IN CRIMINAL CASES BEFORE JUDGE MOLZEN

1. The Government will provide Defendant notice of potential Rule 404(b) or Rule 609(b) evidence not less than **FOURTEEN (14)** calendar days in advance of trial.

2. It will facilitate an orderly and efficient trial for counsel to exchange and file with the Court witness and exhibit lists **TEN (10)** working days prior to trial so that evidentiary problems can be anticipated and resolved correctly. In the event this requirement poses a danger to potential witnesses or for other good cause, the parties should approach the Court to seek relief from this requirement prior to the deadline.

3. In order to maintain efficiency and organization of the court's record of the parties' numerous exhibits during trial, parties shall use the format, included at the end of this document, when filing their final exhibit lists with the court prior to trial.

4. Those exhibits which are not stipulated to shall be identified in sufficient detail to allow the Court to anticipate significant evidentiary problems.

5. Counsel will not get into possible areas of reversible error without prior Court approval, whether in opening or questioning witnesses (e.g., comment on a defendant's silence, invocation of constitutional rights, Rules 404(b), 608 or 609 material, etc.).

6. Any exhibits not admitted at the beginning of trial may not be shown to the jury or testified to, regarding the contents of such exhibit, by the witness unless and until they are admitted.

FOR JURY TRIALS

7. **Jury Instructions:** Two weeks prior to the scheduled trial date, the parties shall file their proposed jury instructions with citations to authority as shown below in Figure 1. Parties shall meet and confer in advance of that deadline to agree on as many instructions as possible. **Parties shall file a set of mutually acceptable jury instructions on the substantive claims, or be prepared to submit a legal basis for their objections to each instruction on which they don't agree.**

(PLTF'S) OR (DEFT'S)
INSTRUCTION NO. 1

Members of the Jury,

You have now heard all of the evidence in the case and will soon hear the final arguments of the lawyers for the parties.

It becomes my duty, therefore, to instruct you on the rules of law that you must follow and apply in arriving at your decision in the case.

Citation . . .

Fig.1 with Citation

8. Additionally, Parties shall submit in Word 2010, Wordperfect or Rich Text Format to the Court through the email address (kbmproposedtext@nmcourt.fed.us) on the chambers web page for proposed orders, the following: the requested jury instructions; proposed special verdict forms; the parties' Joint Statement of the Case; and ***all*** objections to the aforementioned categories.

9. Parties should refer to Tenth Circuit Pattern instructions. and submit no more than one instruction per page. Carefully proofread each instruction for errors in spelling, grammar, punctuation, and citations, and for unintended deviations from pattern instructions used as sources.

10. Submit a cover sheet on all sets of instructions.

11. **A Joint Statement of the Case** should be submitted at the same time the jury instructions are submitted, but should be filed separately.

12. **Voir dire** in the average case will be limited to TEN (10) minutes for each side to question the venire panel. Do not argue the case or cite legal principles in your voir dire. Requested voir dire shall be exchanged between counsel and shall be filed with the Clerk's Office at least TEN (10) calendar days before the case is scheduled for jury selection. If counsel cannot agree on proposed voir dire, any objections must be brought to the Court's attention at least FIVE (5) calendar days prior to jury selection.

13. **Motions in Limin**e shall be filed no later than FOURTEEN (14) calendar days before trial for ruling. Responses are due TEN (10) calendar days before trial. If a motion in limine is filed earlier than 14 days before trial, the response is due five (5) days after the motion is served. Replies to motions in limine will not be entertained unless specifically requested and allowed.

14. **Jury Questionnaires** are available to pertinent counsel one (1) week prior to Jury Selection. Please contact Eduardo Contreras, Jury Clerk at (505) 348-2070, in the Clerk□s Office to order a set.

15. **Available courtroom technologies** in the Cimarron Courtroom on the fifth floor in which Chief Magistrate Judge Molzen usually conducts court include a document camera for electronic display of documents, VCR playback capability, and laptop computer hookups with internet capability. If you have any other special needs, please notify the Court so that we may try to accommodate you.

Questions regarding settings and/or other matters, may be directed to the courtroom deputy team at (505) 348-2050 or my law clerks Anna McDowell and Cathy Arlowe in chambers:

Phone number:	(505) 348-2290	7th Floor, Ste. 730
Fax number:	(505) 348-2364	

Other useful information may be obtained by visiting the Honorable Karen B. Molzen's Chambers Page at www.nmcourt.fed.us.

WITNESS/EXHIBIT LIST

[INSERT NAME OF PARTY SUBMITTING EXHIBITS – Government or Defendant]		[Party] v. [Party]
Presiding Judge	Court Reporter.	Courtroom Deputy:

Pltf No.	Deft Ltr.	Witness	Date Off.	Obj.	Adm.	**Description of Exhibits**