

CIVIL PRACTICE POINTERS AND REFERENCES
Judge Christian Sande

A. Contact with Chambers

- The preferred method of contact with Judge Sande's chambers is by email copied to all counsel or self-represented parties (4thJudgeSandeChambers@courts.state.mn.us). If a phone call is necessary, case numbers ending in an even number should call 612-543-3576, and cases ending in an odd number should call 612-543-3577.
- Email communications with chambers are not part of the Court record. As such, counsel should limit the content of emails to procedural issues and the like, and refrain from argument or the merits of the case. Unless specifically directed to do so, please do not copy the Court on communications between counsel.
- It is perfectly fine and appropriate to advise the Court of an attorney's, a party's, and witnesses' preferred pronouns and how an individual would like to be addressed.

B. Motion Practice

- Counsel is strongly encouraged to request a telephone conference with the Court to resolve issues outside of motion practice.
- The parties must participate in a telephone conference with the Court before filing any discovery motion. No discovery dispute may be brought before the Court unless the parties have conferred and made a good faith effort to settle their dispute. See Minn. R. Civ. P. 37.01(b) and Minn. Gen. R. Prac.115.10.
- The Court strongly encourages counsel to avail themselves of the expedited, informal, non-dispositive motion process set forth in Minn. Gen. R. Prac. 115.04(d).
- Parties should contact chambers to schedule a motion hearing, and then must promptly advise the opposing party of the hearing date and time (even if such notice is far in advance of the deadline for filing motion papers). See Minn. Gen. R. Prac. 115.02.
- Cross motions are to be heard on the same date.
- Please keep the Court apprised of any resolution of motions so that the Court may update its calendar and make space available for other cases.
- Counsel is strongly encouraged to read and be familiar with *Minneapolis Star & Tribune Co. v. Schumacher*, 392 N.W.2d 197 (Minn. 1986), prior to filing documents under seal. All protective orders must strictly comply with this case.
- Parties are encouraged to mutually agree on pre-trial continuances or other changes in the scheduling order prior to the date of trial. Counsel should contact chambers as soon as possible upon the agreement to any variation to the pre-trial dates set forth in the pre-trial scheduling order. If the parties request a new order setting forth the new dates, counsel is expected to provide a proposed order.
- It is highly unlikely that the trial date set forth in the Scheduling Order will be continued.
- In addition to e-filing written submissions for a motion, please email a courtesy copy to Judge Sande's chambers (4thJudgeSandeChambers@courts.state.mn.us). Voluminous exhibits need not be emailed.

CIVIL PRACTICE POINTERS AND REFERENCES (continued)

Judge Christian Sande

C. In-Court Proceedings

- Please arrive fifteen minutes early for all hearings.
- Counsel may (but is not required to) stand at the podium to address the Court. In order to ensure a clear record, counsel should make sure they are always near a microphone when addressing the Court.
- Parties may bifurcate their oral argument as counsel sees fit.
- Judge Sande reads the written submissions and is familiar with the case file before oral argument. Counsel should not restate material from their written submissions during oral argument unless asked to do so. Rather, counsel should use in-court proceedings (i) to focus attention on key issues and controlling legal authority, (ii) to inform the Court of any relevant information that was omitted from the written submissions, and (iii) to respond to questions from the Court.
- If counsel intends to present new legal authority at oral argument, counsel must provide a copy of the case to the Court and opposing counsel at the hearing, and address why the authority was not included in written submissions.
- Counsel may use technology during motion hearings. Counsel should be prepared to set up and run the technology on their own and should not rely on Court staff.
- Whenever the blue square panel on the wall is illuminated, the Central Monitoring Room (CMR) court reporting system is engaged and recording audible statements in the courtroom. As such, discussions should occur away from microphones.

D. Pretrial Procedures

- Clients, as well as counsel, are expected to be present at the pretrial hearing.
- Following the pretrial hearing, if not already included in the Scheduling Order, Judge Sande will issue an Order for Trial that will contain requirements and procedures for motions in limine, jury instructions, special verdict forms, witness lists, and exhibit lists. The Scheduling Order or Order for Trial contains all of the key information regarding trial procedures. Parties should consult that Order before contacting chambers.
- Motions in limine will be filed, briefed and decided before trial. The schedule for such motions will be set out in the Order for Trial.

E. Trial

- It is highly unlikely that the trial date set forth in the Scheduling Order will be changed.
- Counsel should be familiar with Judge Sande's Trial Ground Rules, which is available on Judge Sande's chambers website and attached to all orders for trial.
- Attorneys may call Judge Sande's court reporter at 612-596-2870 to request transcripts during trial. Daily transcripts will likely not be available.
- During voir dire, Judge Sande will ask the jury preliminary questions and any sensitive questions requested, then the lawyers may ask questions.
- The Court does not usually impose time limits on opening statements or closing arguments.
- A tentative verdict form and jury instructions will be formed prior to the commencement of trial, with the understanding that modifications will occur throughout the course of trial.
- Trials are from 9:00 AM to noon and 1:30 PM to 4:30 PM, with a morning and afternoon break of 15-20 minutes each. Motions during trial will be heard at 8:30 AM, 1:00 PM, and after 4:30 PM.