really mean? You want to know the answer? Come join me as I share with you this great 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. During a civil trial, whether it's an accident case or a medical malpractice case or even a wrongful case, there will be numerous times during the course of that trial where one attorney or another will jump up, yell out "Objection, Judge," and now the judge has to make an immediate snap decision about whether or not the attorney is correct with his objection or he's incorrect. Should he allow the witness to answer the question? Is the question properly phrased? Is this piece of information appropriate and can they show it to the jury?

All of these things the judge has to make an instantaneous decision, but now there are some cases where the judge will turn and say, "You know what? I can't make an instant decision, so here's what I want. I'm going to reserve my decision. I want legal briefs from both attorneys, and now I want some time to do my own research to see who's right and who's wrong." Now, the judge may not make a decision until the next morning. He might wait until the next day or day or two or three down the road. Those could have significant implications because now, as he does his research to learn more about the specific legal issue, that can have an impact on one side or the other. Whether a piece of evidence gets shown to the jury, whether a document gets shown to the jury, whether a witness is permitted to answer a specific question; all of those things are critical and may cause the case to turn around and now favor one side or the other.

Now, the judge says, "I want legal briefs on my desk tomorrow morning first thing, and this way it'll give me additional time to do my own research, have my law clerk help me with the research, and now I can come to a conclusion about who I think is correct and who's not correct."

Why do I share this great information with you? I share it with you just to give you an insight and an understanding into how these types of cases work here in the state of New York. I realize 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 to be answered first, what I encourage you to do is pick up the phone and call me. You know, I answer questions just like yours every single day and I've love to chat with you.

You can reach me at 516-487-8207 or by email at gerry@oginski-law.com. That's it for today's video. I'm Gerry Oginski. Have a fantastic day!