

A manufacturer sued a buyer in federal court for failing to make timely payments under the parties' sales contract. The case was tried to the court solely on documentary evidence. Immediately after the close of the evidence, the judge announced from the bench, "Judgment shall be entered for the manufacturer," and judgment was so entered. The buyer has appealed the judgment.

What is the buyer's best argument for persuading the appellate court to reverse the judgment?

- A. The judgment is clearly erroneous because it was based solely on documentary evidence.
- B. The manufacturer was required to file proposed findings and conclusions before the trial court ruled.
- C. The trial court erred because it announced the judgment without giving the parties an opportunity to submit proposed findings and conclusions.
- D. The trial court erred by not providing findings and conclusions.

Explanation:

In a case tried to the court (ie, a **bench trial**), the judge serves as both the finder of fact and interpreter of the law. As a result, Federal Rule of Civil Procedure (FRCP) 52(a) **requires** that the **judge provide factual findings and legal conclusions** (orally or in writing) on the record after the close of evidence. This allows the parties and the appellate court to have a clear understanding of the judge's reasoning. If a judge fails to provide these required findings and conclusions, the appellate court should reverse the trial court's judgment.

In this bench trial, the judge announced, "Judgment shall be entered for the manufacturer," immediately after the close of evidence. However, the judge failed to provide the required factual findings and legal conclusions. As a result, that is the buyer's best argument to persuade the appellate court to reverse the judgment.

(Choice A) Factual findings in a bench trial will only be reversed on appeal if they were clearly erroneous because no reasonable judge would have made them. However, a judgment based solely on documentary evidence is not clearly erroneous. That is because such evidence can provide strong support for the judge's findings—especially in a breach-of-contract case (as seen here).

(Choices B & C) The parties are *not* required to file proposed findings and conclusions but may do so if the trial court allows. Additionally, a trial court does *not* need to give the parties an opportunity to submit proposed findings and conclusions.

Educational objective:

In a bench trial, the judge *must* provide factual findings and legal conclusions on the record (orally or in writing) after the close of evidence. Failure to do so will result in a reversal of the judgment on appeal.

References

- Fed. R. Civ. P. 52(a) (findings of fact and conclusions of law).

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Jury trial

v.

Bench trial



Jury acts as finder of fact.
Judge acts as interpreter of law.

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Judge acts as finder of fact
and interpreter of law.