LCrRLJ 8.2
MOTIONS

(a) Calendar Settings.

All motions for dismissal, suppression and post-sentence relief, except motions pursuant to rule 3.5, shall comply with the provisions of CrRLJ 3.6.

(b) Motions to Dismiss and Motions to Suppress Evidence.

Said Motions shall be filed and served at least three (3) weeks prior to the hearing and heard not later than one (1) week before the case is set for trial. The responding party shall file and serve any responding brief or memoranda one (1) week prior to Motion Hearing. Provided, however, that the Court may waive this requirement if due diligence has been shown or justice otherwise requires. It is the duty of the moving party to notify the assigned Judge by noon of the day prior to the motion day if oral testimony is required and estimated length of time required for the Motion. This rule does not authorize oral testimony when the facts can be adequately presented by affidavit and other documentary evidence.

(c) Agreed Orders-Criminal Cases.

The following Agreed Orders may be approved or denied by any Judge or Commissioner PROVIDED the assigned Judge is absent or unavailable unless otherwise noted on and after review of the case file:

(1) Agreed Order of Dismissal

(2) Agreed Order of Misdemeanor Compromise

(3) Agreed Order of Bond Forfeiture

(4) Agreed Order of Pre-Trial Jail Release

(5) Agreed Order of Pre-Trial Bond Release

(6) Agreed Order of Pre-Trial Bond Reduction

(7) Agreed Order of Continuance of Pre-Trial Conference

It is understood that the non-assigned judicial officer being asked to sign any of the above Orders may refuse to sign. An Order not listed above shall be presented only to the Judge assigned to the case for his/her approval or denial. Orders denied must be noted on the Court file.

(d) Agreed Orders - Criminal Cases.

Any Agreed Orders may be approved or denied by the judicial officer presiding in the ex parte department, or by any judge or commissioner provided the assigned judge is unavailable.

In the event a non-assigned judicial officer elects to deny to sign an agreed order, a denial of an order shall be noted on the order and filed in the legal file.

(e) Copies of Motions, Memoranda and Affidavits.

A copy of the motion, brief, memorandum, documents and affidavits shall be furnished to the Judge after the originals have been filed. Responding briefs, memoranda, and other documents shall also be filed with the Clerk, and copies furnished to the assigned Judge. Failure to comply with this requirement may result in a continuance and imposition of terms.

(f) Motion Hearing Procedure.

Oral argument on motions shall be limited to ten (10) minutes for each side unless the Judge determines otherwise, in which case the motion may be placed at the end of the calendar.

(Amended effective Sept. 1, 2008, Amended effective Sept 1, 2009)