

**COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT FOR SUFFOLK COUNTY, CRIMINAL BUSINESS**

M E M O R A N D U M

To: All Attorneys, Probation Officers, and Self-Represented Litigants
From: Christine M. Roach, Suffolk County Regional Administrative Justice (Criminal)
Date: July 13, 2016
Re: **Operation of First Criminal Session -- Courtroom 704**

This memorandum explains the operation of the First Criminal Session in Courtroom 704 in Suffolk Superior Court. It is designed to establish a consistent practice in the First Criminal Session regardless of which judge presides; to reduce unanticipated waiting times for lawyers, parties, victims, and witnesses; to permit the efficient scheduling of longer hearings; and to explain the Court's expectations.

The morning list for the First Criminal Session will be called at 9:30 a.m. each day. Following the first call of the list, brief matters (e.g. scheduling matters, mid-point hearings, uncontested motions) will be addressed. To facilitate appropriate management of matters, the parties shall be prepared reliably to report during the first call of the list whether the matter will be contested, and the anticipated time required for hearing. With respect to probation surrender hearings in particular, the parties shall be prepared to report whether the matter will be contested, whether witnesses have been summonsed, and when all participants are expected to be present in the courtroom. Longer matters will be heard during the second call of the list beginning after 10:00 a.m.

Communications between the parties and the Court is crucial to the efficient operation of the First Criminal Session. **The parties through their attorneys or probation officers will be expected to have discussed prior to the call of the list the status of the case and what will occur before the First Session that day, as well as what next dates are appropriate.** If an attorney is unable to be present for the call of the list at 9:30 a.m., the attorney shall contact opposing counsel (or for probation matters, the probation officer) and the clerk in the session **(617-788-8101)** at least one day before the scheduled date.

The Court may schedule for 9:00 a.m. case disposition conferences or other matters not requiring a defendant's presence, provided all parties agree to appear at the earlier time. The Court will place only a few matters on the list for 9:00 a.m. so as not to delay the 9:30 a.m. call of the list. Bail appeals will generally be heard at 2:00 p.m. The Court may schedule longer matters (e.g. pleas, sentencings, case disposition conferences, contested motions, and non-stipulated probation surrender hearings) for hearing at times prior to 1 p.m., or after the bail appeals are heard at 2:00 p.m., to accommodate the parties' schedules.

This memorandum shall be distributed to Suffolk County ADAs and CPCS attorneys who practice in the Superior Court, to lawyers certified by the Suffolk Lawyers for Justice to take Superior Court cases, as well as to the Suffolk Probation Office and to other parties appearing in the First Criminal Session. It shall also be posted inside and outside Courtroom 704.