

# Wyoming Circuit Court Judges' Benchbook

---

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

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

County of Circuit Court: \_\_\_\_\_

## GENERAL COURTROOM PRACTICE TIPS

### **Motions Practice**

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

A.

Q. Do you appreciate courtesy copies of briefs being delivered to you prior to hearing a motion?

A.

### **Scheduling Conferences**

Q. Do you have scheduling conferences? If so, 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?

A.

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

A.

### **Pretrials**

Q. Do you have final pretrial conferences?

A.

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

A.

Q. Do you have a specific format for pretrial memorandums?

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? If so, what is the due date for questionnaires?

A.

### **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, in electronic form, 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.

### **Trial Procedure**

Q. What is your preferred trial schedule (e.g. 9 a.m. – 5 p.m. with an hour for lunch, 8 a.m. – 2 p.m. 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 allow “speaking objections” in jury trials?

A.

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

A.

**Bench Trial Practice**

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

A.

**CRIMINAL MATTERS**

Q. Do you allow initial appearance to be entered by written filing?

A.

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

A.

Q. Do you allow attorneys to file written agreements on bond conditions?

A.

Q. Do you have video arraignments of jail inmates? If so, where do you want counsel during the video appearance?

A.

Q. What special considerations occur at sentencing (participation in a deferral program, supervised probation, treatment, etc.)?

A.

Q. Do you allow plea agreements in writing? If so, under what circumstances or types of cases?

A.

### **Citations**

Q. Do you appoint the Public Defender if there is a possibility of jail sentence?

A.

Q. Do you accept credit card payments?

A.

### **Juveniles**

Q. Do juveniles appear at a separate time than adults?

A.

Q. Do you insist juveniles appear with a parent/guardian?

A.

### **CIVIL MATTERS**

Q. Does the court prepare the orders, or should the attorney prepare the order?

A.

**Family Violence/Stalking Protection Hearing**

Q. Do you encourage attorneys in these matters?

A.

**Small Claims**

Q. Do you think it is effective for attorneys to appear in small claims matters?

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 limitations on courtroom movement (approaching witness, podium, etc.)?

A.

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

A.

#### **OTHER MISCELLANEOUS ISSUES**

Q. What are your opinions regarding courtroom attire?

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.

### **Specialty Courts**

Q. Do you have a specialty court (drug court, DUI court, juvenile court)? If so, please describe.

A.

Q. What are the criteria for entrance in the program?

A.

Q. What is the judge's role in the program?

A.

Q. Can an attorney petition for his/her client to participate in the program?

A.

Q. Must there be an adjudication or can there be participation from a form of deferral?

A.