



**COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
DISTRICT COURT DEPARTMENT - GREENFIELD DIVISION
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January 26, 2016

From: William F. Mazanec,
First Justice Greenfield District Court

To: All District Court Staff, Assistant District Attorneys, Bar Advocate Attorneys and Private Attorneys

Amended Standing Judicial Order of the Greenfield District Court

In light of the recent decision in *Charbonneau* (SJC - 11908, January 22, 2016) the Greenfield District Court is modifying its standing order to eliminate the restriction on defendant capped tenders of plea offered on the day of trial. All other provisions of the original order remain in effect.

Therefore, beginning in the February, 2016 Jury of Six Session in the Greenfield District Court and thereafter following in each District Court Jury of Six Session the following rules of procedure shall be in effect:

1. All matters scheduled for jury trial shall, at the same time a jury date is received from the court, be automatically scheduled for a final status conference in the District Court at 10:00 am on a preceding Wednesday approximately one week before trial.
2. All lawyers representing any party to any matter scheduled for a jury trial are required to be in attendance at the final status conference.
3. All defendants are required to be in attendance at the final status conference.
4. All pretrial motions including, but not limited to Motions in Limine, Motions to Determine 5th Amendment Rights, Motions to Exclude, and requests for special Jury Voir Dire Questions are required to be served on the opposing party and filed with the court at least one week in advance of the final status conference date or the motion or request may be deemed waived. Motion to Continue will also be considered at this hearing.

5. The final status conference hearing date is also the last opportunity to execute a jury waiver form and request a bench trial. To the extent that it is possible to provide a jury waived trial at or near the date of the original jury trial date the court will endeavor to honor the original trial date with a bench trial in either the jury session or the bench session on that original date.

6. The court will continue to accept unagreed pleas on the day of the trial and these pleas will be subject to the amended Rule 12 procedure regarding binding pleas with charge concessions made by the Commonwealth. The defendant will be allowed to withdraw a defendant capped plea on the day of trial should the court exceed the defendant's recommendation and in such a circumstance impanelment and trial by jury will occur thereafter.

By Order of the Court,

William F. Mazanec