

**THE HONORABLE RON ABRAMS
FOURTH JUDICIAL DISTRICT
CIVIL PRACTICE POINTERS & PREFERENCES**

I. Contact with Chambers

- Guidance on many procedural questions and requirements is provided by the Scheduling Order issued in each civil case. Parties should consult the Scheduling Order prior to contacting the Court, scheduling hearings, submitting motions, and appearing before the Judge.
- Parties may contact Judge Abrams' law clerks regarding scheduling questions by telephone or email. Any emails sent to chambers regarding scheduling questions should include opposing counsel so that scheduling conflicts can be avoided. Please note that parties, not the Court, are obligated to provide proper notice of all hearings scheduled.
- If parties have substantive questions, parties are required to abide by the rule regarding *ex parte* contact with the Court. If parties would like any correspondence regarding substantive questions filed, then the parties should file their correspondence through the e-filing system.
- Judge Abrams permits telephone conferences under Rule 115.04 (d), which allows the Court to hear informal motions, discovery issues, and scheduling questions via telephone. Parties are required to meet and confer prior to scheduling any telephone conference with the Court.

II. Motion Practice

- Judge Abrams hears motions on Mondays at 1:30 p.m., Tuesdays at 9:00 a.m. and 1:30 p.m., Wednesdays at 1:30 p.m., and Thursdays at 9:00 a.m. and 1:30 p.m. Parties must comply with the timeline provided in the Scheduling Order regarding the timing of any motions. When contacting the Court to schedule any motions, parties should bear in mind that the Judge has many important cases that need to have hearings scheduled as well. Parties should call the Court with the understanding that it schedules contested motions three to four months in advance.
- Parties need to contact the Court with an explanation regarding any request to either change dates in the Scheduling Order or to continue hearing dates. Parties should be aware that if the Court changes one date in the Scheduling Order, all subsequent dates will also change in lockstep.
- Parties should submit proposed orders to the Court in Microsoft Word format via email.
- If a plaintiff will seek to amend a complaint, this should be done prior to a summary judgement motion.

- If one party has scheduled a dispositive motion hearing, opposing counsel may not use that hearing date and time for a competing dispositive motion without contacting the Court for permission.
- Parties should not attempt to schedule motion hearings while there are other motions pending before the Court on the same case.
- When an attorney enters the courtroom on a default judgment hearing, he or she should look to see if the defendant has appeared on the case. If the defendant is present, parties should engage in settlement discussions prior to the default hearing.
- Parties are required to schedule a telephone conference with the Court regarding discovery disputes before discovery motions may be brought. Judge Abrams does not accept telephone calls from parties to rule on discovery disputes that occur during the course of a deposition.
- Judge Abrams does not regularly schedule hearings in minor settlement cases when the minor has reached the age of majority, in appointment of a trustee or power of attorney cases, or in bail-bond cases.
- Parties shall work together to use stipulated protective order forms during the course of discovery and motion practice. Attorneys are expected to exercise professional courtesy and redact confidential portions in documents when dealing with *pro se* litigants.

III. Written Submissions

- Parties must abide by the page limits contained in the Rules of Civil Procedure, as these rules will be enforced.
- Parties are to abide by the briefing schedule. Extensions will not be granted absent the agreement of all parties. If the Court grants an extension to one party, all other parties will also receive a mutual deadline extension.
- Parties must submit written submissions during business hours on the day they are due. Please note that if there is a problem with a party's electronically filed submission, Hennepin County Civil Filing can contact parties to correct the error; however, this service is only provided during business hours.
- Parties shall submit at least one courtesy copy of motions to chambers. This courtesy copy must be printed out, bound in a three-ring binder, and include any exhibits and unpublished case law cited within the motions.
- Parties should file motions for a temporary injunction or a temporary restraining order as far in advance as possible. Judge Abrams will review all paperwork before setting a hearing in these cases.

IV. In-Court Proceedings

- Parties should plan to arrive approximately ten minutes prior to a hearing. Parties do not need to contact chambers to make the Court aware they have arrived on time for a hearing. But, if a party is running late, he or she should call chambers as soon as possible.
- Parties may sit at either table in the courtroom. A party may argue while seated, standing at counsel table, or at the podium.
- The Court may set a time limit on oral argument on a case-by-case basis. Parties may briefly recap material from their written submissions, including a concise factual recitation, noting that the Judge is aware of the law. Brevity is appreciated and effective. If parties intend to present new case authority at oral argument, they should provide a courtesy copy of the case to the Court and opposing party.
- Parties appearing before Judge Abrams should be aware of and follow all applicable Rules of Civil Procedure. Parties should familiarize themselves with which party argues first and carries the burden prior to oral argument. Parties are expected to conduct themselves in a professional manner and should not interrupt anyone in the courtroom, roll their eyes, or mutter during a hearing.
- The courtroom is for courtroom business only. If parties have a personal dispute, this should be dealt with outside of the courtroom.
- Should parties choose to utilize technology during a motion hearing, they should be proficient at running this technology and prepared to proceed with oral argument should the technology fail.
- Judge Abrams does not regularly permit live testimony on a motion for a temporary restraining order. Depending on the circumstances, Judge Abrams may take live witness testimony on a motion for a temporary injunction.
- Attorneys should not walk through the courtroom in order to enter chambers without obtaining prior permission from a clerk. All parties to a case must be present for in-chambers discussions.

V. Pretrial Procedures

- Judge Abrams issues a very detailed Scheduling Order. This Scheduling Order should be read carefully, as it contains all dates, deadlines, and procedures applicable to a party's case.
- The Scheduling Order provides the timing of a case's pretrial conference. Judge Abrams requires that an individual with the authority to settle the case be present at this conference.

- Should parties desire a settlement conference, they should contact chambers to schedule this conference. Judge Abrams is always available to facilitate settlement. Parties should be prepared to answer questions about the facts of their case and what settlement efforts have been undertaken to date. Individuals who have the authority to settle the case need to be present for the settlement conference.
- Please note that the Scheduling Order requires that parties submit proposed jury instructions in their full-text form; a citation to a proposed JIG is not sufficient. Should parties seek a jury instruction that does not come from the JIGs, they should submit the legal source for this request.
- Judge Abrams will conduct *voir dire* in civil cases and will ask jurors about their relationship with law enforcement and criminal history. Should a party wish for Judge Abrams to ask specific questions, these questions should be submitted in a Motion in Limine in accordance with the deadline set forth by the Scheduling Order. Judge Abrams will allow parties to question the jurors; however, parties should be aware that they may not try the case during *voir dire*.

VI. Trial

- Jury trials start at 9:00 a.m. Judge Abrams will give the jurors one break before lunch and one break after lunch each day. Lunch will be taken between 12:00 p.m. and 12:30 p.m. Trial will resume after lunch at 1:30 p.m. or 2:00 p.m., depending on the Court's afternoon motion calendar. Judge Abrams will end trial at 4:30 p.m. each day, out of respect for the jurors' personal schedules.
- Judge Abrams expects that parties will extend professional courtesy to each other in notifying the opposing side regarding who will be testifying on a particular day.
- Judge Abrams may set time limits on opening statements and closing arguments depending on the case.
- Parties may examine witnesses while seated at counsel table or at the podium.
- Parties must address witnesses and opposing counsel formally during trial. Parties must ask the Court's permission before approaching a witness.
- Exhibits should be marked prior to trial. Parties must provide a hard copy of electronic exhibits so that a proper record may be provided to the Court of Appeals.
- Judge Abrams prefers that parties stand while making objections during trial. Parties should articulate a one-to-two word basis for the objection. Parties should not argue objections unless the Court invites them to the bench.
- Parties should discuss the utilization of audio and video recordings and demonstrative evidence at the pretrial conference.

- Parties may not utilize actors to read deposition transcripts. Rather, certified readers should be used.
- Should a party want daily trial transcripts, he or she must make arrangements with Judge Abrams' court reporter regarding this request in advance of trial.
- Parties should not contact jurors after the conclusion of trial.