LCrRLJ 4.5
PRE TRIAL CONFERENCE/READINESS HEARING

a) 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. The purpose of said conference is for presentation and setting of motions, completion of plea bargaining, and to set a trial date. Discovery shall be in the hands of the party requesting same at least two (2) working days PRIOR TO said conference. The Clerk will then proceed to notify the prospective jurors as provided by law. See Local Rule LJCrR 8.2 concerning notice to opposing parties of the nature of the pre-trial motions and the necessity of witnesses at the hearing.

If the party or his attorney fails to appear at said conference without adequate cause then known to the court, 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 jury trial, as evidenced, for example, by defendant's failure to remain in contact with his lawyer, the court will schedule an additional hearing 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.

b) Within ten (10) days, excluding weekends and holidays, prior to an assigned jury trial date, there shall be held a readiness hearing. At such a hearing, it shall be mandatory that the prosecuting authority, the defense counsel, and the defendant be present. At such a hearing, the following matters will be concluded:

1. All plea bargaining
2. Exchange of witness lists
3. Providing of any discovery not previously exchanged at the pre-jury conference
4. Motions on the legal issues arising subsequent to the pre-jury conference or on issues arising due to new evidence

At the conclusion of the readiness hearing, the court will no longer accept any plea bargaining arrangements. Thereafter, the case will be tried by jury, unless waived by

the defendant, or concluded by a guilty plea to the original charge, or a dismissal of the charge(s). A failure of the defendant to be present at the readiness hearing will result in the issuance of a bench warrant for failure to appear and the vacating of the jury trial date. The requirements of this rule can be waived only by the judge assigned to the case or the Presiding Judge of the Grant County District Court.