



# **U.S. CRIMINAL COURT Rules of Procedure**

**JUSTINIANUS MOOT COURTS 2019****U.S. CRIMINAL COURT****RULES OF PROCEDURE****The Case of the State of Louisiana v. Jeremy Bourdain****A. GENERAL PROVISIONS****Article 1: Scope**

1. *Rules of Procedure* is adopted prior to the Oral Proceedings before the conference and shall not be appealed.

2. The provisions of Rules of Procedure shall be applicable throughout all sessions of Justinianus Moot Courts Conference (hereinafter will be referred as JMC 2019) unless otherwise is stated by the Secretariat.

3. The Rules of Procedure shall be explained to all court members, at the beginning of the first session by designated members of the Secretariat. The Court members shall not diverge from these rules specified by the Secretariat.

4. The Secretariat and the President of the Court are exclusively authorized to interpret the stipulated rules in accordance with the purpose and the spirit of the Rules of Procedure.

**Article 2: Definitions**

The following definitions will apply for the entirety of Rules of Procedure:

**Court:** Refers to the 19th Judicial District Court of Louisiana.

**Trial:** Refers to whole hearing of the Court.

**Prosecution:** Refers to the government attorney charging and trying the case against a person accused of a crime.

**Defense:** Refers to the party that represents the defendant in a lawsuit or criminal prosecution.

**Parties:** Refers to both Prosecution and Defense collectively.

**President:** Refers to the President Judge in the Court.

**Vice-President:** Refers to the Vice-President Judge in the Court.

**Rapporteur:** Refers to the Rapporteur in the Court.

**Board:** Refers to both President, Vice-President and Rapporteur in the Court.

**Jury:** Refers to 12 jurors who analyses facts of the case.

**Jury Chamber:** Refers to the venue where Jury discuss the facts of the case.

**Foreperson:** Refers to a juror who moderates the flow of the debate in Jury's deliberations and read the verdict of the Jury in the Court Room.

**Attorneys:** Refers to all members of Prosecution and Defense.

**Witnesses:** Refers to all witnesses which the Court accepts to be heard in testimony of witnesses.

**Press:** Collectively refers to press members of the Justinianus Moot Courts 2019.

**Appeal:** Refers to a challenge to a decision of the President or the Board, by Judges and Attorneys.

**Court Room:** Refers to The Court's venue.

**Speaker:** Refers to a member of the Court who has right to speak at the moment.

### **Article 3: Official Language**

1. English shall be the official and the working language of JMC 2019. No other language shall be accepted by the Secretariat.

### **Article 4: Dress Code**

1. The dress code is formal business attire and is mandatory during the Conference.

### **Article 5: Participation**

1. All Judges shall have equal vote within the Court.

2. Motions and decisions shall pass with majority at all times.

3. During the Deliberations, Judges shall decide in accordance with the majority of the Court. In case of equal votes, President Judge shall be the tiebreaker.

**Article 6: Credentials**

1. The credentials of all participants have been accepted upon registration.
2. Actions relating to the modification of rights, privileges, or credentials of any Member may not be initiated without the written consent of the Secretary-General.
3. Any representative to whose admission a Member objects will provisionally be seated with the same rights as other representatives, pending a decision from the Secretary- General.
4. Badges given upon registration are used to show the verification of credentials. Every participant is required to have their badges with them at all times. JMC 2019 holds the right to restrict participation of anyone without a badge.

**Article 7: Secretariat**

1. The Secretariat shall consist of Secretary-General, Deputy Secretar- General, Under Secretaries-General and Academic Assistants. The Secretariat shall responsible for following the Rules of Procedure and the members shall refrain from such behaviors and actions that might not fall under the provisions of this document.
2. The Secretary-General or a member of the Secretariat designated by her/him at any time may deliver either written or oral statements to the Courts.
3. The Secretary-General may address to the Courts in anytime.
4. In the absence of Secretary-General, Under Secretary-General of the Court will be the representative of hers/his and shall perform the duties of the Secretary-General.
5. The decisions of the Secretariat shall not be appealed.

**Article 8: The Secretary-General**

1. The Secretary-General shall act in full capacity throughout the JMC 2019. The decisions and directives of the Secretary-General shall be final and binding.
2. The Secretary-General shall refrain from any actions that might undermine her position as an international official responsible only to JMC 2019.
3. Each participant undertakes to exclusively respect the international character and the

responsibilities of the Secretary-General and her staff and not to seek to influence them in the discharge of their responsibilities.

#### **Article 9: Courtesy and Disciplinary Rules**

1. All participants hold the responsibility to show diplomatic courtesy during all the sessions, to show utmost respect to the members in the Court.
2. Official warning may only be directed by the Secretary-General, when a participant acts against the Rules of Procedure insistently.

#### **Article 10: Note Passing**

1. The communications between Judges and the President Judge shall be made by note passing by the aid of Administrative Staff. Note passing shall be made via the Message Papers prepared by JMC 2019.
2. Note passing between the Parties and the Judges -excluding the President Judge- or between the Prosecution and the Defence are strictly forbidden.

#### **Article 11: Electronic Devices**

1. President Judge may allow Attorneys and Judges to use electronic devices. However he/she may prohibit the usage of such electronic devices at anytime when he/she finds necessary.
2. Electronic devices shall be used in the benefit of the Court Proceedings.
3. Using electronic devices for purposes that do not fall under the mission of the Court and provisions of this document is strictly prohibited.

#### **Article 12: Quorum**

1. The Quorum is met when the simple majority of the registered Judges (including the President Judge), the Rapporteur and one of the Attorneys for each side are present at the beginning of each session.
2. Quorum shall be sought through formal Roll Call at the beginning of each session.
3. Members, who arrive late to the session, shall pass a note to the President Judge in order to participate in the proceedings and to be added to the Roll Call.

4. The required majorities shall be calculated according to members recorded as present in the Roll Call.

5. If one of the Parties is late more than thirty minutes regarding the designated time announced on the JMC 2019 Schedule, the President Judge has the authority to start the session.

## **B. COMPOSITION OF THE COURT**

### **Article 13: Composition of the Court**

The Court is composed of President, Vice-President, Rapporteur, Jury composed of [...] jurors, one or two Attorneys for each party to the case and Judges of the Court.

### **Article 14: Board**

1. Court will have one President and one Vice-President as the moderator of debates and representative of the Secretariat in general and one Rapporteur as the Board.

2. Board will ensure the implementation of Rules of Procedure.

3. President and Vice-President shall vote along with and as equal to other Judges of the Court in both substantive and procedural voting procedures.

### **Article 15: Rapporteur**

1. Rapporteur will be responsible for taking notes of court proceedings, arguments of the both parties, substantive deliberations of Judges, testimonies of Witnesses, and procedural decisions taken by the Board. When needed, these notes will be used in deliberations and judgment writing.

2. Rapporteur is not a judge. Rapporteur is not eligible to vote or participate in the deliberations or vote in procedural matters.

3. Rapporteur shall record the oaths of Judges, Attorneys and Witnesses before the commencement of the Trial, the opening statements and testimonies respectively.

- The oath for Judges shall be taken as follows:

*“I, Judge <Surname>, solemnly declare that I will perform my duties and exercise my powers as judge of the 19th Judicial District Court of Louisiana honorably, faithfully, impartially and consciously, and that I will respect the confidentiality of the deliberations”.*

- The oath for Attorneys and Witnesses shall be taken as follows:

*“I solemnly declare upon my conscious and honor that I will speak the truth, the whole truth and nothing but the truth”.*

- The oath for Jurors shall be taken as follows:

*“I, Juror <Surname>, solemnly declare that I will perform my duties and exercise my powers as juror of the 19th Judicial District Court of Louisiana honorably, faithfully, impartially and consciously, and that I will respect the confidentiality of the deliberations”.*

Rapporteur is required to fully comprehend the case. During the proceedings, Rapporteur may be consulted in this respect upon the motion of Judges during deliberations or the discretion of the President and the Vice-President.

Rapporteur will be the primary addressee of Press. Press will be informed of the nature of deliberations through Rapporteur. Yet, Rapporteur is not allowed to share substantive outcomes and conclusions of Judges.

### **Article 16: Judges**

1. The Judges are expected to determine the relevant facts of the case and apply the related law accordingly. The expressions of the Judges should be grounded with legal basis.
2. Judges are responsible for determining the applicable law and reaching a judgment. The final judgment of the Court will be written by Judges and announced by the President.
3. Each judge shall have one vote in substantive and procedural votes.

Judges, with respect to the solemn undertaking, are expected to be impartial during the proceedings. Should any judge fail to do so; official warning from the Board and the Secretariat will be in order respectively.

4. Judges may question Attorneys or Witnesses in the designated phases of the Trial.
5. Judges will draft a judgment in accordance with the verdict of the Jury

**Article 17: Attorneys**

1. Each attorney shall take the oath in accordance with this Rules of Procedure. Should any attorney refuse to do so, they will not be able to participate in the proceedings.
2. Prosecution is responsible for bringing charges on substantial grounds before the Court against the accused, presenting its case through evidence material and testimonies of witnesses.
3. Defense Counsels represent the accused and is expected to defend their best interest presenting the case through evidence material and testimonies of witnesses.
4. Attorneys shall submit their memorial or counter-memorial to the Secretariat prior to oral proceedings. The Secretariat and the Board shall ensure that Judges are well aware of the content of the memorials.
5. Prosecution shall carry the burden of proof. Should Defense challenge an already acknowledged fact; the burden of proof shall be reversed.
6. Attorneys are expected to abide by the Rules of Procedure. The official warning procedure for
7. Judges recognized in Article 14/4 shall apply to the Attorneys as well.
8. Attorneys will be required to submit their stipulations to the Court, after opening statements.
9. Attorneys do not have the right to vote in procedural or substantive processes. They may raise motions to alter speakers' time or Appeal the Board's decision in designated phases.
10. They may raise points of order, parliamentary inquiry, personal privilege and information.
11. They are the primary addressees of Section E of Rules of Procedure.
12. Attorneys shall make all of their statements standing in front of the Court, during opening speeches, presentation of evidence and witness testimonies and while answering questions from directed by Judges.

**Article 18: Jurors**

1. Each juror shall make the solemn before the commencement of the proceedings. Should any juror refuse the undertaking, they will not be able to participate in the proceedings.



2. Jurors are responsible for analyzing facts of the case and reaching a conclusion regarding elaboration of facts. Elaboration of facts and decision will be announced by the Foreperson to the all members of the Court.
3. Jurors do not have a right to vote and right to speak in both procedural and substantive processes during the Trial except Jury's Deliberations.
4. Jurors, when the Board deems necessary, will be instructed by the Board regarding the rule of law and its application to the case at hand verbally or in written.
5. During the Trial, all jurors must refrain from any action that may harm their impartiality.
6. Jurors are expected to abide by Rules of Procedure. The official warning procedure for Judges in accordance with this ROP shall apply to the Jurors as well.
7. Jurors will elaborate on facts of all claims and draft a verdict in accordance with their opinion.
8. Jurors may communicate with and send their questions to the Board via message papers.

### **C. ORAL PROCEEDINGS OF THE COURT**

#### **Article 19: Opening Statements**

1. After the solemn undertaking of Judges and Jurors and oaths of Attorneys the Court shall proceed with the opening statements of Parties.
2. Prosecution shall be the first to make an opening statement followed by Defense.  
  
The opening speech shall briefly summarize the arguments of each party mentioned in the written proceedings and what they will pursue during oral proceedings.
3. The time allocated for opening statements will be determined by the President equally for each party, before the commencement of speeches. Immediately after its announcement, attorneys may raise a motion to alter the speakers' time once. Should the Board accept the motion, the speakers' time will be altered for both Parties.
4. Opening speeches cannot be divided into two per each Prosecutor/Defense Counsel. One Prosecutor/Defense Counsel shall deliver the speech.

**Article 20: Evidence Presentation**

1. Each party shall present any evidence material such as, legal sources, reports, resolutions of international organizations, news articles, maps, charts, videos, photographs, written Statements of Experts or anything in essence that supports the construction of the case or they deemed as relevant to the case before the Trial.
2. Each evidence material shall be submitted to the Court before its presentation to be formally recognized and presented.
3. The Board shall ensure that both Parties use the same amount of time during their presentations of evidence.
4. Parties may divide this phase in two, for each Attorney to have their turn.
5. If a piece of evidence is deemed unacceptable, it can never be referred in the Trial.
6. The Objections from the Opposing Party shall be accepted during the Evidence Presentation of the other Party. Objections may interrupt the speaker.
7. During the Evidence Presentation, the Objections stated below shall be in order:
  - Immaterial
  - Irrelevant
  - Prejudicial

**Article 21: Questioning of the Attorneys by Judges**

1. During the evidence presentation, Judges, the President and the Vice-President may ask questions to the Attorneys. The phase will be monitored by the Board. Judges, the President and the Vice-President may also ask questions between each evidence.
2. Presidency may allow follow-up questions if the Judge whose question has just been answered raises the request. Presidency shall have absolute discretion on this matter.
3. One attorney shall answer one question; intervention of another attorney shall never be permitted. The Board will give a limited amount of time to Attorneys of a party to discuss the

answer of the question between each other. It is up to Parties' discretion to determine who will answer the question.

4. Jurors may send their questions via message papers to the President. Jurors' questions will have priority as long as the Board finds it suitable to ask. Jurors may not challenge the decision of the Board if their questions are rejected.

### **Article 21: Witness Testimonies**

1. During the Trial, both Parties may present witnesses. A Party may introduce two witnesses only.

2. Questioning of the witnesses shall start with the Prosecution and the Court will then entertain the witness testimonies of the Defence and the order will follow as stated.

3. The Clients are counted as a witness.

4. The list of the witnesses should be submitted during the Written Proceedings stating their names, professions, and their relevancy to the case. The court shall not regard a witness submission during the Oral Proceedings.

5. The time allocated for witnesses -equal to all witnesses- shall be announced by the President Judge. The extension motions will be accepted after the announcement.

6. Prior to the questioning of a witness by Parties; it is expected from the Counsel to introduce the witness to the court where stating their names, professions, age and the witness' relevancy to the case.

7. The witness testimonies shall proceed in the stated order below:

- Witness #1 by the Prosecution
- Witness #2 by the Prosecution
- Witness #1 by the Defence
- Witness #1 by the Defence

8. The Witness Testimony starts with the direct-examination of the Party who called the witness by asking questions. As soon as the Party indicates that it does not have any questions to the witness it shall state "*your witness*" to the opposing party. Then the opposing Party shall have the right to

cross-examine the witness by asking questions. The content of cross-examination shall be limited to the questions asked and the answers given during direct-examination. As soon as the party indicates that it does not have any questions to the witness it shall state “*no further questions.*”

9. The Counsels may only ask questions. Explanations or leading argumentations are strictly forbidden.

10. For each Witness Testimony, one counsel may do the direct-examination and same rule shall apply to the cross-examination. Dividing the phase is strictly out of order.

11. After each witness testimony, the Judges shall ask further questions to the witnesses. The President Judge may limit the Questioning time, if necessary. There shall not be a limited number of questions for Judges, yet they may ask only one question at a time. The President Judge shall moderate the process.

12. If a Judge wishes to ask an additional question right after the answer, he/she shall raise a motion to follow-up. The President Judge may grant it or overrule it. The follow-up question should be related to the previous question of the Judge.

13. The Objections stated below shall be in order during the Witness Testimonies:

- Ambiguous
- Argumentative
- Badgering
- Compounded Question
- Hearsay
- Immaterial
- Incompetent
- Irrelevant
- Leading Question (only during the direct examination)
- Nothing Pending
- Prejudicial
- Speculation

**Article 22: Rebuttal and Surrebuttal**

1. The Rebuttal/Surrebuttal phase consists of rebutting the Opposing Party and compensating the lack sections of the arguments provided by the Parties themselves. The context of the Rebuttal/Surrebuttal shall be evidence presented, questions asked by Judges, counter-claims, witness testimonies and memorials.
2. The phase shall start with the Rebuttal of the Prosecution following by the Surrebuttal of the Defence.
3. Allocated time for Rebuttal and Surrebuttal –equal for both- shall be notified by the President Judge and a motion to alter the time shall be granted respectively.
4. During the Rebuttal/Surrebuttal, presentation of new arguments is strictly prohibited.
5. Parties may divide the phase into two between the Counsels. However, a Counsel cannot be granted twice during the Evidence Presentation.
6. The Judges may interrupt the Counsels with questions during the Rebuttal and Surrebuttal.
7. The scope of surrebuttal shall be limited to the content of Rebuttal.

**Article 23: Closing Statements**

1. During the Closing Statements, Parties shall briefly summarize what they have proven and discussed on the previous phases.
2. Prosecution shall start with their Closing Statements followed by the Defence.
3. Closing Statements cannot be divided into two per each Party. Only one Counsel is allowed to make the Statement.
4. The Judges may not interrupt the speaker for questions at any time during the Closing Statements.
5. The time allocated for the Opening Statements shall apply to the Closing Statements as well.

## **D. RULES GOVERNING THE DELIBERATION OF THE JUDGES**

### **Article 24: Judges' Deliberations**

1. Judges' deliberations are the periods embedded in between phases of the Trial and Judges discuss the merits of the case in private.
2. President shall dismiss Attorneys, Jury and Press from the Court Room prior to the commencement of deliberations.
3. The deliberations shall follow the Rules of Procedure of JMC 2018 in rules governing debate and points. Judges shall not be required to stand up during deliberations.

Judges' Deliberations will be held simultaneously.

4. The length of deliberations shall be determined by the President. Judges may raise a motion to alter deliberation time.
5. Each Deliberation of the Judges will be concluded by the determination of Instructions & Questions for the Jury. The Judges will write a short document, briefly explaining the law and the facts that need to be found by the Jury. Then, the Judges will have this document delivered to the Jury before they go in for the following Deliberation.

### **Article 25: Jury's Deliberations**

1. Jury's Deliberations are the periods embedded in between phases of the Trial and Jury discuss the facts of the case in private.
2. Jury's Deliberations will be moderated by Foreperson and held in the Jury Chamber rather than the Court Room.
3. Jury's Deliberations will be held simultaneously.
4. Time allocated for each Deliberation shall be equal to the Deliberation of the Judges.
5. Jury's Deliberations shall not be bound with the procedure of Judges' Deliberations.
6. The first Deliberation will revolve around the general perception of the Jury regarding the case's outline. The following Deliberations will serve the purpose of reaching a decision on the questions posed by the Judges.

**Article 26: Yields**

1. A judge can yield his/her granted right to speak to another judge in one of two ways:

- Yield to another judge/President: Judge's remaining time will be offered to another judge. If the second judge accepts the yield, the President shall recognize the second judge for the remaining time. The second judge speaking may only yield back to the Board.
- Yield to Points of Information: Questioner will be selected by the President and limited to one question each. Follow-up questions will be allowed only at the discretion of the President.

2. Only Speaker's answer shall be deducted from the Speaker's remaining time.

**Article 27: Summon for the Counsels**

1. Upon the Motion of a Judge or the discretion of the President Judge, the Court may summon the Counsels to the Court to be questioned one more time. A motion to summon the advocates shall pass with the simple majority of the Judges.

2. During the Summons, Counsel shall join the Deliberation of the Court. The following rules shall apply:

- Counsel participation shall be **strictly** limited to:
  - o Answering questions posed by Judges, upon the explicit referral of the President Judge,
  - o Asking questions to fellow Counsels, upon the explicit authorization of the President Judge.

3. There shall be no time limitation for this phase; yet, the Board shall have the discretion to end the Summons in accordance with the flow of the discussions.

**Article 28: Tour de Table**

1. It is up to the discretion of the President Judge or to a motion to set a Tour de Table during the Deliberation.

2. In a Tour de Table phase, the Judges shall express opinions on the matter stated by the President Judge.

3. The speeches shall start and follow the alphabetical order of the last names and the President Judge shall make the last speech.

4. The President Judge has authority to determine the speakers' time being equal to all Judges.

#### **Article 29: Points of Order**

1. If a court member notices an improper application of the Rules of Procedure may raise a point of order directly to the Board.

2. The President Judge takes the point into consideration and evaluates the implementation of the rule according to the Rules of Procedure.

3. The President Judge gives the final decision on the point by themselves.

4. The Point of Order may not interrupt the speaker, unless an irreparable consequence will rise if the error is not corrected.

#### **Article 30: Points of Parliamentary Inquiry**

1. Point of Parliamentary Inquiry may rise directly to the President Judge if there is a question regarding the Rules of Procedure. The President Judge shall clarify the matter.

2. This point may not interrupt the speaker.

#### **Article 31: Points of Personal Privilege**

1. Point of Personal Privilege is raised to express a personal inconvenience or discomfort that has an affect on their participation to the proceedings. (i.e. room temperature, inaudibility)

2. This point may not interrupt the speaker unless it is raised due to inaudibility.

3. If a Court Member wishes to leave the Courtroom, he/she should get the permission of the President Judge via Message Paper. (i.e. using the restrooms)

#### **Article 32: Moderated Caucus**

1. A Judge may propose moving to a Moderated Caucus by raising a Motion during Deliberation, in order to facilitate the debate on a specific issue, when the President Judge announces the floor is open for Motions.



2. The Judge raising the motion must state the purpose of the moderated caucus and specify a total time for the caucus, not exceeding twenty minutes. The President may grant or overrule the motion. The decisions of the Presidency may not be appealed upon this matter.

3. Adoption of the Motion requires the approval of the **simple majority** of the Judges.

4. If the motion regarding Moderated Caucus perfectly passes, the Judges must raise their placards to be recognized by the President. The Judge who has been recognized by the President starts to talk and the order must be followed by this way.

### **Article 33: Unmoderated Caucus**

1. A Judge may propose moving to an unmoderated caucus by raising a motion. Such a motion may be raised during Deliberations when the President Judge announces the floor is open for motions.

2. Judge who raises the motion must specify the topic and determine the length of the caucus.

3. The President Judge holds the ultimate authority to rule the motion.

4. Adoption of the Motion requires the approval of the **simple majority** of the Judges.

5. If the motion regarding Unmoderated caucus perfectly passes, Judges do not have to be picked by the President Judge; they can discuss freely unless not to interrupt each other's conversation.

### **Article 34: Suspension and Adjournment**

1. Before the Coffee Breaks designated by the Secretariat, the meeting shall be formally suspended by the decision of the President Judge.

2. At the end of the announcement of the Verdict in the last session, the President Judge shall declare the adjournment of the court.

## **E. OBJECTIONS**

### **Article 35: General Provisions Governing Objections**

1. Parties may raise objections to challenge the legal propriety of the opposing party.

2. The participant who is willing to raise an objection must stand up first, state the type of the

objection and his/her legal ground.

3. Objections may interrupt the speaker.

4. The President Judge has the ultimate authority to *grant or overrule* the raised objection. Decisions of the Presidency shall not be appealed.

5. If the objection is granted by the Presidency, the assertion subject to objection shall be removed from the Court proceedings and Parties shall refrain from referring to that specific assertion.

### **Article 36: Objection Immaterial**

1. Parties may raise Objection Immaterial if they conceive that any piece submitted by the opposed party lacks legal grounds or its' authenticity is not proven.

2. The decision of the President Judge upon this objection is open for appeal by a Judge or the opposing Party.

3. This objection may be raised during Evidence Presentation, Rebuttal and Surrebuttal.

### **Article 37: Objection Ambiguous**

1. During direct or cross examination, Parties shall ask precise questions. If the questions are vague or confusing and preventing the witness to give a proper answer, objections shall be in order.

### **Article 38: Objection Argumentative**

1. If Parties give statements during direct or cross examination instead of asking a question; objection shall be in order.

### **Article 39: Objection Badgering**

1. During examination of witnesses, Parties must refrain from distressing the witness.

### **Article 40: Objection Compound Question**

1. Parties may ask one question at a time. If any Party combines multiple questions, objection shall be in order.

**Article 41: Objection Hearsay**

1. During examination, parties may only ask for Witnesses' personal observations and experience. Should the questions concern any information the witness has received from another source, it shall be in order.

**Article 42: Objection Incompetent**

1. Where a speaker is requested to make a statement or assessment outside the scopes of their technical knowledge or solely during indirect examination, outside the content of the direct examination, competence objection may be raised by the opposing Party.

**Article 43: Objection Irrelevant**

1. All assertions of Parties shall be relevant to the case at hand.
2. This objection may be raised during Evidence Presentation, Rebuttal and Surrebuttal.

**Article 44: Objection Leading Question**

1. Objection Leading Question **shall not** regard all *yes* or *no* questions. This objection may only be raised if the question asked by the Counsel strictly leads the witness to answer via yes or no.
2. This objection may only be raised during direct examinations.
3. The President Judge must seek whether the raised question seriously motives the witness to answer in accordance with the Counsel's assertion.

**Article 45: Objection Nothing Pending**

1. Should a witness make a statement which does not answer the question asked during direct or cross examination; the Party not questioning the witness may make an objection.

**Article 46: Objection Prejudicial**

1. Prejudice is a preconceived judgment formed without a factual basis, a strong bias.
2. All assertions of law and facts shall respect the personal integrity of the Members.
3. This objection may be raised in all phases.

**Article 46: Objection Speculation**

1. Speculation occurs when a witness is asked to predict the possible outcome of a situation, theorizing about them without their certain knowledge.