LAW CLASS
How Courts Work

Steps in a Trial

Final Motions

After all the evidence has been presented and the jury has left the courtroom, either side may move for a directed verdict. If the motion is granted the trial is over; if not, the presentation of evidence is complete and the case is ready to be submitted to the jury.

Closing Arguments

The lawyers’ closing arguments or summations discuss the evidence and properly drawn inferences. The lawyers cannot talk about issues outside the case or about evidence that was not presented.

The judge usually indicates to the lawyers before closing arguments begin which instructions he or she intends to give the jury. In their closing arguments the lawyers can comment on the jury instructions and relate them to the evidence.

The lawyer for the plaintiff or government usually goes first. The lawyer sums up and comments on the evidence in the most favorable light for his or her side, showing how it proved what he or she had to prove to prevail in the case.

After that side has made its case, the defense then presents its closing arguments. The defense lawyer usually answers statements made in the plaintiff's or government’s argument, points out defects in their case and sums up the facts favorable to his/her client.

Because the plaintiff or government has the burden of proof, the lawyer for that side is then entitled to make a concluding argument, sometimes called a rebuttal . This is a chance to respond to the defendant’s points and make one final appeal to the jury.

Occasionally the defense may choose not to make a closing statement. If so, the plaintiff or government loses the right to make a second argument.