

DIVISION 14 POLICIES & PROCEDURES

JUDGE: **Barbara Leach**

JUDICIAL ASSISTANT: **Whitney Wrolson**

EMAIL: 14Orange@ninthcircuit.org

PRETRIAL CONFERENCE POLICIES:

2024 Dates:

(Private Attorneys: 9:00 AM / Public Defenders & RCC: 1:30 PM)

January 17, 2024

February 21, 2024

March 27, 2024

May 1, 2024

June 5, 2024

July 10, 2024

August 14, 2024

September 18, 2024

October 23, 2024

November 22, 2024** Changed due to the Thanksgiving holiday

Virtual Pretrial Conference Policies:

1. If you need to appear virtually, please use this link:
<https://ninthcircuit.webex.com/meet/ctjubl2>
2. Private attorneys appearing virtually will not be called until 10:00 a.m. at the earliest. The Court hears all *in person* cases first.
3. When you arrive in the virtual courtroom, please comment your name in the chat box upon arrival–this will allow the Court to know in what order to call the cases.

CASES THAT CAN BE UNILATERALLY SET FOR BOND OR PLEA HEARINGS:

1. Possession of Controlled Substance
2. Introducing Contraband into Jail
3. DWLS (HTO or two prior)
4. Petit Theft (2 priors for retail victims)

Please email the Judicial Assistant at 14Orange@ninthcircuit.org for the first available hearing time.

INSTRUCTIONS FOR SETTING HEARINGS:

Hearings 30 minutes or less:

1. Email the Judicial Assistant at 14Orange@ninthcircuit.org and Opposing Counsel (and any known assistants) to coordinate this hearing. In your email, please include:

- a. Defendant's Full Name
 - b. Case Number(s)
 - c. Name of ASA
 - d. Name of Defense
 - e. Title of the Motion(s) to be heard
 - f. Length of time needed for both sides
 - g. Number of Witnesses (if any)
2. All hearings must be coordinated and confirmed by the Judicial Assistant before being placed on the docket. Your hearing is not set until you receive confirmation from the Judicial Assistant that it is on the docket. **It is the scheduling party's responsibility to file and send out copies of the Motion(s) and Notice of Hearing.**

Hearings 30 minutes or longer:

3. Use the below JACS link to see all our available hearing time. You will need to select *Criminal Division 14* in the drop-down menu at the bottom of the screen. [Judicial Automated Calendar System \(ninthcircuit.org\)](https://judicial.automatedcalendaringsystem.org)
4. Coordinate with Opposing Counsel to find a time that works for both sides.
5. NOTE: To schedule hearing time longer than 15 minutes, add consecutive time slots together in JACS.
6. After you have coordinated a hearing time with opposing counsel, email 14Orange@ninthcircuit.org to confirm the hearing. Defense counsel must copy the State Attorney's Office with your request; the State must copy Defense counsel. In your email, please include:
 - a. Defendant's Full Name
 - b. Case Number(s)
 - c. Name of ASA
 - d. Name of Defense
 - e. Title of the Motion(s) to be heard
 - f. Length of time needed for both sides
 - g. Number of Witnesses (if any)
7. All hearings must be coordinated and confirmed by the Judicial Assistant before being placed on the docket. Your hearing is not set until you receive confirmation from the Judicial Assistant that it is on the docket. **It is the scheduling party's responsibility to file and send out copies of the Motion(s) and Notice of Hearing.**

MOTIONS TO COMPEL:

1. Defense Counsel is to e-file the Motion to Compel and email a copy to the State and Judicial Assistant at 14Orange@ninthcircuit.org.
2. The Court will issue a Preliminary Order on Motions to Compel in Chambers when Defense does the following:

- a. Defense filed its Notice of Intent to Participate,
 - b. 15 days have passed since filing the Notice of Intent to Participate,
 - c. Defense has sent a follow-up email to the State, and
 - d. If Defense has not received a satisfactory response to the follow-up email within 48 hours, Defense can file its Motion to Compel and forward a courtesy copy to the Court.
3. In the Motion, please make sure to include:
 - a. The date the Notice of Intent to Participate was filed,
 - b. The date in which Defense Counsel sent a follow-up email to the State,
 - c. Whether or not the State has responded, *and*
 - d. If Defense has not received Discovery within 15 days after filing its Notice of Intent to Participate.
 4. The Court will issue a Preliminary Order requiring the State to provide the Discovery requested within one week and for the State to file a written response to the Motion also within one week.

MOTIONS TO CONTINUE:

1. Motions to Continue that are filed prior to Pre-Trial Conference should include the following:
 - a. How long of a continuance the parties are seeking, knowing PTC is held every 5 weeks. See above for list of 2024 PTC dates,
 - b. If case has been continued previously, and
 - c. If Opposing Counsel agrees or not.
2. Forward a copy of the Motion to the Court and Opposing Counsel via email along with a proposed Order in Word format.
3. If you would like a continuance prior to PTC, please email your Motion and Order at least 2 days prior to PTC. If you file a Motion to Continue within 24 hours of PTC, the Court will address the Motion at PTC.

APPEARANCES AT ARRAIGNMENT:

1. If Counsel filed a Notice of Appearance & Waiver of Arraignment, neither Counsel nor Client need to be present for Arraignment.
2. Arraignment will still appear on the docket because the Court still needs to call the case to set future dates (PTC & Trial).
3. If you file an NOA within 3 business days of Arraignment, please email a courtesy copy to 14Orange@ninthcircuit.org to ensure our Trial Clerks are aware of the filing.