

231st Court Rules & Procedures

COURT CONDUCT

Children in Court: Children are not to be brought to court for any reason without the prior approval of the Court. If the Court grants a motion to confer with a child, the Court will inform the appropriate party as to the date and time the child is to be brought to the Court.

Dress Code: Appropriate business attire for attorneys and their staff is required. **NO ONE** will enter the courtroom wearing a hat or cap, shorts, tank tops, swimwear, obscenity on clothing, house slippers, halter tops, dirty clothing, micro miniskirts, workout clothes, midriff shirts, or sweatpants. Shirts shall be appropriately buttoned. If you are wearing a dress shirt, it must be tucked in. Attorneys are responsible for informing their clients of the Court's dress code.

Electronics: All cell phones and other electronics must be turned off while in court. Violators may be fined. Cell phones may be confiscated by the Court. Recording court proceedings is prohibited by the Court. Recording devices will be confiscated by the Court.

Courtroom Demeanor: No conferences are to be held in the courtroom while the judge is on the bench. Chewing gum is not allowed in the courtroom. Keep noise down when the judge is on the bench. No food will be allowed in the courtroom. No drinks will be allowed in the courtroom unless upon the express permission of the judge.

PRETRIAL HEARINGS

Pretrial hearings are scheduled either by the Court, upon review of the case, or at the request of an attorney. Pretrials will be conducted by the court coordinator. At the time of the pretrial conference, depending on when the final trial is set, backup dates may be assigned to the final trial setting. Please do not dismiss these backup dates that are assigned because they are just as important. When you are called to trial on the backup docket, you are expected to be ready to go forward at that time. If you do not show up or state that you are not ready to go forward, your case will be dismissed.

Scheduling Orders: The Court requires that a scheduling order be entered in all contested cases, unless otherwise determined by the Court. The Court has a standard form that can be completed at the time of the pretrial hearing.

Mediations: Unless there are allegations of abuse towards a spouse or child, most cases will be ordered to mediation. It is likely that this will be ordered at the pretrial conference. If a hearing is set for less than two hours, it will be up to the Court's discretion if mediation will be ordered.

Social/Home Studies: Social/Home studies are ordered in most contested custody actions, contested visitation cases, or upon request.

Motions to Confer: Hearings must be set for hearing and, once granted, date and time will need to be approved by the judge.

DISMISSAL DOCKETS

If there has been no activity in a case in 180 days or longer, the case will be placed on the dismissal docket. If activity is apparent, the Court will remove it from the dismissal docket. In order to remove a case from the dismissal docket, a Motion to Retain Case on Docket must be filed with the clerks, and an Order to Retain Case on Docket must be walked through prior to the dismissal date.

EX PARTE COMMUNICATIONS

All inquiries concerning motions and other court business should be directed to the court coordinator. Ex parte communication mailed to the Court by any party will be returned to the sender by the court coordinator.

AD LITEM APPOINTMENTS

Ad litem appointments are made from a list maintained by the Court. To be placed on that list, it is necessary that the applicant furnish to the Court a resume and a statement that the proposed ad litem and the Court have no relationships which would constitute a conflict of interest. Ad litem fees are calculated based upon the complexity of the matter involved, the hourly charge of the ad litem, and the value of the work done by the ad litem. Ad litem fees are to be kept reasonable under all circumstances.

MISCELLANEOUS TRIAL GUIDELINES

Trial Hours: The Court's regular trial docket begins at 9:00 a.m. daily. The Court's afternoon docket begins at 1:30 p.m.

Telephonic Hearings: Telephonic appearances are granted by the Court on a case-by-case basis as a reasonable alternative to personal appearances in appropriate cases and situations. Telephonic appearances must be agreed to by all parties and be set up prior to the court date.

Note-taking by jurors will be allowed. Appropriate instructions will be given by the Court to the jurors.

Draft Charge to Jury: Each side shall submit a proposed jury charge in typewritten copy in the most current version of Microsoft Word on a thumb drive the day of trial.

Proposed Property Division: Both parties shall provide to the Court a proposed property division in typewritten form on the date of trial. If personal property items are contested, the attorneys shall compare proposed divisions and be sure that each side has the same items in controversy.

Witness Lists: Witness lists shall be provided to the Court with an extra copy for the court reporter on the day of trial.

Exhibits and Exhibit Lists: All exhibits to be introduced at trial shall be pre-marked in numerical order (1, 2, 3, et cetera). Parties shall provide an exhibit list to the court reporter on the day of trial. If you have an audio or visual exhibit, it must be saved to a thumb drive and given to the court reporter. Videos must be saved in .mp4 format.

All Local Rules will apply, including income and expense statements submitted to the Court prior to having a contested hearing on Temporary Orders.

Revised October 25, 2023