

## **Standing Trial Management Order for All Criminal Cases, Division E**

To ensure efficient and fair practices during the preparation for, and conduct of, trials, the following standard practices shall be followed by all parties and counsel in all criminal cases assigned to Division E of the Adams County Court:

### *I. PRETRIAL MATTERS, MOTIONS, NOTICES.*

- A. The following motions and notices shall be filed in writing, citing relevant legal authority, by no later than 35 days before the scheduled hearing on motions for each respective case:
  1. Motions requesting discretionary discovery pursuant to Colo. R. Crim. P. ("Rule") 16.
  2. Motions to suppress or challenging the admissibility of any evidence.
  3. Notices/Motions required to be filed pursuant to the Colorado Rules of Evidence or any statutory or regulatory authority (e.g., notices for introduction of C.R.E. 404(b) evidence, required notices seeking introduction under C.R.S. § 18-3-407, etc.).
  4. Motions challenging the testimony of any witness.
  5. Motions in Limine challenging or requesting a pre-trial ruling from the Court regarding the admissibility of any anticipated and reasonably foreseeable evidence at trial.
- B. Written responses to any motions and/or notices are not required unless specifically requested by the Court, but any party who wishes to respond in writing must file such written response by no later than 14 days prior to the scheduled hearing on motions. Written replies are not authorized without leave of the Court.
- C. Subpoena Duces Tecum ("SDT") that may appropriately be served in a case shall be set to be returned as early as possible, and in no event, later than the hearing on motions date in the respective case so that the Court can address any challenges to SDTs in advance of trial.
- D. The parties shall notify the Court of any challenges or disputes relating to redactions of any evidence by filing a written notice by no later than 7 days prior to the Pretrial Conference scheduled in the respective case. At the time of filing the notice, the parties are authorized to file a Notice of

Deposit with the requested competing redactions recommended by each respective party.

- E. Except as otherwise specified in this Order, the Court does not accept Notices of Deposit of electronic media or video evidence. If a party believes that a pre-hearing/trial review of materials would be helpful to the Court in a particular matter, with notice to opposing counsel, the party may seek leave from the Court to file a Notice of Deposit of such electronic media or video evidence.

*II. DISCOVERY:*

- A. All parties must comply with their respective obligations pursuant to Rule 16 and any discretionary discovery orders issued by the Court, whether the order is issued orally or in writing.
- B. The parties shall raise any known challenges to discovery by no later than the scheduled hearing on motions date for the respective case. If a party first learns of an alleged discovery discrepancy after the hearing on motions date, the party must file a written motion/notice as soon as possible so that the matter may be addressed prior to commencement of trial. Any discovery challenges first learned after a trial has commenced must be brought to the Court's attention, either orally or in writing, at the first opportunity after the party raising the challenge first learns of the information.
- C. Failure of any party to comply with the notice/filing requirements of this Section II. will result in the Court considering such failure as a factor when determining the extent of any prejudice to the challenging party on any matter when the Court ultimately determines that a violation of Rule 16 or the Court's discretionary discovery order has occurred.

*III. VOIR DIRE:*

- A. The number of jurors brought in for a case will be determined after consulting with the parties at the pretrial conference.
- B. The alternate(s) will be determined at the time of the pretrial conference, and will be identified by the seat number(s) in the Presumptive Seats (later defined) in which the juror(s) is(/are) ultimately placed at the conclusion of jury selection.

C. The Court will sit in the jury section area of the courtroom (the “Jury Section”) an appropriate number of jurors that account for the total number of jurors necessary for the trial (including alternates) plus the number of jurors required for all parties to exercise all available peremptory challenges. The jurors seated in the first set of seats that account for the total number of jurors necessary for the trial (including alternates) are seated in what is hereinafter referred to as the “Presumptive Seats.” The remaining jurors will be seated in the benches behind the “bar” of the Courtroom (the “Gallery”).

1. When first seated, the jurors in the Jury Section will be seated with the lowest numbered juror in the back row being seated at the right of the Jury Section as the parties are looking at the Jury Section. Once the back row is filled up, the jurors will then sit in the row immediately in front of that row, with the lowest numbered juror in that row seated to the right as the parties look at the Jury Section. This process is followed until the total number of jurors required to be in the Jury Section are seated.
2. After the initial sitting of jurors in the Jury Section, any juror seated in the Jury Section who is stricken will be replaced by a juror from the Gallery without moving any of the other jurors who are seated in the Jury Section (i.e., the newly vacant seat is filled with the juror joining the Jury Section from the Gallery, and no other jurors will be moved).
3. After all for cause challenges are made and the appropriate number of jurors are fully seated in the Jury Section, the parties will exercise their peremptory challenges. Peremptory challenges will only be exercised on the jurors seated in the Presumptive Seats (i.e., for a trial with one alternate, the first 13 seats; for a trial with two alternates, the first 14 seats; etc.). The seat numbering starts in the back row of the Jury Section from right to left (as the parties look at the Jury Section), and then proceed from right to left (as the parties look at the Jury Section) in the row immediately in front of the back row.
  - a. After each peremptory challenge is used, the Court will ask the next juror in the Jury Section not seated in the Presumptive Seats to move to the Presumptive Seat that was vacated.

D. For Cause challenges will be exercised after the following three steps: (1) jury questionnaire are reviewed and prior to the jurors being first brought

to the courtroom, (2) the Court's introduction and voir dire, and (3) after both sides have conducted their voir dire.

- E. The parties are required to conduct voir dire of all jurors (the jurors in the Jury Section and in the Gallery).
  - 1. Each party will have 30 minutes to conduct voir dire, unless a longer period is approved by the Court at the pretrial conference.
- F. The parties shall refer to the jurors by juror numbers only. The juror number to which this section refers is the juror number provided by the Jury Commissioner for the specific Courtroom E case (i.e., the juror number listed in the Juror Sheet that Division E and the parties receive in court and that is reflected in each juror's "Juror Sticker"), and not the juror number assigned by the Jury commissioner to the juror for the general request of jurors for the day in the Courthouse.

#### **IV. OPENING STATEMENTS AND CLOSING ARGUMENTS:**

- A. Each party will have 20 minutes to conduct opening statement unless at the Pretrial Conference the Court authorizes a longer time.
- B. The Court will confer with the parties after the People's case has been presented at trial to identify the amount of time that is reasonable for closing arguments. The parties can plan for a minimum of 20 minutes for closing arguments -- the Court has found that to be enough time, or even more than required, in most cases.

#### **V. OBJECTIONS DURING TRIAL:**

- A. Bench Conferences: In most cases, major issues relevant to the case have been sufficiently litigated, or brought to the Court's attention, before trial, and therefore bench conferences during the trial are not necessary to supplement a record that already exists in the case or to assist the Court in issuing its ruling. Consequently, a party shall not request a bench conferences unless in good faith the requesting party believes that the Court does not have sufficient information before it to understand the context of the grounds for the objection or response to the objection before the Court issues its ruling to the objection. If a party needs to supplement a record during trial on any matter where a bench conference is not required for any other purpose, the parties will have an opportunity

to supplement the record at the first break given to the jury after the objection was made.

- B. The Court does not permit speaking objections during trial. When making an objection, the party raising the objection shall only state the general ground or rule for the objection (e.g., "Objection, Relevance," Objection, Hearsay", "Objection, Rule 403," etc.). If the Court, without a bench conference, requires further information from either the party making the objection or the party seeking to introduce the evidence, the response from the relevant party is limited to a short, and no more than two sentence, response that gives the Court guidance into the party's purpose for the introduction of the evidence, or supplements the objecting party's reason for the objection. If such response does not provide the Court with the information necessary for the Court to issue its ruling, the Court will then request a bench conference.
- C. Unless otherwise requested by the Court, the only attorneys permitted to approach the bench during any bench conference is the attorney for each respective side who is responsible for (i.e., is assigned to question) the witness who is then testifying.

This Standing Trial Management Order applies to all cases scheduled for trial after the issuance of the Order, and will be posted on the relevant section for Division E assigned to the Adams County Courthouse Website.

DONE THIS 7<sup>th</sup> DAY OF FEBRAURY 2026.

BY THE COURT:



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JUDGE