



IN THE ALABAMA COURT OF THE JUDICIARY

In the Matter of:)
)
ROY S. MOORE,) **Court of the Judiciary**
Chief Justice) **Case No. 46**
Supreme Court of Alabama)

**THE JUDICIAL INQUIRY COMMISSION’S MOTION
FOR FINAL RULE 16 TELEPHONIC PRETRIAL CONFERENCE**

In accordance with Rule 10 of the Rules of Procedure for the Court of the Judiciary, which mandates that the “process and procedure before the Court shall be as simple and direct as reasonably may be,” and Rule 16 of the Alabama Rules of Civil Procedure, which allows for a final pretrial conference to be held “to formulate a plan for trial, including a program for facilitating the admission of evidence,” the Judicial Inquiry Commission (“JIC”) requests that this Court schedule a final, telephonic pretrial conference for the parties to discuss the Court’s preference for handling the admission of evidence on the day of trial and any objections thereto, and the setting of any deadlines for exchanging trial exhibits. Holding a short telephonic pretrial conference on these matters will increase judicial efficiency, honor Rule 10’s mandate of simplicity and directness, and avoid the need for lengthy evidentiary debate at the outset of trial.

Counsel for the JIC contacted counsel for the Chief Justice about jointly approaching the Court for a telephonic pretrial conference to discuss these matters, but counsel for the Chief Justice declined on the grounds that the Chief Justice understood that neither side would be introducing any new exhibits beyond those documents included with the cross motions for summary judgment. The parties disagree on this point—the JIC does plan to introduce a limited number of additional exhibits at trial. Because the interests of judicial efficiency counsel in favor of formulating a plan to deal with the admission of existing exhibits, as well as the introduction

of certain additional exhibits, the JIC submits that a brief telephonic pretrial conference is appropriate.

Respectfully submitted,

/s/ John L. Carroll

John L. Carroll

One of the Counsel for the

Judicial Inquiry Commission of Alabama

/s/ R. Ashby Pate

R. Ashby Pate

One of the Counsel for the

Judicial Inquiry Commission of Alabama

Of Counsel:

John L. Carroll (CAR036)

Rosa Hamlett Davis (DAV043)

Alabama Judicial Inquiry
Commission

P.O. Box 303400

Montgomery, AL 36130-3400

401 Adams Avenue

Montgomery, AL 36104

jic@jic.alabama.gov

RosaH.Davis@jic.alabama.gov

(334) 242 – 4089

R. Ashby Pate (PAT077)

ASB-3130-E64P

apate@lightfootlaw.com

LIGHTFOOT, FRANKLIN & WHITE, L.L.C.

The Clark Building

400 North 20th Street

Birmingham, Alabama 35203-3200

205) 581-0700

CERTIFICATE OF SERVICE

I certify that I have this 23rd day of August, 2016, served a copy of this notice on attorneys for the Respondent, through electronic mail to:

Mathew D. Staver
court@LC.org

Horatio G. Mihet
hmihet@LC.org
LIBERTY COUNSEL
P.O. BOX 540774
Orlando, FL 32854

Phillip L. Jauregui
Judicial Action Group
plj@judicialactiongroup.com
1015 15th Street NW
Suite 1100 Washington, DC 20005

/s/ R. Ashby Pate
R. Ashby Pate
One of the Counsel for the
Judicial Inquiry Commission of Alabama