

# **Division 4 Rules**

Rhonda K. Mason, District Court Judge

Stacy Crist, Administrative Assistant

[Stacy.crist@jocogov.org](mailto:Stacy.crist@jocogov.org)

913.715.3780

## **1. Communications with the Court**

All communications with the court should be through the administrative assistant who will provide any instructions for parties represented by counsel or otherwise, that are not provided in these guidelines. **Do not send e-mails directly to the Judge, all e-mails go through A.A., Stacy Crist, unless otherwise told by the Court.** Any documents that are submitted to Division 4 for a signature by Pro Se litigants should be filed by contacting the Help Center or contacting the Civil Clerks.

## **2. Requesting a Hearing Date**

When a motion is filed, the filing attorney, filing attorney assistant, or pro-se litigant **must** contact the Court to request and obtain a hearing date. When requesting hearing dates please provide the Court with how much time is anticipated for each hearing and how far out you would like to schedule. Parties will be held to the time requested or allowed by the Court.

All motions requiring a hearing should list the hearing date, time and division for the motion in bold letters below the case number in the caption of the case, after first consulting with opposing counsel and the administrative assistant. The notice should also include the document number(s) from the case history of the motion to be heard. When requesting a hearing date remember to allow appropriate time for opposing parties to file their response/answer.

After a hearing date is provided, if new motions are filed do not assume they will be heard on the same date and time of the previous motion

scheduled at that specific time has been allotted for prior motions. YOU MUST CONTACT THE ADMINISTRATIVE ASSISTANT TO ADD ANOTHER MOTION TO THE HEARING DATE OR TO RESCHEDULE ALL MOTIONS TO ONE DATE.

**If a hearing is no longer needed, please contact the Court to cancel the hearing.**

### 3. Motions

The Court requires a chamber copy of all motions. When scheduling hearings for a motion, allow (consider) the required or an appropriate amount of time for the opposing party to respond. **Any responses/answers to the motion being heard, need to be filed at least 4 days before the hearing as to allow the Court time to review. Responses/answers filed after that time will not be considered.**

Again, only the original motion(s) that are scheduled will be heard on that hearing date. Any new motions that are filed will need a different hearing date or to allow less travel and time taken up for counsel and other parties, if you have more than the original motion(s) to be heard, you may call and get a continuance to allow time to respond and for the Court to review. If the court orders you to file a motion or response, before it will be heard, if it is not filed in the amount of time said, the Court has the right to cancel the hearing.

### 4. Motions to Withdraw

Any and all motions to withdraw must have a hearing date and notice sent to all parties. The motion will be set on a non-appearance docket. Unless there is an objection to the withdrawal, no attorney or party is required to appear.. The Order granting the withdrawal must **only** be submitted after the hearing.

## **5. Local Rules**

Please check the local court civil rules as to more specific questions on briefing guidelines, withdrawals from representation, reasonable times for deposition notices (five days), case assignments, etc.

## **6. Conduct in Court Proceedings**

In addition to the local rules, rules of decorum, Division 4 expects all parties, including attorneys and unrepresented parties to be dressed in court appropriate attire. This means no tank tops, shorts, torn jeans, no chewing gum or drinks. Please address the Court in appropriate tones while speaking. Please do not bring young children into the courtroom. All attorneys and parties appearing in any hearing ordinarily shall use the courtroom entrance door. But, if no jury is present, and counsel (or self-represented parties) are directed to chambers for a conference, assuming the jury is absent, counsel may enter the courtroom through the door connecting the court room and administrative assistant's office.

If a hearing is scheduled to be held by Zoom, the same requirements stated above are to be followed. all parties, including attorneys and unrepresented parties.

## **7. If You Are Late**

The court reserves the right to rule on a matter if counsel or a party fails to show up for a hearing on time. However, the Court understands that in some instances counsel, or a party may be held up or unable to attend a scheduled hearing. If you cannot attend or are running late, please immediately call the administrative assistant at 913-715-3780, to let the Court know you will be late or cannot attend and the reason for the same, otherwise any rulings by the Court will stay and a motion must be filed to reconsider.

## **8. Electronic Devices**

Please turn off, or silence, all electronic devices. Counsel is responsible for monitoring their clients, staff, and witnesses to this rule. It is disrespectful to the Court for electronic devices to be turned on or to go off during court proceedings.

Attorneys, parties, unrepresented parties, witnesses, or individuals with parties are prohibited from recording at any time while in the courtroom.

## **9. Chamber's Copies**

The Court will accept e-mailed bench copies. You can e-mail the A.A. Stacy Crist at [stacy.crist@jocogov.org](mailto:stacy.crist@jocogov.org).

**Do not send e-mails directly to the Judge, all e-mails go through A.A. Stacy Crist unless otherwise told by the Court.**

## **10. Pre-Trial Order**

All Pre-Trial Orders must be submitted to the court no later than one week prior to the pre-trial hearing or as the court has directed.

## **11. Zoom Hearings**

- A. When appearing at Zoom Hearings Rule 5A is to be followed.
- B. All cameras must be on and all participants visible to the Court. Each Zoom participant must use the name listed in the pleadings, legal name, or business name to identify themselves during the hearing.
- C. All attorneys, parties, or unrepresented parties must be in an appropriate location to participate in the hearing. The Court will not proceed with hearings where Zoom participants are driving, in a car, or other locations not appropriate for a court hearing.
- D. If attorneys or parties wish for non-parties to view the hearing, the Court must be notified one day prior to the hearing to allow the Court to set up alternative viewing outside of the Zoom hearing.

## **12. Deadlines**

**Division 4 requires that all filings requested by the Court, responses, case management orders, etc. are due by C.O.B. (5:00pm) on the date due.**