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### JUDGE CONTACT INFORMATION

1. Please enter your name.

Name: **Tami Bern**

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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? **No**

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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? **Email court reporter with cc: to other attorneys of record**

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7. Do you want courtesy copies of the main statutes or cases relied upon in briefs or motions? **No**

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

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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? **No**

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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,**  
Please  
explain:  
There should be some evidence of the agreement. Email is sufficient.

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

**Email court reporter with cc: to other attorneys of record**

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

**Yes,**  
If yes, what is your  
agenda?:  
Case dependent.

**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?

**Yes,**  
If so, please  
explain::  
Pretrial usually required for jury trials.

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

Court will voir dire as to general qualification of jurors.

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

**Yes,**  
Please  
explain:  
Case dependent.

**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?

**Respondent skipped this question**

### CRIMINAL SCHEDULING & PRACTICE

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

Other:  
Contact State's  
Attorney

## Circuit Judge's Preference Guide

<b>20.</b> What is the preferred method for seeking a reset of a routine criminal court appearance?	<b>Contact State's Attorney and reset by agreement of counsel</b>
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<b>21.</b> When a suppression motion is filed, do you require or request a pre-evidentiary brief to lay out the issues to be argued?	<b>Yes</b>
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<b>22.</b> Do you have any standard sentences or sentencing policies of which attorneys should be aware?	<b>No</b>
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<b>23.</b> 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)	<b>Respondent skipped this question</b>
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**24.** Is there anything else you would like attorneys to know about how you conduct criminal matters?

For not guilty pleas, please have prepared the Written Arraignment and Plea of Not Guilty form as well as the Motion for Discovery form. Both forms are available from the State's Attorney or local clerk.

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### COURTROOM PROTOCOL

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

- |   |            |
|---|------------|
| a. Stand when addressing the court                              | <b>No</b>  |
| b. Ask permission to approach an adverse witness                | <b>Yes</b> |
| c. Ask permission to approach their own witness                 | <b>Yes</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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<b>26.</b> Do you allow lawyers to have cell phones in your courtroom?	<b>Yes</b>
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<b>27.</b> Do you mind if lawyers check email, etc while waiting in the gallery for their case to be called?	<b>No</b>
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**28.** Is there anything else you would like attorneys to know about your preferred courtroom protocol?

Do not bring beverages into the courtroom or to counsel table unless you are involved in a lengthy hearing.

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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?

Temporary orders are determined upon affidavits only. Leave of court is required to submit more than five affidavits. Hearings on temporary matters are not scheduled for longer than 30 minutes.

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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>No</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>No</b>

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

Submit written stipulation and order.

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

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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>Clay - yes; Union - yes.</b>
Accessibility for attorneys, parties and witnesses who use wheelchairs	<b>Clay - yes; Union - yes.</b>
Podium	<b>Clay - yes; Union - yes.</b>
Microphone system	<b>Clay - yes; Union - yes.</b>
Photocopier	<b>Clay - yes; Union - yes.</b>
Free internet access or law library for visiting lawyers	<b>SDCL available.</b>
Screen for video presentation	<b>Contact clerk.</b>
Computer or television for video presentations	<b>ITV/television Clay - yes; Union - yes.</b>

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