

## 231<sup>st</sup> 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 day 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 court room wearing cutoffs, shorts, tank tops, swim wear, obscenity on clothing, house slippers, halter tops, dirty clothing, micro mini-skirts, workout garments, mid-riff shirts. Shirts shall be appropriately buttoned. Attorneys are responsible for informing their clients of the Court's dress code.

**Cell phones:** All mobile phones and pagers will be turned off while in court. Violators may be fined. Cell phones may be confiscated by the court.

**Recording court proceedings** are prohibited by court. Recording devices will be confiscated by the court.

**Court room demeanor:** No conferences are to be held in the courtroom while the Judge is on the bench. No chewing gum is 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

### PRE - TRIAL HEARINGS

Pre-trial hearings are scheduled either by the court (upon review of the case), or by the request of an attorney. 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 pre-trial hearing.

**Mediations:** Unless there are allegations of abuse towards a spouse or child, most cases will be referred to mediation.

**Social Studies:** Social 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 to be approved by the Judge.

## DISMISSAL DOCKETS

The Court reviews cases that are 120 days old or older on a monthly basis. If there has been no activity in a case, it will be placed on a dismissal docket. If activity is apparent, the Court will remove it from the dismissal or schedule a pretrial conference, at which time a scheduling order will be put in place.

Attorneys are required to appear before the Court on dismissal dockets. Personal appearances are generally required to remove the case from the dismissal docket.

## 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.

Mediations: Unless there are allegations of abuse towards a spouse or child, most cases will be referred to mediation. If hearing needed is less than  $\frac{1}{2}$  day, it will be up to court's discretion at Pretrial Conference.

Social Studies: Social studies are ordered in most contested custody actions, contested visitation cases, or upon request. It is likely that this will be ordered at the time of the Pretrial Conference.

## MISCELLANEOUS TRIAL GUIDELINES:

Trial Hours: Uncontested cases are heard Monday – Friday from 8:00 a.m. until 8:30 a.m. The court's regular trial docket begins at 8:30 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 Word Perfect on a thumb drive the day of the trial.

Proposed Property Division: Both parties shall provide to the court a proposed property division in typewritten form on the date of the 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 List: Witness lists shall be provided to the court with an extra copy for the court reporter on the day of the trial.

Pre-marked Exhibits and Exhibit List: All exhibits to be introduced at trial shall be pre-marked in numerical order (1, 2, 3, etc.) no later than 14 days before the trial. Parties pre-marking exhibits list shall provide an exhibit list to the court reporter on the date of the trial.

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