

## MOTION PRACTICE

12.01: *Filing of Motions*. All motions in criminal cases shall be filed with the Clerk of Court.

12.02: *Consultation before Filing Motions*. Attorneys are encouraged to consult before filing motions in an effort to resolve the issues in dispute.

12.03: *Supporting Memoranda*. Unless otherwise directed by the Court, a supporting memorandum is not required if a full explanation of the motion is contained within the motion and a memorandum would serve no useful purpose. Where appropriate, motions shall be accompanied by affidavits or other supporting documents.

When possible, motions shall be consolidated into a single filing.

12.04: *Form and Content of Memoranda*.

- (A) A memorandum shall contain:
  - (1) A concise summary of the nature of the case;
  - (2) A concise statement of the facts that pertain to the matter before the Court; and
  - (3) The argument (brevity is expected) relating to the matter before the Court for ruling with citation to authority relevant to the motion.
- (B) Unless an exception is granted by the Court, no memorandum shall exceed:
  - (1) 35 double-spaced pages, in the case of an initial brief of any party; and
  - (2) 15 double-spaced pages, in the case of any reply (*see* Local Civil Rule 7.07).

The page limitation is exclusive of affidavits, supporting documentation, and copies of authority which may be attached.

12.05: *Responses to Motions*. Any memorandum or response of an opposing party must be filed with the Clerk of Court as soon as possible but not later than the earlier of fifteen (15) days after

service of the motion or one full business day prior to the pretrial conference, unless the Court imposes a different deadline.

12.06: *Hearings on Motions.* Hearings on motions may be ordered by the Court in its discretion. Unless so ordered, motions may be determined without a hearing.

12.07: *Sanctions on Motions.* Where the Court finds that a motion is frivolous, filed for delay, or not in compliance with the provisions of these rules, the Court may, in its discretion, impose sanctions, monetary or otherwise, against the party or counsel who filed the motion.