

The judge turns to the jury and says "Ladies and gentlemen, you are to disregard that last question." What does that mean? You want to know what that means? Come join me for a moment as I share with you this great information. Hi. I'm Gerry Oginski. I'm a New York medical malpractice and personal injury trial lawyer practicing law in the state of New York. During the course of a trial, an attorney asks a question and now the defense attorney gets up, makes an objection. "Objection, Judge, that's irrelevant!" And now there are some instances where the judge will agree with the defense attorney and turn to the jury and say "Ladies and gentlemen, you are to disregard that last question. It is not evidence." Now what does that mean? It means let's say, I may have asked a question that contained information in there that now is inappropriate and now the judge doesn't want the jury to believe that that information was in any way evidence. What the judge will tell the jury, later on at the end of the case and has probably told them at the very beginning of the case, is that the evidence that they are to consider is not just a question but the question and the answer. That forms the basis of some evidence. Then they can go ahead and consider it. Now if the judge tells the jury "Ladies and gentlemen, you are to disregard that question. Objection sustained." Which means I cannot ask that question and Mr. Witness do not answer that question. Now I have to ask a different question. Now what happens though if I ask a question, the defense attorney gets up and objects, says it's inappropriate and now the judge rules on it. But before he has a chance to rule, the witness has already answered the question. So now I've asked a question, the witness has answered it, the defense attorney jumps up and objects. The judge says "Yes, it's an appropriate question." But the witness has already given an answer. So now the judge will tell the jury, "Ladies and gentlemen, you are to consider that question and you're to disregard that answer." Well how to get somebody to not hear what they just heard, especially now that you're highlighting the fact don't pay attention to this question and this answer? It's extremely difficult to do. So why do I share this quick information with you? I share it with you just to give you some great information about what happens during the course of trial during a car accident case or a medical malpractice case or even in a wrongful death case here in the state of New York. You know, I realize you're watching this because you have questions or concerns about your own particular matter. Well if your matter did happen here in New York and you do have legal questions, what I encourage you to do is pick up the phone and call me. I can answer your legal questions. You know, this is something that I do every single day and I'd love to talk to you. You can reach me at 516-487-8207 or by email at Gerry@Oginski-law.com. That's it for today's quick video. I'm Gerry Oginski, have a great day!