

**EXTENSION OF TEMPORARY CIRCUIT COURT POLICY REGARDING AVAILABILITY OF PLEA JUDGES  
(7/29/20)**

Beginning on June 9, 2020, the court implemented a temporary change in policy so as to make, all 24 active Circuit Court judges plea-eligible in Track 2, 3, and 4 criminal cases. This policy has resulted in approximately 80 plea agreements. While the policy was extended one time until Friday, July 31, the court now believes it is appropriate to continue it for another month. There is no guarantee, however, that the policy will be extended beyond August 31, because of the backlog of cases of all types that the court has rescheduled.

**Accordingly, the court will be extending the deadline for reaching these agreements from Friday, July 31 to Monday, August 31, 2020.** This means that if the State and defense counsel agree on a plea to be entered before any active judge, the matter will be scheduled at the earliest possible time. Individual judges may choose to hear the pleas remotely and/or defer sentencing in appropriate cases. Pleas will be heard subject to the availability of that particular judge. If certain judges receive a disproportionate number of pleas such that they cannot be scheduled within a reasonable amount of time, the parties will be notified and asked to agree upon another active judge.

This procedure is available for pre-indictment pleas, and even though a pretrial date has already passed. It is **not** available where a case has already been set for a resolution conference before a senior (retired) judge, or a particular active judge is already scheduled to hear the plea, nor in the event that a plea has already been taken and sentencing has been deferred. It is also **not** available for appeals or jury-demanded cases from the District Court.

If the State and defense counsel agree on a plea before the active judge, counsel should contact the judge before whom the plea is to be taken by telephone. The judge will notify the Assignment Office of the date and time for the proposed plea, and make arrangements for remote participation, if necessary. Judges should schedule the plea for no later than 9:00 a.m. on a morning docket, or else in the afternoon so as not to interfere with existing caseload. Defense counsel in all pleas should consider the possibility of remote pleas where warranted. The plea must be set before the close of business on Monday, August 31, and should be heard as soon thereafter as possible.

Existing resolution conference dockets with senior judges will continue, and senior judges will be available to preside over them per the existing practices. Procedures have been developed to hear some of those cases remotely, as well.

Robert A. Greenberg, Administrative Judge