

COURTROOM PROCEDURES JUDGE JUDITH H. MATARAZZO COURTROOM 362

I. CONTACT INFORMATION

- **Judge Judith H. Matarazzo**
Multnomah County Courthouse
1021 SW Fourth Avenue
Portland, OR 97204-1123
503-988-3227
503-276-0949 (fax)
judith.h.matarazzo@ojd.state.or.us
- **Judicial Assistant: Tiffany Fox**
Room 534
tiffany.a.fox@ojd.state.or.us
- **Judicial Clerk: Arash Afshar**
Room 528
arash.afshar@ojd.state.or.us

II. COMMUNICATING WITH JUDGE MATARAZZO'S OFFICE

- **Phone:** Our office phone number is 503-988-3227. If we are unable to answer your call, please leave a clear and concise voice mail.
- **Email:** Please use prudence when communicating directly with Judge Matarazzo via email. Most emails should be directed to her staff and opposing counsel.
- **Fax:** The fax number is 503-276-0949. Please call before sending any faxes. We will not accept anything over 10 pages without prior approval.
- **Hand Delivery:** Deliveries should be made to her judicial assistant in Room 534. If no one answers the door, please use the mail slot or deliver the item next door to her clerk. Please do not deliver originals to our office unless otherwise specified in the UTCR. Original documents must be filed with the clerk in Room 210.
- **Questions?:** Please contact the judicial assistant.

III. COURTROOM AMENITIES

- **Court Reporter:** There is a digital recording device in the courtroom. The clock on the Judge's bench will turn on when the recorder starts. The court does not provide stenographic reporting. Parties may privately arrange to have a stenographer present.
- **Microphones:** The courtroom is equipped with a sound system. There are microphones at both counsel tables. If you wish to walk around, please talk loudly so that the recorder picks up your voice. Otherwise, we may ask you to wear a wireless microphone.
- **Exhibit Stands:** There are 2 tripod exhibit stands.
- **Easel:** There is a tripod easel stand equipped with paper and pens.
- **Electrical Outlets:** There is a power strip with 6 electrical outlets available for your use.
- **Lectern:** There is a lectern which you may move around the courtroom.
- **Counsel Chairs:** Each counsel table has 2-3 chairs. If you will need additional chairs, please contact the clerk no later than noon the business day before your appearance date.
- **Assisted Listening Devices (ALDs):** ALDs are available for all parties including witnesses, jurors and attorneys.
- **Accommodations for People with Disabilities:** Please contact our office as early as possible if any of the parties, lawyers or witnesses need accommodation because of a disability. See UTCR 7.060.
- **Special equipment:** If you will need a VCR, x-ray viewer or other type of equipment that the courthouse has available to you, please notify the clerk or judicial assistant no later than noon the business day before trial. Please inform us when and how long you will need the items. If court-supplied equipment is not available, you will be responsible for bringing your own.
- **Computers:** If you are using a computer to project images or a screen, both parties must share the projector and screen. Please arrange the set-up in advance. Also, please note that we do have wireless access in our courtroom.
- **Questions?:** Please contact the clerk.

IV. PRE-TRIAL MATTERS

- **Timely Submit Your Materials:** In cases assigned for trial at daily call, all jury instructions, verdict forms, trial memorandums, pre-trial motions and similar materials must be submitted to Judge Matarazzo by noon the business day before trial. Judge Matarazzo will review these matters with the attorneys before calling for prospective jurors. In cases pre-assigned for trial, the parties should confer regarding a realistic pre-trial schedule and communicate that schedule to the judge for approval.
- **Jury Instructions and Verdict Forms:** You may hand these documents to the clerk. If you are requesting specially-drafted instructions, please submit them via email (in Microsoft Word format) to the clerk. Do not include any language other than the jury instruction itself. This includes headers, footers and numbering.
- **Mark Your Exhibits:** UTCR 6.080 requires that you mark your exhibits before trial. The clerk can provide you with extra exhibit stickers if necessary. Additionally, UTCR 6.080(3) requires that you provide the clerk with an exhibit list. If there are numerous exhibits, please provide the judge with copies in a 3-ring binder.
- **Witness List:** Please provide a witness list to the clerk. Although not required, this helps to keep an accurate record.
- **Confer with Opposing Counsel:** Please confer on the following before trial:
 1. Setting a realistic trial schedule.
 2. Stipulations to exhibits and jury instructions.
 3. Whether witnesses are to be excluded. Please note that you are responsible for notifying witnesses that they are excluded.
 4. Prior convictions of witnesses (if applicable).
- **Check in with the Clerk:** Please provide the clerk with the following information upon your arrival:
 1. Your name and bar number.
 2. A receipt showing that the appropriate trial fee has been paid. The trial will not be recorded unless you show the receipt to the clerk.
- **Interpreters:** The attorney is responsible for notifying interpreter services at least 2 business days in advance. UTCR 7.070. Their phone number is 503-988-3515.
- **In-Custody Defendants:** The clerk will call for the defendant only after the jurors are in the jury room and the defense counsel is present.
- **Questions?:** Please contact the clerk.

V. JURY SELECTION

- **Prospective Juror List:** The clerk will provide you with a prospective juror list prior to voir dire.
- **Jury seating:** The first 12 prospective jurors are seated from right to left in the jury box. The table below represents how they are seated.

7	6	5	4	3	2	1
	13	12	11	10	9	8

The remaining jurors are seated in the back three rows, starting in the front, from left to right.

- **Peremptory Challenges:** Challenges for cause must be made in the courtroom. This may be done by asking the judge “does the court want to inquire?” All other challenges are heard in the judge’s chambers outside the presence of the jurors. When a juror is struck, all the remaining jurors move up on the list. For example, if juror number 1 is the first juror struck then juror number 2 moves up the list and becomes juror number 1.
- **Final Juror List:** The clerk will provide you with a final juror list after jury selection is completed.

VI. TRIAL

- **General Information:**
 1. Turn off your cell phones.
 2. The clerk will ask you to rise when the judge enters the courtroom.
 3. Use the proper names of the parties. Do not use first names unless the witness or party is a child.
 4. Do not be solicitous about the welfare of the jurors and witnesses.
 5. You may move freely about the courtroom. Please ask permission to approach the bench or a witness. You may sit or stand during the examination of witnesses. A lectern is available if you wish to use one.
 6. Bench conferences are usually held in chambers.
 7. Re-cross examination is allowed if appropriate.
 8. If witnesses have been excluded, the attorneys will be responsible for calling their witnesses into the courtroom.
 9. Please do not ask the clerk to make photocopies. Several photocopiers are available for your use in the law library. Copies cost 10 cents per page.

- **Exhibit Handling:** You may hand exhibits directly to the judge. If you have handouts for the jury, please give them to the clerk and he will pass them out. Do not grab exhibits from the clerk's desk without permission. Once exhibits have been received, they are in the custody of the clerk and may not go back to the counsel table.
- **Breaks:** The court takes 3 breaks during the day.
 1. Morning break: Usually around 10:30 a.m.
 2. Lunch break. Noon to 1:30p.m. Please note that the courtroom will be locked and inaccessible at that time. If you have to work on your case during lunch, you may use the law library.
 3. Afternoon break: Usually around 3:00 p.m.
- **Questions from the Jury:** If both parties agree, the judge will permit clarifying questions from the jury. The clerk will collect any questions that the jury has written down after the examination of a witness. The judge will review these questions with the attorneys in chambers. You will be permitted to ask follow-up questions to the witness if a question from the jury is asked.
- **Making Your Record:** During jury breaks, the judge will provide you an opportunity to put any matters discussed at sidebar or in chambers onto the record.

VII. POST-TRIAL MATTERS

- **Exhibits:** UTCR 6.120(1) requires that you take your exhibits with you at the end of trial unless otherwise instructed. You must sign an acknowledgment of receipt of returned exhibits. The clerk will present you with this paperwork. After final disposition of the case, the parties will receive notice that they have 30 days to remove any exhibits retained by the court. Otherwise, the exhibits will be discarded.

VIII. MOTION PRACTICE

- **Submitting materials:** A judge's copy of all motions, memorandums, affidavits and other supporting materials must be mailed to Judge Matarazzo or hand delivered to Room 360. All original documents must be filed with the clerk in Room 210. Copies of cases do not need to be attached to the original documents or filed with the clerk. Although not required, Judge Matarazzo appreciates receiving copies of key cases attached to the judge's copy of a motion or memorandum. It is not necessary, however, to give her copies of published Oregon appellate opinions.
- **Oral Argument:** Please use this opportunity to emphasize, clarify or expand on your points made in writing and to respond to the opposing party's arguments. You may ask the judge if there are any points that she would like to be further explained.
- **Cancelling/Rescheduling:** Please contact the judicial assistant if you no longer need a

motion hearing or need to reschedule.

IX. SETTLEMENT CONFERENCES

- **Scheduling:** Judge Matarazzo holds judicial settlement conferences on Friday afternoons. Conferences are scheduled to last 90 minutes. Please contact the judicial assistant if you would like to schedule a conference.
- **Confidential Settlement Information:** For civil cases, please fill out a Confidential Settlement Information form. A copy of this form is available on our website. This form must be faxed or emailed to the judicial assistant no later than noon the business day before the conference.
- **Cancelling/Rescheduling:** Please contact the judicial assistant if you no longer need a settlement conference or need to reschedule.