

**CLATSOP COUNTY CIRCUIT COURT - EIGHTEENTH JUDICIAL DISTRICT
SUPPLEMENTAL LOCAL RULES EFFECTIVE ON FEBRUARY 01, 2007**

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2007 Supplemental Local Rules for the Clatsop County Circuit Court

Chapter 1 - General Provisions

- 1.151 HOURS OF OPERATION: Clatsop County Circuit Court is open for business and will receive documents for filing from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m. Monday through Friday. The Clerks' Office closes at 4:00 p.m. on the first Wednesday of each month.
- 1.171 WEBSITE ADDRESS: The Clatsop County Circuit Court website address is: www.ojd.state.or.us/clt/index.html
- 1.173 PHYSICAL/MAILING ADDRESSES: The street address of Clatsop County Circuit Court is 749 Commercial Street, Astoria, Oregon 97103. All physical appearances required by these rules shall occur at that location unless otherwise specified by the court. The mailing address is P. O. Box 835, Astoria, OR 97103.

Chapter 3 - Decorum in Proceedings

3.181 PUBLIC ACCESS COVERAGE:

(1) Public access coverage is allowed in the lobby areas of the basement, first floor and second floor of the Courthouse unless the court designates another area. Public access coverage shall not disrupt court proceedings or interfere with normal court activities. Access to other areas of the courthouse or courtrooms must be approved in advance either a judge or the trial court administrator.

Chapter 4 - Proceedings in Criminal Cases

- 4.005 MOTIONS TO DISMISS: Motions to dismiss a criminal action made by the prosecutor shall be in writing, signed by the attorney, and include facts supporting the motion.
- 4.015 TIME FOR FILING PRETRIAL MOTIONS: Pretrial motions, including discovery motions and motions filed pursuant to ORS 135.037, shall be filed no more than 30 days after the early resolution conference if the defendant is out of custody and no more than 48 hours after the early resolution conference if the defendant is in custody. In any case, pretrial motions shall be filed no later than the time allowed in UTCR 4.010.

4.081 APPEARANCE AT CRIMINAL PROCEEDINGS BY SIMULTANEOUS ELECTRONIC TRANSMISSION

- (1) Unless otherwise ordered by the court, in-custody arraignments shall be by simultaneous electronic transmission as defined in UTCR 4.080.
- (2) With approval of the court, in-custody defendants may appear by simultaneous electronic transmission as defined in UTCR 4.080 for plea and sentencing hearings, probation violation hearings and other criminal proceedings.
- (3) Probation officers will be allowed to appear by simultaneous electronic transmission for probation violation hearings. A party who believes the personal appearance of a probation officer is necessary for a probation violation hearing shall notify the other party, court and probation officer no later than 48 hours prior to the scheduled probation violation hearing of the request for personal appearance. When a probation officer will be appearing for a probation violation hearing by simultaneous electronic transmission, all reports and recommendations shall be available to all parties 96 hours prior to the scheduled probation violation hearing. If the reports are not available 96 hours prior to the scheduled hearing the probation officer must attend the hearing unless stipulated by the parties.

Chapter 5 - Proceedings in Civil Cases

5.061 EX PARTE AND STIPULATED ORDERS: Ex parte and stipulated orders shall be presented to the court clerk to be forwarded to the judge with the applicable court file. Ex parte matters requiring a hearing shall be scheduled by docketing staff.

Chapter 6 - Trials

6.005 GENERAL TRIAL SCHEDULING:

- (1) Jury trials generally will be scheduled at 9:00 a.m. Tuesday and Wednesday.
- (2) Court trials generally will be scheduled Monday through Friday as time allows.

6.012 SETTLEMENT CONFERENCES: If a judge is available, a settlement conference will be set in civil cases at the request of the court or a party.

- (1) Parties and others with settlement authority, including insurance claims representatives, must appear in person unless personal appearance is waived in advance by the settlement judge, in which case they must be available by telephone. The court will consider imposition of sanctions set forth in UTCR 1.090(2) for failure to comply with this section.

- 6.031 SCHEDULING CONFLICTS: Requests to reschedule a court proceeding, including trials and hearings, must be in writing and received by the court not later than ten (10) days after the proceeding is set. The written request shall be provided to attorneys of record and unrepresented parties and shall include a list of dates on which the parties and counsel are available to try the matter. After ten days, continuances shall not be allowed except for substantial cause.
- 6.051 DELIVERY OF TRIAL MEMORANDA AND OTHER DOCUMENTS: In civil cases, trial memoranda, requested jury instructions, witness lists, motions in limine and exhibit lists shall be received by the Court and opposing counsel at least one day prior to the commencement of the trial.
- 6.081 EXHIBITS: All trial exhibits will be assigned a value of zero unless the submitting party supplies the court clerk with a written opinion as to value.

Chapter 7 - Case Management and Calendaring

7.005 ARRAIGNMENTS

- (1) In-custody arraignments will be heard at 1:15 p.m. each judicial day.
- (2) Out-of-custody arraignments will be heard at 8:30 a.m. each judicial day.
- (3) The court will accept not guilty pleas at arraignment pursuant to UTCR 7.010 and may accept guilty pleas at arraignment as allowed by law.
- (4) After arraignment, criminal cases will be set for early resolution conference.

7.007 EARLY RESOLUTION CONFERENCE

- (1) In criminal cases, an early resolution conference will be set at arraignment, not less than 21 days out for in-custody defendants and not less than 35 days out for out-of-custody defendants. At the early resolution conference, attorneys and unrepresented parties shall meet with the judge and report on the progress of negotiations, discovery, and pretrial motions, attempt to resolve the case, and advise whether a trial is needed. Unless a final resolution conference is set, the early resolution conference is the deadline for negotiated pleas unless good cause is shown for a later date.
- (2) The court may hold a final resolution conference if the defendant is out of custody and the case does not settle at the early resolution conference. The final resolution conference is the deadline for negotiated pleas unless a party can show good cause for a later date.
- (3) Defendants in criminal cases must attend all resolution conferences unless the court authorizes a waiver of appearance in advance.

