

Memorandum

To: All Attorneys, Public Administrators, Guardians Ad Litem, and general public

From: The Chambers of the Honorable Daniel A. O'Brien

Date: Effective February 9, 2009

Re: Motion Day Courtroom Procedures

Please review and take note of the following procedures for Judge O'Brien's Wednesday Motion Call:

- ♣ The Courtroom will open at 8:00 am for checking in purposes. We will begin calling cases as soon thereafter as possible. Attorneys, GAL's and PA's - if you are appearing on more than one case, please present the Clerk with a list of your cases and we will attempt to call all of your cases together, based upon the time when you first checked-in. Please notify the Clerks when all parties are present.
- ♣ The Motion Day schedule will be posted near the Courtroom in the juvenile waiting area. Attorneys, GAL's and all other parties will be responsible for reviewing the schedule to determine whether their case is ready for hearing. Any case listed that bears the notation "NR" is not ready for hearing. In such instances, the attorneys, GAL's and unrepresented parties should go directly to the main Probate Court counter to pick up the file, and make sure that all missing documents are provided. Give the file to the Clerk upon check-in.
- ♣ All new Petitions on adult and minor Guardianships and Conservatorships, and all first Petitions in Estate and Trust cases will be scheduled for 10:30 am. All other cases will remain on the 8:30 am docket.
- ♣ Attorneys and GAL's should contact the Judge's Clerk on any case they know to be contested and will require testimony. The Clerk will then arrange for the case to heard on a non-motion call docket. The attorneys and any necessary parties should appear in Court on Motion Day to pick up a prepared Order for Adjournment from the Clerk. Once the Order has been obtained from the Clerk and taken to the Probate Counter, there will be no need to go on the record and the parties will be released.

We hope that these changes will make our Motion call on Wednesdays easier for everyone. We appreciate your patience.

Thank you.

-Judge Daniel A. O'Brien and staff.