

RULE 88.8 | PRESENTENCE INVESTIGATIONS

(a) Within seven (7) days following entry of a guilty plea or a verdict of guilty, counsel for the defendant and the probation officer will have made arrangements for the initial interview of the defendant for the PSI.

(b) Counsel for the parties shall confer no later than seven (7) days prior to the scheduled sentencing hearing proceeding with respect to the anticipated length of the sentencing and the number of witnesses to be called. If either party reasonably anticipates that the sentencing proceeding will exceed one hour, the party shall file and serve on all parties a notice with the Clerk of the Court and shall hand deliver a courtesy copy to the United States Probation Office no later than five (5) days prior to the sentencing proceeding. The notice shall advise the Court of the number of witnesses to be called and the estimated time required for the sentencing proceeding. Additionally, counsel for the parties shall file within the same time period any notice for enhancement of sentence or requests for departure.

(c) The recommendation as to sentencing made to the Court by the United States Probation Office shall remain confidential.

(d) Counsel for the parties may retain the PSI in their custody, and counsel for the defendant shall provide a copy to the defendant. However, the PSI is a confidential document and neither the parties nor their counsel are authorized to duplicate or disseminate it to third parties without prior permission of the Court.

Effective December 1, 1994. Amended effective April 15, 2007; April 15, 2010; December 1, 2011; December 1, 2015; December 2, 2019.

Authority

Administrative Order 95-02.

