

**THE HONORABLE REGINA CHU
FOURTH JUDICIAL DISTRICT
PRACTICE POINTERS & PREFERENCES**

I. Contact with Chambers

- Counsel may contact Judge Chu's law clerk by email with questions related to procedural matters not covered by the rules or any applicable orders. All correspondence with the Court shall be in writing and copied to the other side.
- No substantive questions should be asked by email correspondence.
- Judge Chu does not conduct telephonic conferences.

II. Motion Practice

- Motions to Dismiss are typically decided at a hearing. Motions for probable cause are typically decided based on the record. Judge Chu typically decides motions *in limine* after briefing by the parties.
- The defendant should schedule hearings on motions to suppress evidence based on constitutional grounds (*Rasmussen* motions) on or before one month prior to the scheduled trial date.
- The parties should notify Judge Chu in advance of a hearing if a contested motion is resolved or withdrawn.
- Judge Chu typically will not entertain a motion to continue the trial on the day of trial unless the basis for the motion arose on the day prior or over the weekend prior.

III. Written Submissions-briefing

- Written submissions should be filed by the close of business on the date they are due.
- If a party or its counsel raises a case at a motion hearing that was not cited in the briefs, the party should provide copies of the case to the Court and opposing counsel.
- Judge Chu accepts pleas by mail only on gross misdemeanors and misdemeanors. Parties should make sure to address all court costs and fines, if any.

IV. In-Court Proceedings

- Parties and attorneys should arrive on-time for hearings.

- When a defendant is pleading guilty, the defendant and his/her attorney should both stand at the podium. In other circumstances, parties are not required to stand at the podium to address the Court.
- Judge Chu typically does not prescribe a time limit for arguing dispositive or non-dispositive motions.
- Attorneys arguing motions should assume the Court has read the motion papers and is familiar with the record.
- Judge Chu encourages attorneys to use courtroom technology during motion hearings and at trial. Attorneys are allowed to bring their own equipment to the courtroom without first filing a motion. If the prosecution is using courtroom technology, Judge Chu typically will allow the defendant to use the same technology.

V. Pretrial Procedures

- Judge Chu typically conducts the initial *voir dire* covering potential jurors' general background and then allow the attorneys to question the jurors. Attorneys should advise the Court in advance of any general questions the attorneys feel uncomfortable asking, so that the Court can ask those questions. Attorneys should limit their *voir dire* to questions relating to bias. Attorneys may not argue their case or ask hypothetical questions during *voir dire*.
- If the parties wish to use a jury questionnaire, the parties must agree upon and submit a questionnaire to the Court by the Wednesday prior to the scheduled trial date.
- Motions *in limine* must be made in writing. Judge Chu does not prescribe a limit on the number of motions *in limine* that a party can make. Motions are typically argued before the start of the trial. If a motion involves a more complex issue, it will be argued prior to the trial date.
- The parties are encouraged to try to settle a case by the first pretrial hearing. Judge Chu prefers that attorneys for both parties engage in a chambers discussion. Parties can contact Judge Chu's law clerk to advise her of the defendant's resolve to enter a plea.
- The deadlines for the State to disclose discovery or amend its Complaint are as provided in the Minnesota Rules of Criminal Procedure. The State must serve and file notice of any *Spreigl* offenses sought to be admitted at trial in the form required and by the deadline set forth in Minn. R. Crim. P. 7.02.

VI. Trial

- In Court trials, parties may make opening and closing arguments upon request.

- Trial days are generally scheduled from 9:00 a.m. to 12:00 p.m. with one 20-minute break in the morning, and continue from 1:30 p.m. to 4:30 p.m., with one 20-minute break in the afternoon.
- Speaking objections are not permitted. Attorneys should stand and make a one-word objection. Attorneys will be permitted to approach the bench to argue the objection.
- An attorney need only ask the Court before approaching a party's own witness for the first time. For all other witnesses, attorneys must ask the Court each time they approach a witness.
- Attorneys must address all parties, witnesses, and attorneys professionally during trial. Attorneys may not refer to parties, including their own clients, by first name only.
- Trial exhibits must be marked prior to trial. Attorneys may use electronic exhibits in cases with a large number of exhibits.
- Attorneys wishing to present an audio recording at trial must provide a transcript of the recording in advance. The transcript will be made a Court exhibit.
- The parties should exchange demonstratives and show them to the Court before attempting to use them at trial.
- Daily trial transcripts are not provided as a matter of course. Parties wishing to obtain daily transcripts will need to request them from the court reporter.
- Attorneys may contact jurors after the conclusion of trial; however, Judge Chu will advise the jury following trial that they are not required to talk to the attorneys.

VI. Sentencing in Criminal Cases

- The parties should discuss potential sentencing departures before the defendant enters a guilty plea. A motion for a departure should be made at the time of the plea.
- The prosecution must give written notice of intent to seek an aggravated sentence in the form required and by the deadline set forth in Minn. R. Crim. P. 7.03.