



CIRCUIT JUDGE PREFERENCES:

Judge David Knoff

ATTORNEY CONTACT

1. **Generally, how do you prefer attorney contact?** Email.
2. **How do you prefer to receive briefs?** Email.
3. **Would you like to receive copies of pleadings and affidavits related to a brief or motion?** Yes, via email with hard copy also sent via U.S. Mail.
4. **How do you prefer to receive proposed orders?** Odyssey file and serve.

CIVIL SCHEDULING AND PRACTICE

5. **What is the preferred method for setting a civil motions hearing, other than in open court?** Email court reporter with cc: to other attorneys of record. Hearings on regular court days should be scheduled with Clerk of Courts. Other hearings please email court reporter (jeanne.bossman@ujs.state.sd.us) and copy me also.
6. **Do you want courtesy copies of the main statutes or cases relied upon in briefs or motions?** No.
7. **Who should be contacted to request/schedule a telephonic appearance?** Court via email.
8. **Do you require a motion or want some form of notice if the parties have stipulated to an extension of a deadline in a scheduling order?** No.
9. **Should stipulations between counsel on evidentiary issues and/or legal issues be submitted to you in writing?** No.
10. **What is the preferred method for scheduling a civil jury trial?** File a motion for scheduling and set for a motions hearing. Jury trials are scheduled after parties advise discovery is completed.
11. **Do you require pretrial conferences and what agenda do you have for pretrial conferences?** Yes. Trial is scheduled after discovery is completed. This should be set for hearing so any other issues may be addressed.

12. **Do you have a standard pretrial order?** No.
13. **Do you have any requirements for court trials that are different from your jury trial expectations?** No.
14. **How do you conduct voir dire?** The court will ask questions then the parties.
15. **Do you require a pretrial brief?** No.
16. **Do you require pretrial findings of fact and conclusions of law in a court trial?** No.
17. **Is there anything else you would like attorneys to know about how you conduct civil matters?** The parties are to provide the court with a copy of all trial exhibits as well as a cover sheet with the exhibit number, a description of the exhibit, and columns for “offered” and “received.”

CRIMINAL SCHEDULING AND PRACTICE

18. **What is the preferred method for setting a criminal motions hearing, other than in open court?** Email court reporter with cc: to other attorneys of record. Also email the court (david.knoff@uj.s.state.sd.us). Court reporter email is jeanne.bossman@uj.s.state.sd.us.
19. **What is the preferred method for seeking a reset of a routine criminal court appearance?** Email Court directly with cc: to other attorneys of record.
20. **When a suppression motion is filed, do you require or request a pre-evidentiary brief to lay out the issues to be argued?** Yes.
21. **Do you have any standard sentences or sentencing policies of which attorneys should be aware?** No.
22. **If answer to previous question is yes, please provide examples.** (e.g., no suspended imps in certain situations, fine paid in full on day of sentencing, etc.) No Response.
23. **Is there anything else you would like attorneys to know about how you conduct criminal matters?** No Response.

COURTROOM PROTOCOL

24. **Does the Court prefer that lawyers:**
 - a. **Stand when addressing the court:** Yes.
 - b. **Ask permission to approach an adverse witness:** Yes.
 - c. **Ask permission to approach their own witness:** Yes.
 - d. **Ask permission before moving about the well of the courtroom:** Yes.
 - e. **Ask permission to publish an admitted exhibit to the jury:** Yes.

- 25. **Do you allow lawyers to have cell phones in your courtroom?** Yes.
- 26. **Do you mind if lawyers check email, etc while waiting in the gallery for their case to be called?** No.
- 27. **Is there anything else you would like attorneys to know about your preferred courtroom protocol?** Cell phones should be silenced.

DOMESTIC CASES

- 28. **Are there any special issues that arise in your courtroom in domestic cases that you would like the Bar to be aware of?** No Response.
- 29. **Do you have a standard pretrial order?** Yes.
- 30. **Do you require:**
 - a. **Pre-trial conference:** No.
 - b. **Pre-trial mediation:** Yes.
 - c. **Asset/Debt spreadsheet** (if so, please provide a copy of the required form): Yes.
 - d. **Pre-trial brief:** No.
 - e. **Pre-trial submission of proposed Findings of Fact and Conclusions of Law:** No.
- 31. **If the parties stipulate to temporary or final matters, how do you prefer attorneys proceed?** Advise the court and submit an order via Odyssey.
- 32. **Is there anything else you would like attorneys to know about how you conduct domestic cases?** No Response.

COURTHOUSE

- 33. **Does your courtroom/courthouse have any of the following:** (please list all applicable counties)
 - a. **Separate tables for counsel:** All
 - b. **Accessibility for attorneys, parties and witnesses who use wheelchairs:** All
 - c. **Podium:** None
 - d. **Microphone system:** All
 - e. **Photocopier:** Call Clerk of Courts.
 - f. **Free internet access or law library for visiting lawyers:** Call Clerk of Courts.
 - g. **Screen for video presentation:** Call Clerk of Courts.
 - h. **Computer or television for video presentations:** Call Clerk of Courts.
- 34. **Is there anything not previously addressed that you would like attorneys practicing in your court to know?** Please communicate with the Clerk of Courts to make any arrangements you feel are necessary to

see if they are able to reasonably accommodate you. You are responsible to make sure you are ready/prepared to use any courtroom technology.