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**JUDGE CONTACT INFORMATION**

1. Please enter your name.

Name:

**Michael W. Day**

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**ATTORNEY CONTACT**

2. Generally, how do you prefer attorney contact?

**Email**

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3. How do you prefer to receive briefs?

**Email**

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4. Would you like to receive copies of pleadings and affidavits related to a brief or motion?

**Yes, via email.**

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5. How do you prefer to receive proposed orders?

**Odyssey file and serve**

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**CIVIL SCHEDULING & PRACTICE**

6. What is the preferred method for setting a civil motions hearing, other than in open court?

**Contact Clerk of Courts and attorney may schedule and notice other attorney**

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7. Do you want courtesy copies of the main statutes or cases relied upon in briefs or motions?

**Yes**

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8. Who should be contacted to request/schedule a telephonic appearance?

**Court via email**

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9. 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**

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## Circuit Judge's Preference Guide

10. Should stipulations between counsel on evidentiary issues and/or legal issues be submitted to you in writing?

**Yes**

11. What is the preferred method for scheduling a civil jury trial?

**File a motion for scheduling and set for a motions hearing**

12. Do you require pretrial conferences and what agenda do you have for pretrial conferences?

**Yes,**  
If yes, what is your agenda?:  
Pursuant to pretrial order

13. Do you have a standard pretrial order?

**Yes**

14. Do you have any requirements for court trials that are different from your jury trial expectations?

**Yes,**  
If so, please explain:  
Pursuant to pretrial order

15. How do you conduct voir dire?

Allow attorneys to do so

16. Do you require a pretrial brief?

Please explain:  
Depends upon the case and pretrial order

17. Do you require pretrial findings of fact and conclusions of law in a court trial?

**Yes**

18. Is there anything else you would like attorneys to know about how you conduct civil matters?

N/A

### **CRIMINAL SCHEDULING & PRACTICE**

19. What is the preferred method for setting a criminal motions hearing, other than in open court?

**Contact Clerk of Courts and attorney may schedule and notice other attorney**

## Circuit Judge's Preference Guide

**20.** 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**

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**21.** When a suppression motion is filed, do you require or request a pre-evidentiary brief to lay out the issues to be argued? **No**

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**22.** Do you have any standard sentences or sentencing policies of which attorneys should be aware? **No**

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**23.** 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)

N/A

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**24.** Is there anything else you would like attorneys to know about how you conduct criminal matters?

No

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### COURTROOM PROTOCOL

**25.** Does the Court prefer that lawyers:

- |   |            |
|---|------------|
| a. Stand when addressing the court                              | <b>Yes</b> |
| b. Ask permission to approach an adverse witness                | <b>No</b>  |
| c. Ask permission to approach their own witness                 | <b>No</b>  |
| d. Ask permission before moving about the well of the courtroom | <b>No</b>  |
| e. Ask permission to publish an admitted exhibit to the jury    | <b>Yes</b> |
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**26.** Do you allow lawyers to have cell phones in your courtroom? **Yes**

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**27.** Do you mind if lawyers check email, etc while waiting in the gallery for their case to be called? **No**

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**28.** Is there anything else you would like attorneys to know about your preferred courtroom protocol?

No

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### DOMESTIC CASES

## Circuit Judge's Preference Guide

**29.** Are there any special issues that arise in your courtroom in domestic cases that you would like the Bar to be aware of?

I may require Law Enforcement presence depending upon the case

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**30.** Do you have a standard pretrial order? **Yes**

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**31.** Do you require:

Pre-trial conference	<b>Yes</b>
Pre-trial mediation	<b>Yes</b>
Asset/Debt spreadsheet (if so, please provide a copy of the required form)	<b>Yes</b>
Pre-trial brief	<b>Yes</b>
Pre-trial submission of proposed Findings of Fact and Conclusions of Law	<b>Yes</b>

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**32.** If the parties stipulate to temporary or final matters, how do you prefer attorneys proceed?

Stipulation in writing and filed

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**33.** Is there anything else you would like attorneys to know about how you conduct domestic cases?

No

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### **COURTHOUSE**

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

Separate tables for counsel	<b>All</b>
Accessibility for attorneys, parties and witnesses who use wheelchairs	<b>All</b>
Podium	<b>All</b>
Microphone system	<b>Most</b>
Photocopier	<b>No</b>
Free internet access or law library for visiting lawyers	<b>Butte County</b>
Screen for video presentation	<b>No</b>
Computer or television for video presentations	<b>No</b>

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35. Is there anything not previously addressed that you would like attorneys practicing in your court to know?

No

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