

## Judge Contact Information

### 1. Please enter your name and contact information.

Name: - Warren G. Johnson

Email Address: - Warren.Johnson@ujs.state.sd.us

Phone Number: - 605 578 2044

## 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 email with hard copy also sent via U.S. Mail

### 5. How do you prefer to receive proposed orders?

Email

## 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?

Yes

**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?**

No

**13. Do you have a standard pretrial order?**

No

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

No

**15. How do you conduct voir dire?**

Civil: Seat 18-19 in box. Plaintiff examines. Defendant examines. Both pass and each strikes 3. Swear jury. Felony criminal. Seat 13 in box. Defendant examines; State examines. After both have passed for cause. Plaintiff exercises #1. New prospect is seated in witness chair and both examine. If passed for cause, the prospect takes a seat behind the rail. If excused for cause, juror is free to leave. Process continues until each side has exercised or waived their challenges. Jury sworn. For misdemeanor criminal trials. Seat 18, defendant then plaintiff examines. When both have passed for cause, each strikes three. Have used the strike down method on felony cases but it is difficult depending on the facilities. If jury prospects are in the audience behind the rail, they tend to not speak up or respond to general questions.

**16. Do you require a pretrial brief?**

Yes

sometimes, depending on the type and complexity of case

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

No

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

Be on time, be prepared.

## Criminal Scheduling and Practice

19. 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

20. What is the preferred method for seeking a reset of a routine criminal court appearance?

contact scheduling clerk, with opposing counsel on the line

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

## 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

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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?**

Be on time, be prepared, and do not visit with other lawyers or parties in gallery while other lawyers, litigants are presenting their cases.

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## **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?**

no

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

No

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**31. Do you require:**

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

*Comments:*

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

place the stipulation on the record with parties present and follow up with written stipulation, depending on nature of stipulation.

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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)

**No Response**

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

no