

MADERA COUNTY SUPERIOR COURT
TRIAL POLICIES FOR DEPARTMENTS 44 &45

Department 44

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Madera County Superior Court
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Department 45

Hon. James E. Oakley
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The following policies apply to all trials in Departments 44 and 45.

1. All jury trials and long cause court trials in actions which are assigned to either Departments 4 or 5 shall be calendared to commence on Mondays at 9:30 a.m.
2. Parties and trial counsel shall be prepared to participate in a Trial Management Conference promptly at 9:30 a.m. on the Monday on which the trial is calendared.
3. For long cause court trials, the trial will commence on Monday morning immediately following the Trial Management Conference.
4. For jury trials, the process of jury selection will commence at 9:30 am on the Tuesday morning following the Trial Management Conference.
5. Motions in limine and trial briefs - for both court and jury trials, trial briefs and motions in limine shall be due fourteen (14) days before trial. Opposing motions in limine shall be due seven (7) days before trial.
6. Exhibits-prior to the Trial Management Conference, the parties shall meet and confer concerning exhibits to be introduced at trial. This includes stipulating, where possible, to the admissibility of those exhibits. Joint exhibits are encouraged, where possible.
7. At the Trial Management Conference, the parties shall submit to the court and exchange with each other (where not already done – see above) all of the following:
 - All trials:
 - (a) Original discovery to be used during the trial
 - (b) Exhibit lists and exhibits. Exhibits should be pre marked, and placed in three separate binders – one for the clerk, one for the witness, and the original for the trial judge. Note: exhibit lists can be emailed to the clerk.
 - (c) Witness lists
 - Jury Trials:
 - (d) Neutral statement of the case
 - (e) Verdict forms
 - (f) Jury instructions (Actual jury instructions shall be submitted, not simply CACI, BAJI or CALCRIM numbers. Each instruction shall be fully completed as appropriate to the case being tried.)

8. At the Trial Management Conference, the topics to be discussed will include the following:
 - (a) Courtroom hours
 - (b) Courtroom courtesies
 - (c) Time estimates
 - (d) Juror hardships, challenges for cause and peremptory challenges
 - (e) Motions in limine
 - (f) Evidentiary issues
 - (g) Special needs
 - (h) Witness issues
 - (i) Exhibit issues
 - (j) Trial objections
 - (k) Sidebar conferences
 - (l) Bifurcation
 - (m) Number of jurors
 - (n) Jury instructions
 - (o) Waiver of separation admonitions
 - (p) Waiver of 24 hour entry of judgment rule
9. **Court Reporter Fees in the amount of \$280.00 to be paid daily at the rate of ½ -\$140.00 per each side to the Civil Division prior to the commencement of trial each day. Copy of the Receipt is to be presented to the Department Court Clerk for verification of payment of reporter fees.**
- 10 Please contact the Court Reporting Supervisor, Meri Batty, if daily transcripts may be needed in order to make arrangements in advance. Ms. Batty can be reached via telephone at (559) 416-5544 or via e-mail at meri.batty@madera.courts.ca.gov.
11. A copy of these trial policies shall be provided to counsel for all parties, and to all parties not represented by counsel, at the Mandatory Settlement Conference.

MICHAEL J. JURKOVICH
JUDGE OF THE SUPERIOR COURT
DEPARTMENT 44

JAMES E. OAKLEY
JUDGE OF THE SUPERIOR COURT
DEPARTMENT 45