

Rule 168

CLOSING ARGUMENT TO JURY

- (a) **Plaintiff's Closing Argument.** The following rules apply to the final portion of plaintiff's closing argument to a jury:
- (1) The argument may not exceed the lesser of:
 - (A) one-half the aggregate time allotted for plaintiff's closing argument; or
 - (B) the time used in the opening portion of plaintiff's closing argument;
 - (2) Plaintiff may not argue a general issue not discussed in the opening portion of plaintiff's closing argument, unless in rebuttal; and
 - (3) If, after the opening portion of plaintiff's closing argument, defendant waives argument, no further argument is permitted.
 - (4) As used in subsection (a), "plaintiff" includes the State in a criminal case.
- (b) **Defendant's Closing Argument.** If plaintiff does not have the burden of persuasion on any issue, the rules in subsection (a) apply to defendant's closing argument.

[**History:** Am. effective September 8, 2006; Restyled rule and amended effective July 1, 2012.]