



the Court if there is an agreement that has been reached or, in the alternative, that the matter needs to be set for trial.

## **II. DISCOVERY AND MOTIONS PRACTICE**

- a. Unless otherwise ordered by the Court, parties are expected to comply with Crim. P 16. With this expectation, there is no requirement to file discovery requests/motions falling within that rule.
- b. Any motions filed with the Court shall be made in writing, and sufficiently plead so that the facts and relief requested is clearly articulated. Parties are advised that “boiler-plate” motions are not permitted.
- c. Unless otherwise ordered by the Court, all substantive motions to suppress, motions challenging probable cause shall be filed no later than 30 days following the arraignment. Any responses shall be made within 14 days. Failure to comply with the Court’s deadlines as outlined will be deemed waived absent good cause shown.
- d. Dates for motions hearings will not be provided absent a written motion having been filed with the Court.
- e. Plea paperwork shall be filed at least 48 hours in advance of an appearance for sentencing so that matters can proceed efficiently. This may not always be possible, however please keep in mind that the Court cannot access e-filed documents outside of that timeframe.
- f. Motions in Limine are required to be filed no later than 7 days prior to the pretrial readiness conference. Failure to comply with the Court’s deadlines as outlined will be deemed waived absent good cause shown.
- g. Disclosure of expert opinion, reports, witnesses, theory of defense, affirmative defenses, and alibi shall be provided no later than 35 days prior to trial. Motions seeking the admission of evidence pursuant to C.R.E. 404(b) shall be filed no later than 35 days prior to trial. Failure to comply with the Court’s deadlines as outlined will be deemed waived absent good cause shown.

## **III. TRIALS**

- a. Division J conducts Jury Trials on Tuesdays and Thursdays. *Parties must be present in Court no later than 8:15 a.m unless otherwise advised.* Court Trials are generally scheduled on Fridays, unless a Jury Trial is being held, and when requested and/or consented to by the prosecution.
- b. The Court will not accept pleas on the date of trial.

- c. Due to public health concerns and attendant restrictions, the Court intends to minimize, to the best of its ability, the time that prospective jurors must be present in the courthouse. An Omnibus conference may be scheduled to further address issues referred to in Chief Judge Order 21-7 issued by the Hon. Judge Bain of the Fourth Judicial District of Colorado on May 18, 2021.
- d. Jurors are summoned to appear at 8:30 a.m. on the trial date. As such, the Court will not hear Motions in Limine on the morning of trial. Any pretrial issues not raised are deemed to have been waived.
- e. There will be no argument the day of trial regarding any matters that should have been raised on or before the pretrial readiness conference, including issues related to body-worn camera or 911 tapes.
- f. The Court orders that jury instructions be prepared and provided to defense counsel prior to the day of trial. Unless otherwise ordered, the deadline for jury instruction provision to defense counsel shall be no later than 5:00 pm two (2) days before trial.
- g. Defense counsel should familiarize themselves with the current El Paso County Sheriffs Office, in advance of trial. This may require delivery of clothes prior to the scheduled jury trial.
- h. Witnesses must appear for their subpoenas no later than 10:00 a.m. for trials scheduled to occur at 8:30 a.m.
- i. An order of sequestration of witnesses will be in effect during the trial (VRA exception) C.R.E. 615, C.R.S. 24-4.1-302.5.
- j. Absent Court order otherwise, the parties will have 15 minutes for voire dire and 10 minutes for opening statements and closing arguments.
- k. Parties are encouraged to review the Fourth Judicial District Jury Trial Plan prior to trial and relevant Child Judge Orders for the Fourth Judicial District.

SO ORDERED BY THE COURT,

/s/ Meredith Patrick Cord  
County Court Judge Div. J