

Judge Contact Information

1. Please enter your name and contact information.

Name: - Wally Eklund

Email Address: - Wally.Eklund@uj.s.state.sd.us

Phone Number: - (605) 394-2571

Attorney Contact

2. Generally, how do you prefer attorney contact?

Email

3. How do you prefer to receive briefs?

Email with hard copy also sent via U.S. Mail

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

Yes, via U.S. Mail

5. How do you prefer to receive proposed orders?

Email with hard copy also sent via U.S. Mail

Civil Scheduling and Practice

6. 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

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

No

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

Court Administration

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?

No

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?

Email Court directly with cc: to other attorneys of record

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

Yes

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

Submission of FOF & COL

15. How do you conduct voir dire?

Attorneys are to conduct the questioning.

16. Do you require a pretrial brief?

Not always, but if there is an issue that is presented that is novel or contrary to settled legal principles then a brief and authorities should be submitted.

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?

No Response

Criminal Scheduling and Practice

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

Email Court directly with cc: to other attorneys of record

20. 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

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

22. Do you have any standard sentences or sentencing policies of which attorneys should be aware?

No

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)

No Response

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

No Response

Courtroom Protocol

25. Does the Court prefer that lawyers:

	Yes	No
a. Stand when addressing the court		X
b. Ask permission to approach an adverse witness	X	
c. Ask permission to approach their own witness		X
d. Ask permission before moving about the well of the courtroom		X
e. Ask permission to publish an admitted exhibit to the jury	X	

Comments:

26. Do you allow lawyers to have cell phones in your courtroom?

Yes

27. Do you mind if lawyers check email, etc while waiting in the gallery for their case to be called?

No

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

No Response

Domestic Cases

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

Children are not to be in the courtroom during sessions.

30. Do you have a standard pretrial order?

Yes

31. Do you require:

	Yes	No
Pre-trial conference	X	
Pre-trial mediation		
Asset/Debt spreadsheet (if so, please provide a copy of the required form)	X	
Pre-trial brief	X	
Pre-trial submission of proposed Findings of Fact and Conclusions of Law	X	

Comments:

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

Stipulations must be either in writing or dictated into the record in open court.

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

No Response

Courthouse

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

Separate tables for counsel - Yes

Accessibility for attorneys, parties and witnesses who use wheelchairs - Yes

Podium - Yes

Microphone system - Yes

Photocopier - Yes

Free internet access or law library for visiting lawyers - ?

Screen for video presentation - Yes

Computer or television for video presentations - Yes

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

Attorneys and/or their staff should familiarize themselves with the operation of projection equipment before trial.