

IN THE 284th DISTRICT COURT OF
MONTGOMERY COUNTY, TEXAS

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STANDING ORDER IN LIMINE


During the trial of any civil jury case in the 284th District Court, unless and except to the extent that the operation of this Order *In Limine* shall have been suspended with reference to such specific trial, no attorney shall make mention, refer to or suggest any of the matters hereinafter set forth in the presence or hearing of the jury, the venire, or of any member of either without first approaching the bench and securing a ruling from the Court authorizing such reference. In addition, each attorney shall admonish the client, client's representatives and all non-adverse witnesses the attorney may call to testify similarly to refrain from any such statement, reference or suggestion unless same is essential to respond truthfully to a question asked by opposing counsel.

The matters to which reference is prohibited by this Order are the following:

1. **Insurance:** Unless a defending party is an insurance company, that a defending party is or is not protected by liability insurance, that counsel was retained by an insurance company, that any part of the costs of defense or a resulting judgment are or will be paid by an insurance company, or that an insurance company is involved with the case.
2. **Liability or Non-Liability for Judgment:** That any named defending party may or may not have to pay any resulting judgment.
3. **Collateral Source:** That any portion of the damages sought by a party have been, or will be paid by any collateral source.
4. **Attorneys' Fees:** That any party will have to pay attorneys' fees, or any reference to the amount or basis of any attorneys' fees, unless a claim for recovery of attorneys' fees in the case will be submitted to the jury.
5. **Criminal Offenses:** That any party or witness has been suspected of, arrested for, charged with or convicted of any criminal offense.
6. **Alcohol or Drug Use:** That any party or witness uses or abuses alcohol, tobacco, or any controlled substance.
7. **Settlement Negotiations or Mediation:** Any negotiations, offers or demands with respect to any attempted settlement or mediation.
8. **Discovery Disputes:** Any reference to discovery disputes that arose during the preparation of the case for trial, any position taken by any party with respect thereto, any objection based on failure to disclose evidence in discovery. or to any rulings thereon.

9. **Prior Suits or Claims:** That any party has been a party to any prior lawsuit, or has asserted any prior claim, or that any prior claim has been asserted against a party.
10. **Requests for Stipulations:** Any request or demand in the presence of the jury or venire for a stipulation to any fact, or that counsel admit or deny any fact.
11. **Requests for Files:** Any request in the presence of the jury or venire that opposing counsel produce any document or thing, or that opposing counsel, any party, or any witness allow examination of the contents of any file or briefcase (except that a party may demand to see a document used by a witness to refresh his/her recollection).
12. **Discrimination:** Any comment that a party or witness should be treated more or less favorably because of such party's race, gender, national origin, religion, marital status, occupation, sexual orientation, gender identity, or financial status (except as to exemplary damages).
13. **Social Cost of Award:** Any suggestion that an award of damages will affect insurance premiums, the price of any goods or services, or the level of taxation.
14. **Financial Hardship:** Any argument or suggestion that an award or a failure to award damages will cause a party financial hardship.
15. **Golden Rule:** Any argument or suggestion that the jurors should put themselves in the position of a party.
16. **Effect of Answers to Jury Questions:** Any argument that any finding or failure to find in response to a particular jury question will or will not result in any particular judgment, except that counsel may argue that a particular jury question should be answered in a particular way.
17. **The Filing of and Rulings Related to a Motion *In Limine*:** Any mention that a Motion *In Limine* has been filed and ruled upon, that any party has moved to exclude, limit, or restrict the evidence on particular matters, or that this Court has excluded proof on particular matters.

Signed January 4, 2019.



Kristin Bays
Presiding Judge, 284th District Court