

Supplement to General Order – Judge Irving for 2010

CHAMBERS, STAFF, AND SCHEDULE FOR CALENDAR 8

Judge:	Alfred S. Irving, Jr.
Chambers:	Suite JM-420 - Moultrie Building 500 Indiana Avenue, N.W. Washington, D.C. 20001
Phone:	Phone (202) 879-4815
Eserve address:	JudgeIrvingeserve@dcsc.gov
Judicial Admin. Assistant:	Dawoyne Lee
Law Clerk:	Andrew Eberle
Courtroom:	B-52 – Court Building B 410 4th Street, N.W., Washington, D.C. 20001 Phone: (202) 508-1688

Unless otherwise directed, matters on Calendar 8 will take place in **Courtroom B-52**, Building B, including:

Motion Hearings, Preliminary Injunction proceedings, Pretrial/Settlement Conferences, Trials, Scheduling Conferences, Oral examinations, and Ex Parte Proofs.

MOTIONS, OTHER FILINGS, AND COURT RECORDS

Page Limits, Replies and Memoranda of Law: When **any filing** is over fifteen (25) pages in total, a paper copy must be mailed to Chambers at the above address either through the postal service or by delivering a copy to the mailroom on the JM level of the Moultrie Building. **Replies** to oppositions are discouraged, unless specifically requested by the Court. **Memoranda** of law that exceed ten (10) pages in length are discouraged, and memoranda of law that exceed twenty (20) pages are **prohibited** without prior leave of Court.

e-Filing Requirements: Failure to comply with the requirements set forth in the General Order will result in **summary denial** of the motion, without prejudice.

Docket Maintenance: The official court record is CourtView. The docket and court filings are maintained electronically and the docket entries may be viewed at terminals in the clerk's office in the Moultrie Building or on the Internet via the Superior Court's website, www.dccourts.gov/pa/.

SCHEDULING ORDER AND SERVICE DEADLINES

The Court endeavors to provide parties with prompt resolution of their matters. Numerous motions to amend the scheduling or to extend time serve to delay resolution. Parties are expected to

diligently meet all Court deadlines. If a motion to continue is necessary, Parties are required to state, in detail, why the deadline has not been met, and what steps will be taken in the future to complete the task. Parties should not assume that a motion will be granted simply because it is a consent motion. If no good cause for an extension is provided, the motion will be denied.

PRETRIAL/SETTLEMENT CONFERENCES

The Court strictly applies Rule 16 relating to the depth of preparation that the parties must perform in crafting the joint pretrial statement. All parties and attorneys should note the requirement of filing discrete motions *in limine* two weeks prior to the pretrial conference. Such motions should not be presented merely by vague or terse descriptions within the joint pretrial statement, so as to avoid filing fees or for other reasons. A lawyer's insufficient attention to vital pretrial subjects may result in the continuation of the pretrial conference to another date. Where an attorney is "substantially unprepared" to participate in the pretrial conference, the Court may impose sanctions and an award of attorneys fees to opposing party. All pretrial conferences will be conducted in the courtroom on the public record.

Jury Instructions and Objections: One week prior to trial, the parties shall email to judgeirvingeserve@dcsc.gov, a word or word-perfect copy of the proposed verdict forms. The parties shall also email a joint word or word-perfect copy of the proposed standard and special jury instructions. The jury instructions are to be written out in Times New Roman font, size 16. An example is shown below. If parties object to any proposed jury instructions, they are to include the reasons for that objection and any case law supporting their objection.

Example:

Function of the Court (1-1)

The function of the judge is to conduct the trial of the case in an orderly, fair, and efficient manner. The judge also must rule upon questions of law arising during the trial, and must tell you the law that applies to this case. It is your duty to accept the law as I state it to you without questioning the wisdom of these instructions. In other words, even if you disagree or do not understand the reasons for any of the instructions, you are bound to follow them.

Special Jury Instructions and Municipal Regulations: Where the parties request special jury instructions and/or that municipal regulations receive judicial notice and admission into evidence, each proposed special instruction and/or regulation shall be typed on a separate sheet of paper for the Court's use. If the parties have not sufficiently identified and drafted special jury instructions in their joint pretrial statement, the Court may exercise its discretion to reconvene a pretrial conference on this subject prior to the commencement of trial.

TRIAL

Juror Questions and Deliberations: The Court allows jurors to take notes.

Non-jury Trials: As a discretionary matter, the Court may require counsel to provide proposed findings of fact and conclusions of law at the close of the evidence. To the extent that a case contains a counterclaim or cross-claim with a jury demand, the Court may exercise its discretion to bifurcate the non-jury issues for a separate trial.

Courtroom Protocol and Staff Contacts: Questioning of witnesses must be conducted from behind the podium or from counsel table. Walking in the well of the courtroom is prohibited except as permitted by the Court. Permission is required to approach the Court or any witness. Any in-court demonstration requires prior permission of the Court.

Any attorney who needs to bring audio-visual equipment into the courtroom for any trial or hearing must secure a letter from the Court permitting the entry of such items into the courthouse, for presentation to security personnel. Such letter must be obtained well in advance of the particular proceeding.

Physically able counsel are expected to stand when addressing the Court. Speaking objections are prohibited.

All parties and attorneys are expected to be courteous and professional towards the courtroom clerk, court reporter, clerk's office employees, and chambers staff. No *pro se* party or attorney should ever attempt to FAX anything to chambers, unless explicitly requested to do so by the Court's Law Clerk or Judicial Administrative Assistant. Chambers staff is not authorized to give out the Court's FAX number as a general matter. FAXing is not to be used as a substitute for filing papers on the public record and paying filing fees associated with electronic filing. Any material that arrives by an unsolicited FAX will be destroyed and ignored. No *pro se* party or attorney should pose legal questions to chambers staff. The staff members are instructed not to answer such questions and not to engage in any communications regarding the merits of a case.

Proposed orders that are submitted with motions should not be "write-protected," as this will prevent the Court from modifying such proposed orders when necessary.

