

RULE 11 – CRIMINAL/JUVENILE CASE DISCOVERY

- 11.1 The Court may hold a Pre-Trial Conference (also designated as Status Conference) on all charges, at which time the Court shall review the production of Discovery by the State, set dates for the filing of all Motions (Dispositive Motions, Motions to Suppress, Procedural, etc.), Plea Agreement Deadlines, if deemed necessary, and otherwise address procedural matters. The Court, in its own discretion, or upon request of the State or the Defendant, may set an additional Pre-Trial Conference closer to the date of Trial so as to anticipate last minute matters which pertain to Trial.
- 11.2 The Disclosures, set forth in Criminal Rule 16, shall be made by the Prosecutor in felony cases, on or before the date of the Pre-Trial Conference. No Written Request need be made to obtain such Disclosures under this Rule. If a question of failure to provide complete Disclosure, as required by Criminal Rule 16, arises, the Court shall address the issue at the Pre-Trial Conference or upon the filing of an appropriate Motion for Enforcement of said Discovery, which Motion shall be filed by Defendant not later than fourteen (14) days after the date of the Pre-Trial or the date Discovery is provided, whichever shall later occur.
- 11.3 Upon the Defendant having received the above-mentioned Discovery from the State, said Defendant shall make the Disclosures set forth in Criminal Rule 16 not later than fourteen (14) days after the Pre-Trial Conference or after the date of receipt of Discovery from the State, whichever later occurs; however, in no event not later than ten (10) days before Trial. No Written Request by the State is necessary to obtain such Disclosures under this Rule. If Disclosures are not made by Defendant, the prosecution shall apply to the Court for enforcement.
- 11.4 In the event of the failure of either the State or the Defendant to provide Discovery in accord with this Rule, the Court shall decide whether such failure to provide Discovery

has resulted from an intentional, negligent, or otherwise inadvertent action and/or the imposition of an appropriate sanction, if any, to include imposition of fines and/or reasonable expenses, including attorneys fees, caused by the failure and/or an order prohibiting the introduction of designated matters into evidence, or whatever reasonable sanction the Court deems appropriate.