

Little Traverse Bay Bands of Odawa Indians Tribal Court

Administrative Order # 03-21-2022-09

Jury Trials

1. **Trial Schedule.** Jury trials begin at 8:30 A.M. The parties, including the defendant, shall be present by 8:15 A.M. to meet with the judge to discuss any outstanding issues. There will be at least one break in the morning, and another in the afternoon, along with a lunch break at around the noon hour. Trial generally concludes at 5:00 P.M.
2. **Motion filing.** Dispositive motions and motions in-limine shall be filed and noticed for hearing prior to the date the trial is scheduled to commence.
3. **Submission of exhibits.** Exhibits should be marked and shared prior to trial. Every effort should be made to stipulate to the introduction of exhibits. If a legitimate objection to an exhibit exists, it should be brought to the Court's attention prior to trial. Exhibit stickers may be obtained from the Court staff. Plaintiff exhibits shall be marked numerically starting with 1. Defense exhibits shall either be marked in sequential numerical order after the plaintiff's exhibits or by using letters. For cases involving numerous exhibits, parties shall prepare an exhibit log, identifying all the proposed exhibits by number and description, and furnish the Court and opposing counsel with an electronic copy in Word and a hard copy.
4. **Jury instructions.** Requested jury instructions shall be submitted to the Court no later than three (3) days before trial. Parties may amend jury instruction requests as the trial progresses. Final instructions will be discussed and ruled on prior to the submission of closing arguments.
5. **Scheduling of plea bargains; limitations.** Pleas shall be scheduled before the day of trial. The Court will not accept plea agreements for reduced charges or sentencing consideration on the date of trial.
6. **Victim safety protocols.** It is the express policy of the Court to provide crime victims a safe and secure experience at Court. In order to promote victim safety, the following measures and precautions will be implemented:: a separate waiting area for crime victims and their families, separate entrances and exits, coordinate with law enforcement to assist crime victims with transportation to Court hearings and proceedings upon request, and the coordination of support persons for Court accompaniment upon request. The Court will coordinate with the Tribal Prosecutor's Office, Survivor Outreach Specialists, Law Enforcement or other agencies to effectuate these policies.

7. **Witness/victim waiting area.** The Court will provide a witness waiting area that allows for witnesses to be sequestered prior to testifying. This room may be utilized for witnesses to await their testimony, and/or for victims and their families if they feel comfortable there. The defendant and/or the defendant's family or witnesses will not be permitted in this area. Due to the limited area available in Tribal Court, in order to effectuate the Court's stated policy in section 6, the Court may coordinate with other agencies to secure a separate waiting area for the victim and their friends, family and/or support persons. Any waiting area shall at a minimum be secure and provide separation from the defendant and their family, friends and/or support persons.
8. **Evidence presentation; audio/video equipment.** The Court provides a large monitor for the display of digital exhibits, including but not limited to: photographs, videos, documents, multi-media presentations and audio recordings. Parties and/or their attorneys are expected to provide their own laptop computers to connect with the Court system, and notify and coordinate with the Court Clerk at least five (5) business days prior to the date of trial regarding the use of the electronic system, The Court system shall be available for parties and/or their attorneys at least one (1) day prior to trial for testing and to resolve any technical issues related to the use of the Court system.
9. **Emergency or exigent circumstances.** In the event that an emergency or other exigent circumstance occurs during, or prior to, a jury trial the Court Administrator shall have the authority to alter the provisions of this Administrative Order to accommodate such circumstances. In the event that the Court Administrator determines that emergency or exigent circumstances require the alteration of the provisions of this Administrative Order, the Court Administrator shall take steps to ensure that intent of this Administrative Order are implemented to the fullest extent possible.

Date: _____



Hon. Allie Greenleaf Maldonado