

**IN THE MUNICIPAL COURT OF THE CITY OF BROOKINGS
COUNTY OF CURRY, STATE OF OREGON**

RULE 7: Trials

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Court Clerk shall provide a copy of this Rule to all parties to a matter scheduled for trial at least two weeks in advance of the scheduled trial date.
2. "City Officer" means an employee of the City of Brookings who is authorized to enforce traffic regulations or provisions of the Brookings Municipal Code, or any other such codes which fall within the jurisdiction of this Court.
3. Defendants entering a plea of "Not Guilty" shall be scheduled for a trial.
4. Defendants entering a plea of "Not Guilty" upon first appearance in Court or by notice to the Court Clerk shall have a trial scheduled for the regular Court date during the following month to allow sufficient time for all parties to prepare.
5. One week prior to trial, all parties must submit to the Court Clerk:
 - a. The names and contact information for all witnesses (if any).
 - b. Two copies of any evidence that will be presented at trial, including audio/video evidence (if any).
 - c. A request for subpoenas for any witnesses, if needed.
6. At the beginning of trial, the Court Clerk shall issue an oath to each person planning to offer testimony attesting to the truthfulness of their testimony under penalty of perjury.
7. The Judge shall read aloud the charges against the Defendant, including the proposed amount of fines.
8. The City Officer who issued the Notice to Appear shall serve as the City's prosecutor. The City Officer shall state the cause for bringing the charges and present any and all evidence.

9. The Defendant shall state the reason for pleading “Not Guilty” and present any and all evidence showing that they are innocent of the charge, and challenge any evidence provided by the City Officer.
10. Witnesses may be called to testify and be cross-examined by either party. Either party may question each other.
11. There shall be no “debate” or other interaction between the parties other than to ask and answer specific questions as to the matter at hand.
12. The Judge may ask questions of all parties.
13. Each party may make a closing statement.
14. After considering all of the facts, the Judge shall render a decision. The Judge may delay a decision pending the receipt of further information that he may request. The Judge may continue the matter to another date. The Judge may take the matter under submission to further review the testimony, evidence and relevant provisions of law, and render a written decision at a later time.
15. Decisions may be verbal or in writing at the discretion of the Judge.
16. The Court Clerk shall provide written notice of the decision to all parties.

Dated this First day of November 2020.

Gary Milliman
Municipal Court Judge