

LCrRLJ 3.3
TRIAL SCHEDULING

(f) When the defendant pleads not guilty either personally or through a notice of appearance by counsel, the Clerk will schedule a pretrial hearing. All parties shall be expected to have exchanged discovery. Parties shall discuss the need for hearing any motions, including but not limited to 3.5, 3.6, Hamrick and Knapstad motions. At the pre trial hearing, parties must resolve the case or advise that the case is ready for trial, at which time, a readiness hearing and trial date will be set. If an attorney has had no contact with his/her client by the date of the readiness hearing, a warrant shall issue. At the readiness conference, cases declared ready for trial will be assigned for trial commencing the following Wednesday, Thursday or Friday of the first full week following the Readiness Conference. Juries will be called based on trial assignments at the Readiness Calendar. If a case settles after readiness, and a jury is called but not used, costs may be assessed to the responsible party. Juries may be called off by notifying the Court Administrator by 4:30 PM on the afternoon immediately preceding the assigned trial date. No pleas or motions will be heard on the readiness calendar.

(g) Continuances :

(1) By stipulation. Prior to the pretrial hearing the parties may agree in writing to reset the next hearing or hearings. The defendant shall consent in writing to the change in dates. Any agreements to change dates shall be submitted at least 24 hours before the next scheduled hearing. Notice of the new dates will be provided to the parties. All continuances on or after the pre-trial hearing must be approved by the trial judge.

(2) By motion. On motion of any party or the court, the court may continue the case when required in the interest of justice if the defendant will not be substantially prejudiced in the presentation of defenses. The motion must be filed on or before the date of the next scheduled hearing. The court must state on the record the reasons for the continuance if it is granted and may also assess terms as it deems appropriate.

(3) The court will not continue a trial date or other disposition beyond the applicable final day for speedy trial under CrRLJ 3.3 without a speedy trial waiver signed by the defendant.

(4) Requests for additional hearings such as bail reviews; requests to change previously scheduled hearings to new dates or to change the nature of the hearing must be requested in writing. Notice shall be given to the opposing party or counsel not less than twenty four hours prior to the new hearing. The clerk will then set the hearing at the requested time or notify the parties if the date set by the court is different than the requested date.

(h) Motions Calendar:

(1) Motions which will require more than five minutes for disposition will be heard on the criminal motion calendars. The Municipal Courts motions will be set at 9:00 AM Monday mornings; the State motions will be set at 1:30 PM Monday afternoon.

(2) Motions which will require less than five minutes for disposition may be heard during the arraignment calendar, the pretrial hearing, or during any regularly scheduled hearing with the court's approval.

(l) Disposition Calendar:

(1) Guilty pleas may be entered at arraignment and pretrial hearings or may be noted for the 1:30 PM disposition calendar each Tuesday afternoon and may be noted for hearing at 8:30 AM any court day.

