

8.01 | INTRO - TRIAL

If a case is not resolved by summary judgment, settlement or dismissal by the court, the case will proceed to trial. This is a civil action and, unlike a criminal trial, the burden on the plaintiff is to prove by a preponderance of the evidence that the events complained of happened. During the trial the plaintiff will attempt to prove the facts necessary to demonstrate that he/she is entitled to the relief sought in the complaint. The defendant will attempt to prove that he/she has not committed any wrong, or if he/she has committed a wrong, that there is an affirmative defense which limits or prevents plaintiff's recovery. Fundamentals of Trial Techniques by Thomas Mauet (published by Little, Brown and Company) is an excellent reference book.

*(US District Court, New York, Western District // Buffalo, NY 14202
Pro Se Litigation Guidelines)*

