

COMMONWEALTH OF MASSACHUSETTS

Supreme Judicial Court

At the Supreme Judicial Court holden at Boston within and for said Commonwealth on the sixteenth day of December, in the year of two thousand and twenty-one:

present,

<u>KIMBERLY S. BUDD</u>)	Chief Justice
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<u>FRANK M. GAZIANO</u>)	
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<u>DAVID A. LOWY</u>)	Justices
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<u>ELSPETH B. CYPHER</u>)	
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<u>SCOTT L. KAFKER</u>)	
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<u>DALILA ARGAEZ WENDLANDT</u>)	
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<u>SERGE GEORGES, JR.</u>)	

ORDERED: That the Massachusetts Rules of Civil Procedure adopted by order dated July 13, 1973, as amended, to take effect on July 1, 1974, are hereby amended as follows:

Rule 51(a) By deleting the current Rule 51(a) and inserting in lieu thereof the following Rule 51(a):

(1) Time for Argument.
Counsel for each party shall be allowed thirty minutes for argument; but before the argument commences, the court, on motion or sua sponte, may reasonably reduce or extend the time. When two or more attorneys are to be heard on behalf of the same party, they may divide their time as they elect.

(2) Arguing Damages.
During closing arguments, the parties may suggest a specific monetary amount for damages. If a party suggests a specific monetary amount for damages during closing argument without having provided notice of the intent to suggest the amount to all other parties reasonably in advance of closing arguments, the court shall allow the opposing party a reasonable opportunity to address the amount to the jury.

The amendments accomplished by this order shall take effect on March 1, 2022, and will apply to trials that begin on or after that date.

ORDERED:

<u>KIMBERLY S. BUDD</u>)	Chief Justice
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<u>FRANK M. GAZIANO</u>)	
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<u>DAVID A. LOWY</u>)	Justices
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