

# Wyoming Judges' Benchbook

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Name: \_\_\_\_\_

Court: \_\_\_\_\_

Judicial District: \_\_\_\_\_

## **SCHEDULING CONFERENCES**

Q. How are scheduling conferences set and used in your court? Are they conducted by you? When done by telephone, are the attorneys responsible for setting up a conference call or does your office have enough lines to allow attorneys to call in? If yes, how many lines are available?

A.

Q. What do you expect from the attorney(s) at the scheduling conference?

A.

Q. Do you use multiple scheduling conferences? Why?

A.

Q. Do you use court-directed discovery conferences?

A.

Q. What are your preferences regarding scheduling/discovery conference orders? Do you require that specific things be included in such orders?

A.

#### **PROTOCOL**

Q. What are your thoughts on courtroom protocol?

A.

Q. What things do lawyers do that are particularly helpful?

A.

Q. What things do lawyers do that are not helpful?

A.

### **MOTIONS PRACTICE**

Q. Do you require that submitted motions include a proposed order?

A.

Q. Do you appreciate courtesy copies of briefs being delivered to your chambers prior to hearing on a motion? If so, how early would you like them?

A.

Q. Do you schedule hearings on motions automatically upon receiving a request for setting, or do you prefer or require that counsel call to schedule hearings?

A.

Q. Under what circumstances do you decline to grant a request for oral argument?

A.

Q. Do you prefer that counsel provide copies of the relevant cases prior to a hearing?

A.

Q. Is there anything about the way you handle requests for temporary restraining orders and preliminary injunctions that you think the bar should be aware of?

A.

#### **FINAL PRETRIAL CONFERENCE**

Q. In your view, what is the purpose of a final pretrial conference?

A.

Q. Do you have a specific format for pretrial statements? If so, please provide a copy.

A.

Q. What steps do you take, if any, before the final pretrial conference to encourage settlement of the case? Do you require mediation?

A.

#### **JURY TRIAL PRACTICE**

##### *Jury Selection:*

Q. How is voir dire conducted in your courtroom?

A.

Q. Do you allow or encourage the use of jury questionnaires?

A.

Q. What is your due date for proposed jury questionnaires?

A.

Q. What do you prefer in regard to the length of the jury questionnaire?

A.

*Requested Jury Instructions:*

Q. When do you require requested jury instructions to be submitted?

A.

Q. What form do you prefer requested jury instructions to take (e.g. do you prefer jury instructions accompanied by supporting cases, etc.)?

A.

Q. What is your view of the Wyoming Pattern Jury Instructions?

A.

Q. Do you have a set of stock jury instructions that you use?

A.

Q. Do you prefer to receive an electronic copy of requested jury instructions?

A.

*Trial Procedures:*

Q. What is your preferred trial schedule (e.g. 9 to 5 with an hour for lunch, 8 to 2 with no lunch, etc.)?

A.

Q. What are your preferences with respect to motions in limine and other trial related motions?

A.

Q. What are your preferences and/or procedures related to witness scheduling?

A.

Q. What are your preferences with respect to trial exhibits? Do you allow/require the use of exhibit notebooks for the court and jurors?

A.

Q. Do you find the use of computer-assisted presentations (e.g. PowerPoint) effective and/or useful?

A.

Q. Do you permit "speaking objections" in jury trials?

A.

## **BENCH TRIAL PRACTICE**

Q. What are the major differences in procedures in your courtroom between bench trials and jury trials?

A.

Q. Do you appreciate or require trial briefs or proposed findings of fact and conclusions of law from counsel? Do you prefer proposed findings of fact and conclusions of law be submitted before or after trial or both?

A.

## **THOUGHTS ON EFFECTIVE ADVOCACY**

Q. What makes an effective advocate in jury arguments?

A.

Q. What makes an effective advocate in bench arguments?

A.

Q. What are the most common mistakes made in argument?

A.

Q. What are some techniques that do, or do not, work effectively in the examination of witnesses?

A.

#### **CRIMINAL MATTERS**

Q. How do you handle requests for continuance on pretrials, arraignments and trials?

A.

Q. When may the issue of bail best be addressed in your courtroom?

A.

Q. What information do you want from counsel at the time of sentencing?

A.

Q. Are private pre-sentence evaluations useful or encouraged?

A.

Q. Do you have any standard sentences the bar should be advised about (i.e. DUI sentencings, acceptance of alcohol-related reckless)?

A.

#### **SPECIAL ISSUES FOR DOMESTIC CASES**

Q. Are there any special issues that arise in your courtroom in domestic cases of which you would like the bar to be aware?

A.

Q. What do you want to have on temporary order issues?

A.

Q. Do you have a policy on child interviews with respect to custody?

A.

Q. When do you require guardians ad litem? What do you expect from a guardian ad litem?

A.

#### **DISCOVERY PRACTICES**

Q. What is your approach to resolving discovery disputes?

A.

Q. What are your thoughts on imposing sanctions for discovery abuses?

A.

Q. Are you generally available to solve problems that arise during a deposition?

A.

## THOUGHTS ON COURTROOM PROTOCOL

Q. Is lack of civility a recurring problem in your courtroom? What steps do you take to improve civility in your courtroom?

A.

Q. What do you expect of lawyers (and their staff) in your courtroom? Clients? Witnesses?

A.

Q. Do you impose any limitations on courtroom movement (approaching witness, podium, etc.)?

A.

Q. What kind of lawyer conduct is unacceptable to you in your courtroom?

A.

**OTHER MISCELLANEOUS ISSUES**

Q. What are your opinions regarding courtroom dress?

A.

Q. Do you allow children in your courtroom?

A.

Q. Do you allow cell phones in your courtroom?

A.

Q. What, if anything, do you do to enforce promptness in your courtroom?

A.

**CLERK'S/ADMINISTRATIVE ASSISTANT'S COMMENTS**

Q. What do you expect of attorneys in their dealings with you?

A.

Q. What do you expect of attorneys in regarding to scheduling hearings?

A.

Q. What is your protocol for scheduling hearings?

A.

Q. What can attorneys do to improve communications with you?

A.

Q. What would you like attorneys to keep in mind?

A.

Q. What size paper does your judge prefer or require for pleadings and briefs?

A.