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2 [AMENDED DECEMBER-2008]
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4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE DISTRICT OF ARIZONA
7

8 STANDING ORDER
9 Judge Roslyn O. Silver
10

11 The Order is applicable and must be adhered to in all criminal cases assigned to Judge
12 Roslyn O. Silver.

13 **IT IS HEREBY ORDERED,**

14 Counsel for the Defense and the United States are to meet and confer regarding the
15 status of their case at least three (3) weeks prior to trial and discuss in particular:

- 16 a. Whether trial will occur on the scheduled trial date.
17 b. Whether a stipulated motion to continue will be filed.
18 c. Whether the defendant will enter a change of plea.

19 **IT IS FURTHER ORDERED,**

20 If a plea agreement is reached for a change of plea three (3) days before the trial date,
21 a hearing may be held on the day of trial or thereafter to show cause why sanctions should
22 not be imposed against counsel responsible for the late plea. Sanctions shall include the costs
23 incurred by the Court's staff and the jury administration office.

24 **IT IS FURTHER ORDERED,**

25 SENTENCING PROCEDURE

26 Objections or requests for departures are to be filed one (1) week before sentencing.
27 Responses in opposition are to be filed by noon on Thursday, if sentencing is on a Monday.
28 If sentencing is on any other day, responses in opposition are due at noon three (3) days

1 before sentencing. If either counsel is unable to comply with these deadlines, a stipulation
2 or a motion to continue the sentencing must be filed before the objections or requests for
3 departures are due to this Court. If the continuance is opposed, the opposition is due three
4 (3) days after the motion is filed. No reply is permitted unless ordered by the Court, and the
5 Court may order a hearing.

6 When a departure or adjustment is recommended, the Court expects a written
7 explanation in accordance with the applicable advisory guideline provisions in support of the
8 recommendation, and if the departure is opposed, the reasons and authority for opposing the
9 departure must be provided to the Court.

10 APPEARANCE AT SENTENCINGS

11 The AUSA and Defense Counsel assigned to a case must personally appear in court
12 for sentencings and other proceedings unless extraordinary circumstances are demonstrated
13 to the Court. The Court may also approve a substitute AUSA or Defense Counsel assuming
14 the attorney is well prepared for the sentencing and hearings.

15 PRETRIAL PROCEDURE

16 I. Juror Questionnaire questions are due at least three (3) weeks before the final
17 pretrial conference. The Court allows between three (3) and five (5) additional questions to
18 be added to the Court's standard questionnaire. The standard questionnaire can be found on
19 the Court's website at www.azd.uscourts.gov. Parties are to have the juror questionnaires
20 reviewed and be prepared to discuss them with the Court at the Final Pretrial Conference.

21 II. Motions in limine are encouraged, but must be filed and served on opposing
22 counsel **at least three (3) weeks before the final pretrial conference**. A response to a
23 motion in limine is due, and is to be served on opposing counsel, at least two (2) weeks
24 before the final pretrial conference. No replies are to be filed unless ordered by the Court.

25 III. At least one (1) week before the final pretrial conference, counsel for the United
26 States and the Defense shall provide the Court with the following:

27 a. JOINT proposed Jury Instructions, and a form of Verdict. The instructions
28 shall be accompanied by citation and legal authority. If there is opposition to any of the

