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1) The Hitchhiker's Guide to Starting an Impeachment Trial

2) It is unclear when and how the Senate may begin President Trump's second impeachment trial. The problem with "starting" an impeachment trial is that once you start, under the Senate impeachment rules, it can potentially supersede all other Senate action.

3) That's the case - UNLESS - the Senate works out some sort of an agreement on handling an impeachment trial. Otherwise, once you start an impeachment trial, without a side agreement, the Senate meets six days a week at 1 pm et, Sundays excluded, until the trial is finished.

4) The key is when the House sends over the article of impeachment. That triggers a lot of things.

First things first. The Senate must send a parliamentary message to the House that it's ready to "receive" the article.

5) This is kind of like a football referee waving his hand at a kickoff returner stationed in the end zone to make sure he's ready to proceed with the kickoff. Once the Senate does that, the House can send the articles.

But…

6) Minutes after approving two articles of impeachment for President Clinton in December, 1998, the House voted on a separate resolution to send the articles to the Senate and appoint the House impeachment "managers."

7) These House members serve as "prosecutors," presenting the House's case to the Senate. After impeaching President Trump in December, 2019, the House never approved the resolution to send its two articles to the Senate until January 15, 2020.

8) The impeachment trial began the next day. The trial is deemed as formally "beginning" once the Senate assembles, the articles are presented verbally to the Senate and the House managers are recognized.

9) The Chief Justice of the United States usually then swears-in the senators as jurors.

The first day of such a trial is often ceremonial. Opening arguments by the House managers and the president's defense

usually don’t start until the next day.

10) Keep in mind that the Senate can vote to dismiss the articles once a trial has started. The Senate could also approve an operating resolution for the trial which supersede the standardized Senate impeachment rules.

11) Such a measure could dictate when the Senate convenes for the trial, its length and how to handle witnesses and evidence.

12) So, the paramount concern in the mind of current Senate Minority Ldr Chuck Schumer (D-NY) is timing out when the House sends over the articles so the Senate may begin the trial – yet balancing that with confirming as many of President-elect Biden’s cabinet members as possible

13) That’s why we believe a trial may not start until next week at the earliest – if not later. Moreover, it’s possible the Senate works out a bifurcated arrangement where it handles nominations and other Senate business (say a COVID bill) during one day part and the trial later

14) But nothing can happen until the House sends the article to the Senate. And Schumer can work with House Speaker Nancy Pelosi (D-CA) as to when he believes it’s convenient to begin the trial.