

Administrative Order # 98-1

March 5th, 1998.

9:00 **FILED** A.M. P.M.
MAR 06 1998
NED J. KERR, CLERK
G. Buckley
DEPUTY CLERK

**THIRD JUDICIAL DISTRICT
ADMINISTRATIVE ORDER**

Whereas, a growing number of litigants are writing directly to the Court to convey information to the Court or to influence the Court's judgment regarding their case; and,

Whereas, the Canons of Judicial Conduct (Canon 3(a)(4)) specifically prohibits a judge from participating in any "ex parte communication concerning a pending or impending proceeding";

NOW, THEREFORE, IT IS HEREBY ordered that all direct correspondence received from litigants in civil or criminal cases shall be handled as follows:

1. The Judge's secretary, or the Clerk of the Court, shall make duplicate copies of all correspondence sent directly to the Court by a litigant in either a civil or criminal case. In a civil case, a copy of the correspondence shall be sent to the attorneys of record and in a criminal case, to the prosecuting attorney and the defense attorney. In addition in a criminal case in which a pre-sentence report has been ordered but not yet delivered, the secretary or clerk shall send a copy of such correspondence to the pre-sentence investigator.

2. The Secretary or the Clerk shall then place the original correspondence in the case file with the notation that it was opened by staff personnel and has not been read or reviewed by the Court.

Dated this 5th day of March, 1998.

Sergio A. Gutierrez
SERGIO A. GUTIERREZ
ADMINISTRATIVE DISTRICT JUDGE