



CIRCUIT JUDGE PREFERENCES:

Judge James Power

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?** No.
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?** Contact Court Administration and attorney may schedule with notice to other attorney. This assumes the hearing is less than 1/2 day and a motion has been filed.
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?** Yes.
9. **Should stipulations between counsel on evidentiary issues and/or legal issues be submitted to you in writing?** Yes. Having a record of any stipulation helps resolve subsequent disputes.
10. **What is the preferred method for scheduling a civil jury trial?** A pre-trial or scheduling hearing is needed to schedule any hearing lasting more than a half-day. The first question at the hearing will be whether discovery is complete. If not, the parties must wait until discovery is complete to get a trial date.

11. **Do you require pretrial conferences and what agenda do you have for pretrial conferences?** Yes. First question is whether discovery is complete. If not, the parties must wait to get a trial date until they agree discovery is complete except for final supplementation. Other questions are identifying the issues for trial and the number of trial days needed.
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 jury manager provides counsel with a numbered list of potential jurors. The bailiff will seat the number of jurors who must be passed for cause on the right side pews (viewed from the bench), starting with the lowest numbered juror seated next to the wall in the pew closest to counsel tables.
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?** No Response.

CRIMINAL SCHEDULING AND PRACTICE

18. **What is the preferred method for setting a criminal motions hearing, other than in open court?** Contact Court Administration and attorney may schedule with notice to other attorney. Assumes a motion has been filed and the hearing will be a half-day or less.
19. **What is the preferred method for seeking a reset of a routine criminal court appearance?** Contact State's Attorney and reset by agreement of counsel. If opposing counsel has not agreed to a reset, then send an email CC'ing opposing counsel to the Court.
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:** No.
- b. **Ask permission to approach an adverse witness:** Yes.
- c. **Ask permission to approach their own witness:** No.
- d. **Ask permission before moving about the well of the courtroom:** No.
- 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? If the courthouse ever adopts a blanket policy banning use of cell phones in the gallery, I would expect attorneys to comply.

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.

29. Do you have a standard pretrial order? No.

30. Do you require:

- a. **Pre-trial conference:** Yes.
- b. **Pre-trial mediation:** No.
- 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? File any stipulations and file proposed order based on stipulation as a proposed document.

32. Is there anything else you would like attorneys to know about how you conduct domestic cases? Ex parte motions are very rarely granted.

COURTHOUSE

33. Does your courtroom/courthouse have any of the following: (please list all applicable counties)

- a. **Separate tables for counsel:** Yes.
- b. **Accessibility for attorneys, parties and witnesses who use wheelchairs:** Yes.

- c. **Podium:** Yes.
 - d. **Microphone system:** Yes.
 - e. **Photocopier:** No.
 - f. **Free internet access or law library for visiting lawyers:** Internet access is free.
 - g. **Screen for video presentation:** There is a TV cart that has a laptop that can connect to a TV screen.
 - h. **Computer or television for video presentations:** There is a TV cart that has a laptop that can connect to a TV screen.
34. **Is there anything not previously addressed that you would like attorneys practicing in your court to know?** No Response.