

BRANCH 10 – COURT GUIDELINES/EXPECTATIONS

EFFECTIVE June 17, 2020, and until further notice from the Court, the below hearing types shall be conducted by either via Zoom or telephone or in person as more specifically set forth herein.

TO ENSURE EFFICIENT AND EFFECTIVE HEARINGS, IT IS IMPERATIVE THAT ALL ATTORNEYS PROMPTLY COMMUNICATE WITH EACH OTHER AND CLIENTS PRIOR TO A SCHEDULED HEARING.

STATUS:

All matters scheduled as a status, with the exception of a “drop dead service date” status, shall be adjourned off record. The attorney shall contact the clerk on the day of the hearing and obtain a new court date and have it scheduled accordingly going forward. In the event the attorney fails to contact the clerk on that day, the clerk will proceed to schedule a date. Attorneys shall obtain and file Authorizations to Appear on behalf of their clients. A “drop dead service date” shall be heard on the record. Note, an attorney may contact the clerk at anytime up to 24 hours before the hearing and convert a status to a plea/sentencing or bond review provided a fully executed plea form or motion has been filed with the Court.

CHANGE OF PLEA/SENTENCING:

All matters scheduled as a plea and sentencing shall be heard on the record and all parties, including any victim, shall appear via zoom/telephone. The hearing will proceed on record only if a fully executed plea form is on file. In the event a plea form is not on file as of the day of the hearing, the matter shall be rescheduled off record. However, if the defendant is in custody, the plea form can be signed by them when brought into court. If the defense attorney is appearing remotely, the form shall be signed and e-filed by the attorney. My clerk will then print the form and have the defendant sign it in court. The DA’s office/Victim witness shall be responsible for providing the victims the necessary information for joining in the hearing. However, defendants receiving a jail sentence will be given report in dates as usual taking into consideration the current circumstances. All plea/sentencings for all OWI 3rd offenses or higher requiring the defendant to be taken into custody shall be heard in person subject to the current safety practices and procedures.

BOND REVIEWS:

Unless otherwise directed by the Court, all matters scheduled for a bond review shall be heard on the record and all parties, including any victim, shall appear via zoom/telephone. A matter will only be scheduled for a bond review provided a motion has been duly filed with the Court.

TRAFFIC:

All traffic matters, including 1st offense OWI’s scheduled for a plea/sentencing shall be resolved by Stipulation and Order and filed with the Court by the time of the hearing date. All traffic matters scheduled as a status, shall be adjourned off record as set forth above under Status. All

scheduled Court trials shall be heard in person subject to the current safety practices and procedures. All parties, including witnesses shall appear in person.

EVIDENTIARY MOTIONS:

All evidentiary motions shall be heard in person subject to the current safety practices and procedures. All parties, including witnesses shall appear in person.

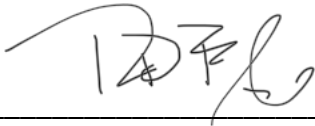
RETURN ON WARRANT/BOND FORFEITURES:

Unless otherwise directed by the Court, all return on warrant/bond forfeitures shall be heard in on the record via zoom/telephone.

SENTENCING AFTER REVOCATION:

All SAR's will be heard on the record in person since it is assumed the defendant will be in custody. However, attorneys may appear via zoom/telephone if they so choose.

****Unless otherwise directed by the Court, an in-custody defendant shall be brought into Court for any of the above hearings that require an appearance. An attorney may appear in person with such defendant if he/she so chooses.**



HON. TIMOTHY D. BOYLE