

RULES AND PROCEDURES
JUDGE KAREN M. WILLIAMS

Chambers

United States District Court
Mitchell H. Cohen U.S. Courthouse
4th & Cooper Streets
Camden, New Jersey 08101
(856) 757-6843
Courtroom: 4A

Deputy Clerk

Nicole Ramos
(856) 757-5402
(for criminal matters)

Unless otherwise ordered, the following rules and procedures apply to all matters before this Court:

I. Civil Cases Filed on the Basis of Diversity Jurisdiction, 28 U.S.C. § 1332:

In all cases in which the basis of jurisdiction is 28 U.S.C. §1332, Diversity of Citizenship: Whether or not the Court issues an Order to Show Cause or other Order directing the filing of an amended pleading or removal petition on the issue of jurisdiction, the parties in all diversity cases are required to complete and file a Joint Certification of the Citizenship of the Parties within thirty (30) days of the filing of either (1) a Notice of Removal or (2) a responsive pleading. The Joint Certification is available here: <http://www.njd.uscourts.gov/sites/njd/files/KMWDiversityJurisdictionFormFillable.pdf> Prior to filing a new complaint or removing a case from state court, parties are advised to review the third page of the Joint Certification, which sets forth the law on how to properly plead the citizenship of individuals and various entities.

II. Civil Motion Practice

A. Motion Days and Oral Argument

The only purpose of a motion's return date or "motion day" is to determine the briefing schedule for that motion. The Court generally will not hear oral argument on the return date. If the Court decides to hear oral argument on any issue, it will advise counsel of the argument date.

B. Adjournments

All requests for adjournments or extensions of time, other than those pursuant to Local Rule 7.1(d)(5), must comport with Local Rule 6.1 and include: (1) the date or dates sought to be extended; (2) the number of previous requests for extensions and the Court's rulings; (3) the reason for the current request; and (4) whether the adversary consents and, if not, the reasons given by the adversary for refusing to consent. If the requested extension affects any other scheduled dates, the request must list the proposed change for all such other dates.

C. Exhibits

To the extent any party submits exhibits to support a motion, such exhibits shall be clearly labeled, dated, tabbed, and indexed.

III. Communications with Chambers

A. Letters

All communications with Chambers shall be by letter electronically filed via ECF. No hard copies of letters shall be delivered to the Court. *Pro se* parties are exempt from this requirement.

B. Criminal Matters

For criminal matters, please contact Courtroom Deputy Nicole Ramos at (856) 757-5402 between the hours of 8:30 a.m. and 5:00 p.m.

IV. Submissions

A. Electronic submissions

All parties, with the exception of *pro se* parties, shall file all documents, in both civil and criminal matters, via ECF. All papers electronically submitted shall, to the extent possible, be submitted in a text-searchable PDF format.

B. Courtesy Copies

The parties shall provide courtesy copies of all briefs and supporting papers consistent with Local Rule 7.1(g).

V. Trial Practices

A. Pre-Trial Briefs or Proposed Findings of Fact and Conclusions of Law, and *In Limine* Motions

Once the joint final pretrial order has been filed **in a civil case**, each party shall submit any *in limine* motions at least three weeks before the start of trial. Any responsive papers shall be submitted at least two weeks before the start of trial. Pre-trial briefs or proposed findings of fact and conclusions of law shall only be filed at the direction of the Court.

B. Witnesses

Judge Williams prefers all witness appear live at trial. Judge Williams will permit videotaped testimony at trial provided that the witness is recorded against a blank background. No videotaped testimony will be shown to a jury if there are any images, photos or certificates visible in the background of the witness. Witnesses should be dressed in acceptable Courtroom attire.

C. Jury Selection

1. Jury Questionnaire

Counsel for all parties must confer with each other prior to trial and submit a joint jury questionnaire three weeks before trial in hard copy form and via email (njdnf_Williams@njd.uscourts.gov). Any additional proposed questions that could not be agreed upon should be submitted by the propounding party to the Court at the same time.

2. Juror Voir Dire

At trial, prospective jurors will complete the juror questionnaire. Any follow-up questions will be asked by Judge Williams.

3. Challenges for Cause and Peremptory Challenges

Challenges for cause and any Batson challenges will be heard at sidebar.

Peremptory challenges are exercised in writing with counsel marking challenges on a sheet presented to them by the Courtroom Deputy.

Peremptory challenges are exercised in turn, with each side exercising one challenge at a time. In the event there are two passes in succession, the process ends. A pass is otherwise considered a forfeited peremptory challenge.

The Courtroom Deputy or the Judge will announce any excused jurors.

D. Jury Charges

Counsel for all parties must confer with each other prior to trial and submit joint requests to charge two weeks before trial in hard copy form and via email (njdnf_Williams@njd.uscourts.gov) in Word format. Any additional proposed charges that could not be agreed upon should be submitted by the propounding party to the Court at the same time. Judge Williams will generally charge the

jury before counsel make their closing arguments. The jurors will be provided with a written copy of the jury charge. Counsel are to delineate in their submissions charges they wish to be given before trial, including a joint preliminary statement of the case, and charges they wish to be given at the close of trial. Counsel shall cite to the applicable authority for each proposed charge if the charge differs from the Third Circuit Model Charge.

E. Verdict Sheet

Counsel for all parties must confer with each other prior to trial and submit a joint verdict sheet two weeks before trial in hard copy form and via email (njdnf_Williams@njd.uscourts.gov) in Word format. If counsel cannot agree on a joint verdict sheet, counsel shall separately submit proposed verdict sheets in the same manner.

F. Exhibits

All parties are required in advance of trial to digitize all evidence expected to be used at trial. When introduced into evidence, the exhibit is downloaded onto a dedicated server. During deliberations each juror will review the admitted evidence with an iPad which can only access the dedicated server. Counsel is encouraged in advance of trial to become familiar with the electronic equipment available from the Court.

Judge Williams does not send weapons, narcotics, currency, and the like into the jury room. If jurors wish to see such an exhibit during deliberations, they are permitted to do so in the emptied courtroom with only a Deputy Marshal present. The prosecuting attorney and/or investigating agency is generally required to maintain custody of exhibits such as weapons, narcotics, or currency during trial.

If counsel intends to use electronic demonstrative evidence at trial, notice should be given to the Courtroom Deputy and all parties as soon as possible.

G. Juror Note Taking

Judge Williams may allow juror note taking and will discuss with counsel prior to trial.

H. Juror Questioning

Judge Williams may, if all parties agree, permit jurors to submit questions for witnesses to the Court to be posed to witnesses in civil cases only.

VI. Additional Preferences

A. Criminal Cases

Judge Williams does not permit the defendant or counsel to review the Probation Department's recommendation as to sentencing.