

# A TEACHING RESOURCE FOR PSYCHIATRY RESIDENTS

VIEW FROM THE JURY BOX:

## Clark v. Stover

*A Psychiatric Malpractice Mock Trial*

### THE LITIGATION PROCESS

#### **MOTIONS**

A motion is a request to the court for an order or ruling on some aspect of the case. Motions help to narrow or reduce the number of issues under consideration and to preserve a record for appeal. For example, a motion in limine is a very common pre-trial motion in malpractice cases. This type of motion is a request to the court to prohibit opposing counsel from referring to or offering certain evidence at trial which the requesting party claims is prejudicial, irrelevant, inadmissible, etc. If the court does not grant the motion, the requesting party may allege in an appeal that improper evidence was allowed to be presented to the jury at trial.

