

## Recruiting New SOG Faculty Member

### Civil Trial and Hearings Procedures (Additional Background)

**Overview.** The School of Government seeks to recruit a faculty member who will specialize in the procedural law that governs civil court actions and the practical aspects of conducting civil trials and contested hearings.

Audiences for this training include district and superior court judges as well as non-lawyer judicial officials who regularly hold contested hearings. This group consists mainly of magistrates and elected and assistant clerks of court. They handle highly consequential matters such as residential evictions, foreclosures, incompetency proceedings, and the administration of decedents' estates.

**Substantive field.** For all of the court system's judicial officials, including those formally trained in the law and those who are not, this faculty member would oversee essential and advanced training in the conducting of civil trials and evidentiary hearings, advise on the procedural law that governs these matters as well as post-judgment procedure, and contribute written scholarship related to procedural law as well as trial and hearing practice.

More specifically, this faculty member would be expected to:

- Provide or oversee training in core courtroom skills, including:
  - Identifying sources of law and conducting legal research
  - Controlling the courtroom and contempt
  - Understanding recusal, removal, and judicial immunity
  - Mastering the mechanics of a hearing or trial
    - Scheduling of hearings, continuances, and dismissals
    - Managing a jury
    - Presiding over trials and hearings involving unrepresented litigants
    - Controlling the order and manner of proceedings
    - Taking recesses and taking decisions under advisement
    - Recording the hearing
    - Closing the hearing

- Handling evidentiary issues
    - Accepting exhibits and the marking of evidence
    - Conducting in camera review
    - Sealing evidence
    - Applying the rules of evidence
  - Exercising discretion and drafting orders
  - Awarding attorneys' fees and costs
  - Rules governing ex parte communications
  - Taking verdicts and rendering judgments
- Train and advise judicial officials regarding pre- and post-judgment procedure including:
    - Attachment
    - Claim and delivery
    - Judicial sale
    - Supplemental proceedings, setting aside exemptions
    - Writs of execution
    - Writs of possession
    - Appellate procedure
- Train and advise judicial officials regarding application of the rules of civil procedure, including:
    - Commencement of an action
    - Service of process
    - Amendment of pleadings
    - Extensions of time
    - Sanctions
    - Joinder of parties and claims, interpleader, intervention
    - Summary judgment
    - Temporary restraining orders and preliminary injunctions
    - Setting aside an order
    - Confession of judgment
    - Entry of judgment, default judgment, docketing, cancelling, crediting judgment