

**PRACTICE PREFERENCES**  
**JUDGE GREGORY G. GROGER**

CIRCUIT CRIMINAL SECTIONS 1 & 2

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**REVISED JANUARY 6, 2022**

## I. **CONTACTING THE COURT, JUDICIAL ASSISTANT**

All contact with Court or the judicial assistant should be by email to [CrCrimE1@jud6.org](mailto:CrCrimE1@jud6.org)

## II. **COURT APPEARANCES AND COVID PROTOCOLS**

- All appearances are to be in person, unless excused by the Court in advance or unless waived pursuant to Rule 3.220(o).
- A waiver of appearance pursuant to Rule 3.220(o) must be in writing and filed prior to the Pretrial Conference.
- The Sixth Circuit's Administrative Orders control COVID protocols, which at this time provide that masks are optional and social distancing will be accommodated upon request.
- Remote appearance will be approved if:
  - Under quarantine due to testing positive for COVID or exposure to a person testing positive
  - Experiencing COVID-related symptoms
  - Caring for a family member experiencing COVID-related symptoms
- All remote appearances will be by Zoom.
  - Contact the Court's judicial assistant by email [CrCrimE1@jud6.org](mailto:CrCrimE1@jud6.org) for the Zoom meeting details.
  - The Zoom meeting details will include instructions for internet video appearance and telephone audio appearance.
  - Appropriate courtroom attire and decorum is required for appearances by Zoom.
  - Approval of counsel's appearance by Zoom is not approval for the Defendant to appear by Zoom. The Defendant must appear in person unless a written waiver of appearance is filed prior to the Pretrial Conference.
- Cancellation or resetting of non-evidentiary hearings is discouraged and remote appearances are preferred. However, if counsel is unable to appear remotely or to have adequate substitute counsel appear,

cancellation of a non-evidentiary hearing will be considered upon request by email with notification to opposing counsel.

- Cancellation or resetting of evidentiary hearings, trials, and trial status checks must be made by motion after consultation with opposing counsel.

### **III. DOCKETS, CALENDARS, and SETTING A CASE FOR HEARING**

- The Court calendars will remain as scheduled through February 14, 2022.
- **To request a case be set on a calendar, contact the judicial assistant at [CrCrimE1@jud6.org](mailto:CrCrimE1@jud6.org) and provide the following information:**
  - **Case name**
  - **Case number**
  - **Motion to be heard. All motions must be filed prior to setting a hearing. Attach a copy of the motion to the email. If the motion is an emergency, it should indicate that it is an emergency and state the basis for emergency action.**
  - **Confirmation that opposing counsel has been consulted and whether opposing counsel agrees or objects to the motion.**
  - **Amount of time needed**
  - **Name of assigned Assistant State Attorney and Defense Counsel**
  - **Date of next Pretrial Conference**  
**(Hearings of less than 15 minutes will be set in conjunction with the next Pretrial Conference, which is typically within 30-45 days. If an earlier date is requested, provide the reason why a sooner hearing is necessary.)**

**NOTE: Calendars will close seven (7) days in advance and no additional cases will be added, except in emergencies. This is to allow all stakeholders ample opportunity to be prepared.**

- Beginning on February 14, 2022, the following court schedule will be followed:

**AM Calendars begin at 8:30am**

**PM Calendars begin at 1:30pm**

- **All cases for private counsel, appointed counsel, and public defender will begin at these times.**
- **Private counsel should sign-in upon arrival. Private counsel cases will be heard first and in order of arrival.**
- **If counsel has multiple cases, please indicate the names of all defendants on the sign-in sheet.**

### **Monday AM**

- 1st Pretrial Conference
- Cases assigned to the ASA handling the calendar
- Non-evidentiary motions associated with cases set on the Pretrial Conference calendar

### **Monday PM**

- Arraignments on cases without a written plea filed
- Motions:
  - Cases not also set for Pretrial Conference
  - Less than 15 minutes
  - Bond Reductions, less than 15 minutes
  - Pre-Trial Intervention Status Checks
  - Competency Status Checks
  - Motions to Allow Victim Contact, unless heard with a Pretrial Conference
  - Emergency Motions
- Probation hearings
  - Arraignments and Pretrial Conferences for only those cases that are a substantive, non-technical violation that do not have a companion case set in Section 1 or Section 2. For example, a violation of probation based on a new

misdemeanor, a new out-of-county offense, or a new offense set in Section 3 or 4 (West Side).

- All other probation related motions:
  - Motions for Early Termination of Probation
  - Motions to Transfer Probation
  - Motions to Modify Probation
  - Motions to Travel

**Tuesday AM, Tuesday PM**

**Wednesday AM, Wednesday PM**

- Pretrial Conferences and associated motions for cases assigned to the ASA handling that day's calendar
- Motions for Change of Plea for cases assigned to the ASA handling that days calendar.
- Emergency motions as set by the judicial assistant

**Thursday AM**

- Trial Calendar Call.

**Thursday PM, Friday AM, Friday PM**

- Special set hearings, evidentiary hearings, departure hearings, long sentencing hearings
- Motions longer than 15 minutes

#### **IV. TRIALS and TRIAL CALENDAR CALL**

- Beginning with trials scheduled on March 7, 2022, trials will be scheduled on either Monday or Wednesday of the trial week as a “pick and go.”
- Trials may be transferred to the backup judge as available. See Admin. Order 2021-050 PA-CIR.
- A trial status check will be set for the Thursday before the trial docket week. This is a mandatory appearance and cannot be waived.
- At the trial status check, counsel for the State and defense should be prepared to discuss the following:
  - Change of Plea:  
NOTE – All parties and their counsel should be aware that the Trial Status Check will be the last opportunity to enter into a negotiated plea, absent exceptional circumstances.
  - Priority of the trial
  - Assigned judge
  - Amendments to Information / Indictment
  - Verification of witness availability
  - Motions to Continue
  - Motions in Limine
  - Number of jurors needed for voir dire

- Below are the trial dockets for 2022:

| Trial Week<br>(beginning either Monday or Wednesday)           | Trial Calendar Call |
|--|---------------------|
| January 10   | None                |
| January 17   | None                |
| February 7   | None                |
| March 7  | March 3             |
| March 21   | March 17            |
| April 4  | March 31            |
| April 18   | April 14            |
| May 9  | May 5               |
| May 23   | May 19              |
| June 6   | June 2              |
| June 20  | June 16             |
| July 11  | July 7              |
| July 25  | July 21             |
| August 8   | August 4            |
| August 22  | August 18           |
| Tuesday, September 6<br>(four day docket, no Wednesday trials) | September 1         |
| September 19   | September 15        |
| October 3<br>(four day docket, no Wednesday trials)            | September 30        |
| October 17   | October 13          |
| November 7   | November 3          |
| December 5   | December 1          |