

**MONTGOMERY COUNTY COURT OF COMMON PLEAS
CRIMINAL DIVISION**

CRIMINAL CONFERENCE DAY PROTOCOL

1. OVERVIEW

- a. The purpose of this program is to provide a method for the Court to be available to conference pending criminal matters (previously scheduled on a PTC or COT list) to facilitate the disposition of the case. In developing this Protocol, the Court is fully cognizant of its Constitutional obligation to provide open access to courts and the importance of the same relating to criminal cases, in particular. We continue to balance these obligations with the need to provide for public safety;
- b. This program does not apply to disposition of motions, issues involving treatment courts or Gagnon cases.

2. PROCEDURE UPON REQUEST

- a. The Office of District Attorney (ODA) or defense counsel can make a request to meet with the Court to conference their case(s) by sending an email to Judge Branca's Chambers staff at ckramer@montcopa.org
- b. If either the ODA or defense counsel requests a case conference, the case shall be scheduled by Chambers for a conference on a specified date and time. In multiple defendant cases a request by the ODA or any defense counsel shall require attendance by all defense counsel.

3. SCHEDULING

- a. It is anticipated that conferences will be scheduled in two, half-day blocks per week (one total day per week of conferences – on Monday and Tuesday mornings). The Court shall advise all parties of the scheduled date and time, and shall maintain the daily schedule for Conference Days.

4. SCHEDULING NOTICES

- a. Scheduling notices will be provided in the form of an e-mail from Chambers to all counsel. There will be no docketed scheduling notice.
- b. It shall be defense counsel's obligation to notify his or her client of the date and time of the conference.

5. ATTENDANCE

- a. Defendants will **NOT** be present for the conference. The defendant should be available by phone, if necessary, to speak with defense counsel regarding any issues discussed at the conference.
- b. The attorney from the ODA, defense counsel and the Judge will participate in the courtroom, unless otherwise ordered by the Court.

6. DISPOSITIONS:

- a. If a plea disposition agreement is reached at the conference, the case will thereafter proceed as outlined in the Plea Day Protocol.

7. ADDITIONAL SAFETY PRECAUTIONS:

- a. All parties, counsel and participants shall comply in full with the Montgomery County Court of Common Pleas Safety Protocol. This includes temperature checks at the entrance and the obligation of all people coming into the building to wear facemasks. Attendance in the courtrooms will be limited and social distancing will be strictly enforced.
- b. The proceedings will be scheduled to allow for sufficient time for counsel to leave the building before the participants for the next scheduled proceeding will arrive. This time will also be sufficient to allow time for surfaces to be disinfected between proceedings.
- c. The ODA and Office of the Public Defender shall each designate a single attorney to attend court conferences each day to address these matters. This will avoid any possibility of multiple public defenders or multiple Assistant District Attorneys being present in the same courtroom on the same day. When necessary, an additional attorney may be permitted to participate remotely via Zoom.