

JUDGE VICTOR HADDAD--PREFERENCES

MOTION PRACTICE

Hearings on motions in civil and criminal cases are scheduled by the administrative assistant/assignment clerk at the time of filing. Motions may be discussed at pretrial prior to being set on the Court's docket. When a motion is filed, counsel must contact the Court to notify it that the motion has been filed and a hearing is necessary; otherwise, the Court may not be aware that the motion was filed. In cases where counsel for all parties agree that the motion and subsequent responses will be submitted on the briefs, an agreed entry waiving oral argument is required.

SETTLEMENT

The Court may raise the issue of settlement and will participate in any reasonable and proper manner that will aid in the resolution of the case. In criminal cases, the Court may participate upon request in plea-bargaining discussions with respect to sentence and community control issues.

CALENDARING, CONTINUANCES

Requests to continue civil cases should be done by written motion and the opposing counsel or parties must be served. The motion should set forth a date from which a continuance is requested and the reason for the request. The motion should be filed with the civil clerk for consideration by the Court. Counsel should provide to the administrative assistant a list of available dates. An entry should accompany a motion for continuance with signature of opposing counsel, if agreed. Any date included in the entry must first be approved by the Court.

In criminal cases, a request for a continuance should be by written motion with a copy to the assistant prosecutor handling the case. The motion should clearly identify the reason for the request. If the matter is scheduled for an evidentiary hearing, the continuance will not be granted unless good cause is shown. No continuance will be granted without a proposed hearing date. An entry should accompany a motion for continuance with the signature of an assistant prosecutor if agreed. Any date included in the entry must first be approved by the administrative assistant. Upon request of the administrative assistant, the moving

party shall promptly notify the arresting officer or complainant of the continuance and the new date.

PRETRIAL

Pretrial statements are preferred two weeks before the final pretrial. Counsel should follow the format of the local rules. Every aspect of the case will be open for discussion during the pretrial.

TRIAL

In both civil and criminal cases, counsel should submit any special jury instructions two weeks before the final pretrial. The Court will hold a conference with counsel, if necessary. Trial briefs are not required, but may be submitted if there are legal issues to be decided by the Court.

DISCOVERY

All discovery is handled at the pretrial unless otherwise requested.

COURTROOM ETIQUETTE

The Court has designated tables for counsel and a podium for addressing the Court. There is no set standard for courtroom etiquette. Attorneys and their clients should use common sense and acceptable manners.