

General Procedures for Marion County Circuit Court

MOTIONS

Where filed:	UTCR 21
Oral arguments:	UTCR 5.050
How scheduled:	Via email or telephone with staff; or at first status conference with judge after motion is filed
Conflicts:	Counsel to initiate conference call with staff; if court conflict, court will contact parties
Temp custody/support/visitations:	Set at first status, unless emergency
Emergency motions:	Must be noted with factual basis; contact staff to schedule. Statutory deadlines apply
Ex parte:	Schedule with court staff
Pleadings:	Comply with UTCR 5.030
Pro se:	Comply with Uniform Trial Court Rules.
Postpone trial:	File motion, affidavit or declaration (include objection, if known), proposed Order. Court will confer with counsel if necessary. (Comply with ORCP 47F, 52A; UTCR 6.030)

CASE MANAGEMENT CONFERENCES

How scheduled:	First status conference set by staff. Additional case management conferences will be scheduled during case management conference with Judge.
How Notice issues:	First Notices: To attorneys via Odyssey, to ; pro se litigants by mail; Subsequent Notices: status sheet copied or posted in Odyssey
How rescheduled:	(except CMB – Email staff cc: to other parties) Requesting attorney/party initiates conference call to get new date, or send stip. request via email; notice issues if allowed. Judge must approve.
Frequency/Purpose:	As needed to address issues/ scheduling/ keep case progressing toward resolution.
Duration:	5-15 minutes (up to 30 if self represented litigants)
Who attends:	Attorneys, pro se parties, out of custody defendants.
Preparation:	Bring your calendar. Ongoing contact with clients and opposing attorney before and after status conference. Prepare to update court on pending issues and schedule trial.

SETTLEMENT CONFERENCES

How started:	Attorneys request or Court encourages
How scheduled:	In person, by email or phone; schedule with settlement judge office staff or Judge during status conference
Who attends:	Attorneys, clients, persons with settlement authority or veto (alt. influential support).
How long:	Different for each case. Depends on issues (usually 2-3 hours)
Purpose:	For Judge, attorneys and clients to actively try to resolve issues.

Format:	Judge meets with attorney in chambers first and then continues to meet with each side until concluded. Varies depending on type of case. Sometimes, judge meets with counsel and counsel then speaks with clients, returns to judge. Court follows attorney's lead. Court puts agreement on record on request.
Preparation:	Court issues Order with Court's expectations
Fee:	ORS 21.215
PRE-TRIAL CONFERENCES	
Scheduled at the time trial is scheduled. Civil cases approximately two weeks to 30 days prior to trial date. Criminal cases approximately two weeks prior to trial date.	
TRIALS	
Trial/Jury Fees:	ORS 21.270
Exhibits:	Criminal/ domestic: Submit marked exhibits before trial. Civil: Submit marked exhibits no later than 9:00 a.m. the day before trial/or week before trial. Identify which exhibits are stipulated. Court will pre-admit stipulated exhibits.
Witness List:	Final witness list due no later than 9:00 a.m. the day before trial, including experts.
Trial Memorandum:	Due by 9:00 a.m. the day before trial.
Motions <i>in limine</i> :	File before or at pretrial conference.
Jury Instructions/Verdict Forms:	Proposed due at pretrial conference if complex case/1 week pretrial/by 9 a.m. the day before trial/ morning of trial (SMT only). Submit to staff in editable WORD NOTE: Case summary is a jury instruction; CMB sets out separately in preferences; add her language to template? Recommend: Add to trial Order/discuss at pretrial conference
Joint Statement of Case	Due with Jury Instructions. Counsel shall agree on and submit a short summary of the case to be utilized by the Court in the introductory instruction to the jury. This is brief and should not go into details of the pleadings. Counsel shall also agree on and submit a summary of the pleadings to be read between UCJI 13.01 and 13.02. This should be more detailed and include specifications of negligence, affirmative defenses and so forth.
Voir dire:	Questions may be addressed to group or individual jurors. Thirty minute time limit, <i>unless court approves</i> . Criminal: Defense goes first. Civil: Plaintiff goes first.
Peremptory Challenges	Takes place in Courtroom by "slips" or in Judge's chambers on/off the record; excused jurors replaced by next seat in order.
Stand/Sit:	Attorneys may sit or stand. Always stand when addressing the Court or when jury enters or exits. Request permission to approach a witness.
Hours:	Trial begins at 9:00 a.m. Lunch break is from Noon to 1:30 p.m. End of day at 5:00 p.m. unless otherwise discussed.
Website Information	http://courts.oregon.gov/Marion