



TRIAL COURT OF THE COMMONWEALTH District Court Department

Springfield Division
50 State Street
Springfield, Massachusetts 01103
(413) 748-8600
TTY (413) 827-9315

Clerk-Magistrate
John S. Gay

First Justice
Kevin V. Maltby

Chief Probation Officer
Daniel J. Delaney

Justices
Robert S. Murphy, Jr.
Patrick S. Sabbs
Michele A. Ouimet-Rooke
Robert T. Santaniello

TO: Practitioners Handling Criminal and Civil Matters
FROM: Hon. Kevin V. Maltby, First Justice
Clerk Magistrate John S. Gay
CC: Chief of Probation, Daniel J. Delaney
DATE: August 2022
RE: Court Operations – SDC 22-8

SESSION SUMMARY

Courtroom	Session Summary	ZOOM INFO	Virtual, In Person or Hybrid
CR1	Arraignments (Summons and New Arrests), Unification of Counsel, <i>Pro se</i> Matters, and Warrant Removals	160-8582-7315	In person, but see notes below
CR2	AM: Criminal Dispositions, Viability Hearings, Motions to Dismiss, and Privilege Assertions PM: All Probation Matters	161-833-1953	In person but see notes below
CR3	Criminal Pretrial Hearings, Discovery Conferences, Discovery Motions	161-0589-9834	Hybrid* New
CR4	209a, 258e, Mental Health and Civil Commitment Hearings, and CMVI Appeals	160-076-0770	See notes below
CR5	Specialty Courts: CAST, Recovery with Justice, and EACH (hybrid)	TBD	Hybrid
	Clerk Magistrate Hearings – See below for schedule	160-018-6650	
CR6	AM: Motions to Suppress, 58A hearings, Evidentiary Hearings	161-259-3965	In Person
	AM: Fridays - Trial Readiness Session at 11:00 AM (hybrid)	161-259-3965	Hybrid
	PM: Monday and Tuesday - Civil Session (virtual); Emergency motions may be heard anytime; Evidentiary matters in person .	160-822-7568	Hybrid
	PM: Thursdays - Summary Process matters at 2:00 PM (In person)	161-710-7269	See notes below
CR9	Jury Trials, Evidentiary Hearing Overflow	N/A	In Person
CR10	Jury Trials, Evidentiary Hearing Overflow	N/A	In Person
CR11	Magistrate Hearings – CMVI's (Tuesday AM, Thursday)	161-011-8312	Virtual
	Small Claims (Thursday and Friday)	160-754-5303	

SPRINGFIELD DISTRICT COURT

Fax Numbers: Judges' Lobby - (413) 739-5579 / Probation - (413) 734-6665
Clerk-Magistrate Civil - (413) 747-4841 / Clerk-Magistrate Criminal - (413) 747-4842

COMMUNICATION WITH CLERK'S OFFICE:

The Springfield District Court shall continue to use and monitor the dedicated email address of: cmspringfielddc@jud.state.ma.us to better facilitate access to the Court. Attorneys are encouraged to use the suggested format in the subject line when emailing the clerk's office:

Suggested Format: Abbreviation, Docket No. and Scheduled or Suggested Date
Examples: PLEA 2123CR00000 August 12, 16, 17.
MTS 2123CR00000 August 12, 16, 17.

Contact with the Clerk Magistrate's office can be accomplished either through email (cmspringfielddc@jud.state.ma.us); telephone (413/ 748-8600); or in person as both the civil and criminal clerk's counters are open for business.

NOTE: Emailed pleadings are not considered filed until they are physically date stamped by the clerk's office. Filings emailed after regular business hours will be handled the following day.

NOTE: Please do not contact any of the Assistant Clerk Magistrates or other clerk's office employees on their personal mobile devices (either by text or cell phone) for court business unless they have reached out to you. **It is not a substitute for formally contacting the clerk's office.**

CR1 – ARRAIGNMENT SESSION NOTES:

- This session begins as soon as matters are ready and should begin no later than **9:30 AM**.
- Duty day attorneys are expected to appear in person.
- Nonduty day attorneys may appear remotely on unification of counsel dates.
- Matters heard in this session shall be heard in person and include the following:
 - Arraignments.
 - Detention hearings/58As/Revocation hearings.
 - Warrant removals will be conducted in person unless the defendant is symptomatic.
 - Unrepresented litigant / *pro se* matters.
 - Unification of Counsel. If counsel has contact with their client, then that can be reported remotely, and a new pretrial date shall be given.

CR2 – CRIMINAL DISPOSITION AND PROBATION MATTERS SESSION NOTES:

- The session begins at **9:00 AM**.
- The court shall permit tender of pleas involving no incarceration, non-evidentiary motions, assertion of privilege, and viability dates, to be heard remotely or **hybrid if counsel files a motion in advance**.
- Otherwise, all disposition hearings are in person events.
- **VOP Matters to be heard at 2:00 p.m.**
- All VOP submissions shall be heard in person.
- All VOP final hearings that are evidentiary shall be conducted in person.

CR3 - PRETRIAL HEARINGS / DISCOVERY CONFERENCES SESSION NOTES:

- Counsel may appear by ZOOM or in person.
- Daily Schedule:

8:30 AM Custody Matters
9:00 AM Pretrial Hearings A-L

11:00 AM Pretrial Hearings M-Z

- First pretrial hearings may be continued administratively with an agreed date.
- Defendants represented by counsel are not required to appear.
- Discovery Motions will be heard in this session.
 - **NOTE:** At the session judge's discretion, discovery motions will only be heard if the parties certify they have conferred the matter in advance of hearing.

CR4 – 209A/258E/MENTAL HEALTH SESSION NOTES:

- Session begins at **9:00 AM** with a staggard schedule thereafter.
- All 209A and 258e hearings shall be heard in person.
- Parties shall appear remotely if they are symptomatic or tested positive for COVID19.
- ***NEW Mental Health Hearings:** All mental health hearings shall be conducted in a way that takes into account the health and safety of all individuals. Currently, the court will continue conducting these hearings in the following format:
 - **Section 35s:** Will continue to be conducted in a hybrid fashion
 - **Section 7&8:** Will continue to be conducted virtually.
- CMVI Appeals may be heard in person or virtually.

CR6 - TRIAL READINESS / MOTIONS TO SUPPRESS SESSION NOTES:

Trial Readiness Notes – Friday at 11:00AM

- Trial readiness hearings shall be heard **virtually or in-person** every Friday beginning at 11:00 a.m.
- *Motions in Limine:* Must be filed the Wednesday before the session, by the close of business.
- Pretrial Conference Report. Parties are directed to file with their *motions in limine* a joint pretrial conference report representing that all discovery is complete.
 - The form can be found by clicking on this link: <https://www.mass.gov/doc/pretrial-conference-report-district-court/download>.
- **NEW:** Certificates of Compliance. Both parties will be required to file Certificates of Compliance. The forms are found by clicking on these links:
 - **Defense:** <https://www.mass.gov/doc/defense-certificate-of-discovery-compliance-0/download>
 - **Prosecution:** <https://www.mass.gov/doc/prosecution-certificate-of-discovery-compliance-0/download>
- **Firm and Fair Trial Date:** Parties can expect that barring unforeseen circumstances, their matter will be tried on the trial date selected.

Evidentiary Motion Hearing Notes – Monday through Thursday

- Session begins at **9:00 AM. Please be prompt.**
- All evidentiary motions shall be conducted in person.
- Nontestimonial 58As/Motions to Revoke Bail shall be heard in this session and may be heard remotely with prior approval and the assent of all parties.
- Testimonial 58A hearings shall be conducted in person.

Civil Notes – Monday and Tuesday at 2:00 pm

- Civil matters will continue be heard virtually.
- ***NEW -** In person events shall be scheduled if the subject matter requires an evidentiary hearing.

- Emergency civil matters will be heard at any time. Please contact clerk's office
- *NEW Summary Process trials shall be conducted in person.

CR5 / CR11 CLERK MAGISTRATE MATTERS NOTES:

Monday:	Show Cause Hearings (am),	E-file Applications (pm)
Tuesday:	Show Cause Hearings (am),	E-file Applications (pm)
Tuesday:	CMVI Hearings (am)	
Tuesday	Civil Case Management Conferences (pm)	
Wednesday	Show Cause Hearings (pm)	
Thursday:	Small Claims Hearings (am),	Small Claims Hearings (pm)
Thursday	CMVI Hearings	
Friday:	Small Claims Hearings (am),	Small Claims Hearings (pm)

CR9/CR10 JURY TRIAL NOTES

- On the day of trial, parties are expected report to either CR9 or CR10 and be ready impanel at **9:00 AM**.
- All audio-visual equipment, exhibits, or other media should be set up and ready before 9:00 AM the day of trial.
- Counsel can expect the Clerk's office to be in contact several days before the day of trial to determine status and provide further information about the trial. The court expects that counsel will respond promptly.

PUBLIC ACCESS and HEALTH AND SAFETY

Members of the public are permitted to attend all in-person hearings subject to building and safety requirements. As of the date of this memorandum, court users are not required to wear a face covering or be asked certain questions regarding their health. However, all court users are still subjected to safety screening at the front door. If any court user is sick or symptomatic, they should refrain from coming to court and contact the Clerk's Office immediately.

Unless prohibited by law or court order, members of the public may access virtual court hearings as they are happening.

During a virtual court hearing, members of the public are not permitted to speak, interrupt, or otherwise disrupt the hearing and must mute whatever device they are using to access the hearing. No person shall take any photographs or other digital images or make any recording or transmission by electronic means of a virtual court hearing, whether being held virtually or in person, without prior authorization from the First Justice or Magistrate in accordance with Supreme Judicial Court Rule 1:19 governing electronic access to the courts.

VIRTUAL APPEARANCE *NEW

Appearing virtually means that one or all parties appear by videoconference (e.g., Zoom). A judge or clerk may allow a party to connect to a videoconference system with audio only, ***but only if circumstances require this accommodation.*** Appearance by telephone on a conference line is **not an option** for a virtual appearance. Parties appearing virtually should treat their virtual appearance as if they were appearing in court.

A party's request to appear virtually waives any objection to other parties appearing in person. The requirement that a party (or parties) appear in person does not preclude an attorney or witness from being permitted to appear virtually. An attorney or witness may appear virtually if the judge or clerk-magistrate presiding over the hearing allows the request, and doing so would be consistent with constitutional rights and statutory requirements.

KVM
SDC22-8