

PRE TRIAL REQUIREMENTS

The following requirements apply to cases about to go to trial in the 58th District Court, and attorneys are required to read and comply herewith prior to attending the pretrial conference. In addition, please read and be familiar with the local civil rules, effective October 1, 2009.

1. MOTIONS FOR CONTINUANCE may be filed and must be scheduled for hearing prior to the beginning of the month except where circumstances later arise. Attorneys are cautioned that continuances are not viewed with favor on cases that have been previously continued. All contested Motions for Continuance will require oral presentation to the court and must be set for hearing prior to the date of the call to trial. Motions filed but unheard prior to the date of the call for trial will not be considered.
2. MOTIONS IN LIMINE: Attorneys are required to prepare and exchange any motions in limine prior to the pretrial date or at a mutually agreed date and time no later than 10 days prior to trial, so that they can prepare to advise the court without delay which, if any, items they object to in their opponent's motion.
3. EXHIBITS: The attorneys are to mark and number their exhibits and exchange prior to the pretrial or at a mutually agreed date and time no later than 10 days prior to trial, so that objections can be made and ruled upon at the pretrial. It is the objective of this provision that exhibits be pre-admitted, to avoid any delay at trial in marking, offering, objecting to, or ruling upon exhibits. Objections must be set for hearing no later than 3 days prior to trial. Failure to have objections heard prior to trial will result waiver of objection.

****All exhibits should be presented pursuant to a pre-prepared Exhibit List. The court expects that all exhibits will be offered in a digital format, with duplicate paper copies for use by counsel, the court and the jury only. Photographic evidence will be handled in like manner. The exhibits admitted into evidence will be the digital formats; therefore, counsel should take care to ensure that the copies of exhibits published to the court and/or jury are accurate copies of the actual digital exhibits admitted into evidence. Demonstrative exhibits may be admitted but the record shall be supplemented prior to the entry of judgment with digital photographic representations of any such demonstrative evidence and the exhibit withdrawn and the digital photograph(s) substituted for the demonstrative exhibit.
4. COURT'S CHARGE: The court expects that counsel will be familiar with any unique or difficult issues for presentation to the court and/or jury. It will not be necessary to present to the court in advance routine jury issues. Complex issues should be briefed prior to trial and briefing shared with the court at the time the case is called. The attorneys are required to furnish a proposed charge at the beginning of jury selection (provide hard copy and on disk/CD -or E-Mail. Microsoft Word compatible)
5. TIME REQUIRED FOR TRIAL: In order to be able to provide as much notice as is possible, attorneys are encouraged to provide to the court coordinator an estimate of the length of time required for trial in advance of the month the case is set.
6. PRE-TRIAL CONFERENCE: Any case that requires the assistance of the court to resolve pre-trial issues should be set for hearing and resolution in the month prior to the month the case is set, whenever possible. It is anticipated that most cases will not require a pre-trial conference. One will not be set unless requested.
7. NON-VIDEO DEPOSITIONS: Page and line designations shall be exchanged between the parties pursuant to guidelines outlines in number 2 above and furnished at the time of trial to opposing counsel, the court reporter, and to the court. Additionally, the court shall be furnished a copy of any desposition to be read, for the purpose of ruling on objections: IT IS NOT NECESSARY to state line and page designations in reading a deposition, as long as the designations have previously been furnished as provided above.
8. VIDEO DEPOSITIONS: Video depositions SHALL be edited to remove superfluous and extraneous material, abandoned objections and colloquy, and undue delays; in addition, video depositions SHALL be edited for brevity, cogency and clarity.

The edited version shall be furnished to opposing counsel pursuant to the guidelines outlined in number 2 above. Failure to furnish the edited version

to opposing counsel may result in exclusion, and failure to make objections and set for hearing prior to trial will be waiver of objection; the objective is that there not be interruption or delay in the presentation of video depositions.

9. DISPLAYS, MODELS and EQUIPMENT: Please have all displays, models, and equipment set up before court convenes, so that there will be no delay during trial. Please also check with the bailiff before bringing any models or equipment into the courtroom.