

Superior Court of California, County of Fresno



DATE: June 24, 2020

TO: Judges, Commissioners and Superior Court Staff

FROM: Arlan L. Harrell, Presiding Judge

SUBJECT: Amended Electronic Criminal Law Settlement Conference Procedures

The following Amended Criminal Law Electronic Settlement Conference Procedures were developed by Judges Chittick, Sanderson and Whitehead for the benefit of the bench and counsel:

- Judges are available to negotiate and recommend terms of a settlement, which will be communicated to the parties and the hearing judge, who may accept or reject the plea. Completing a change of plea form before the hearing is encouraged.
- Conferences will be scheduled between 9:00 a.m. and 4:00 pm on any court day.
- Judges may, at their discretion, schedule meetings outside those times for good cause.
- Meetings will generally be scheduled for 15 minutes, with some flexibility.
- Meeting requests must be submitted directly to the assigned settlement judge by email, with copies to all counsel.
- Meetings will only be scheduled when all counsel agree to discuss the case.
- Requests should include defendant's name(s), case number, hearing date and department number and the offer that the DDA has made.
- Requests made well in advance of the hearing date are encouraged and receive priority.
- All requests must be submitted no later than 4:00 p.m. on the second court day prior to the hearing.
- Judges will be familiar with the pleadings and case history, but counsel should be prepared to discuss case specifics and defendant's criminal history.

June 24, 2020

Settlement Judges:

Hon. Denise Whitehead, (Depts. 10, 11, 31 and 33), DWhitehead@fresno.courts.ca.gov

Hon. Hilary Chittick, (Depts. 20, 30, 32 and 34), HChittick@fresno.courts.ca.gov

Counsel should suggest dates and times to meet in their email requesting a meeting, in order of preference. Counsel will need a phone for audio and/or a webcam for video participation. Either counsel or the court will send an e-mail with the meeting link, date and time, depending on the judge's preference.

The key here is patience from everyone involved as we implement and fine tune this new process. Suggestions for improvement are welcome, and should be directed to Supervising Felony Judge Sanderson.

cc: District Attorney; Public Defender; Fitzgerald, Alvarez & Ciummo; ADO; Mark Broughton, Chair, FCBA Criminal Law Section