

LCrRLJ 6.1  
TRIAL BY JURY OR BY THE COURT

6.1 (a) (1) In every criminal or traffic case in which the defendant is entitled to a jury trial, the Clerk shall set a date for a pre-trial conference to be held within five weeks of the date a plea of not guilty is entered. The purpose of said conference is to determine if discovery is completed and if pretrial motions are necessary and to set a readiness hearing and trial date. Discovery shall be in the hands of the party requesting same at least two (2) working days prior to the pre-trial conference. See Local Rule LCrRLJ 8.02 concerning notice to opposing parties of the nature of pretrial motions and the necessity of witnesses at the hearing.

If the defendant fails to appear at any scheduled hearing without good cause, bail will be ordered forfeited and the court will order a Bench Warrant issued for the arrest of the defendant.

In the event it comes to the attention of the court that there is a likelihood that the defendant will not be available for his jury trial, as evidenced, for example by defendant's failure to remain in contact with his lawyer, the court will schedule an additional pre-trial conference to inquire as to the availability of the defendant. If the defendant does not appear, the jury trial date will be stricken, bail forfeited, and the court will order a bench warrant for the arrest of the defendant.

6.1(a) (2) Readiness conference. A readiness hearing shall be set in all cases set for jury trial. The prosecuting attorney, defense counsel and defendant are required to appear at the hearing. The court will inquire as to whether the case is expected to go to trial; the number of witnesses to be called by each side; the anticipated length of trial, and all motions, discovery and plea negotiations shall be concluded. Any case confirmed for jury trial at the readiness hearing not proceeding to jury trial shall be subject to such sanctions as deemed appropriate by the judge including but not limited to jury costs, witness fees and terms.

(Adopted effective September 1, 2008)

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