

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

**JUDGE TANA LIN  
STANDING ORDER FOR ALL CRIMINAL CASES**

This Order sets forth the procedures that govern all criminal cases assigned to this Court. This Order applies to all counsel in cases before this Court, their clients, and any Parties representing themselves pro se. When the term “Counsel” is used in this Order, it includes lawyers as well as any Parties representing themselves. When the terms “Party” or “Parties” are used in this Order, they include counsel.

These procedures supplement the Federal Rules of Criminal Procedure (“FRCrP”) and Local Criminal Rules of the United States District Court for the Western District of Washington (“CrR”). **In the event there is an inconsistency between this Order and the Local Rules or the Federal Rules of Criminal Procedure, the terms of this Order control. Failure to comply with the procedures set forth in this Order may result in sanctions.** The terms of this Order shall have the force and effect of orders of the Court from the date of the Order. If a case was previously assigned to a different District Judge, these procedures replace those that previously controlled as of the date of reassignment to Judge Lin.

Parties shall review Judge Lin’s procedures at <https://www.wawd.uscourts.gov/judges/lin-procedures> prior to any hearing, trial, or motion filing for information relating to her general practices and potential updates to this Order.

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## I. MOTIONS AND PRETRIAL FILINGS

### A. Structure

Substantive information and discussion should appear in the body of the brief; footnotes are to be reserved for explanatory and supplemental information. Citations should be in Bluebook format and must be included in the body of the briefing, not in footnotes or endnotes (with the exception of citations that follow explanatory footnotes).

### B. Motions to Continue Trial Date

Prior to filing a motion to continue a trial date, Counsel are directed to contact the Court's Courtroom Deputy Kadya Peter by email at [Kadya\\_Peter@wawd.uscourts.gov](mailto:Kadya_Peter@wawd.uscourts.gov) to verify that the Court will be available on the proposed new trial date.

All motions to continue the trial date shall be accompanied by a waiver of speedy trial, except that any defendant contesting such a motion need not file a waiver. A contested motion to continue the trial date filed by the Government shall be accompanied by a calculation of time under the Speedy Trial Act. The Court generally will not grant a motion to continue a trial date until a speedy-trial waiver or calculation of time under the Speedy Trial Act has been filed.

With respect to stipulated or unopposed motions to continue the trial date, Counsel must:

1. state facts establishing good cause for the continuance. A request for continuance "in order to provide the Parties more time to prepare" is not a sufficient showing to warrant a trial continuance "in the interest of justice";
2. file a waiver of speedy trial at least **thirty (30) days** beyond the proposed new trial date signed by the Defendant(s). Although not dispositive, these waivers are useful to the Court in establishing that Defendants have been consulted and agree to the requested continuance; and
3. include with the proposed order a proposed case schedule with the following deadlines:
  - a. Expert Discovery (if applicable)
  - b. Pretrial Motions (where possible, this deadline should be set for at least six weeks prior to the pretrial conference)
  - c. Trial Briefs
  - d. Motions in Limine
  - e. Proposed Jury Questionnaire (if applicable)
  - f. Proposed Voir Dire Questions
  - g. Proposed Jury Instructions
  - h. Proposed Verdict Form
  - i. Exhibit Lists
  - j. Witness Lists

In proposing deadlines, the Parties shall bear in mind that the Court generally sets a pretrial conference for at least two Fridays (10 days) before trial. Judge Lin hears argument and strives to provide rulings on any unresolved pretrial motions, motions in limine, and disputed jury-related issues (other than final jury instructions and the verdict form) at the pretrial conference. Therefore, any final briefing and/or documents (except for motions in limine, *see infra* Section I.C.) shall be due at least three days before the pretrial conference, and the Parties shall plan any preceding deadlines accordingly.

### **C. Motions in Limine**

Before filing motions in limine, a Party must make a good-faith effort to meet and confer with the opposing Party and must comply with all other requirements of CrR 23.1(6).

Parties are discouraged from filing motions in limine that request exclusion without identifying specific evidence or exhibits to be excluded, request relief at a high level of generality, or merely ask the Court to apply the Federal Rules of Evidence in the absence of an unusual issue.

Any motions in limine must be presented in a joint brief filed at least five (5) business days before the pretrial conference. The brief must contain: (1) an introductory statement summarizing the case and the context relevant to any dispute, with each side drafting its own statement if they cannot agree; (2) a section for agreed motions in limine in which the Parties shall list each issue and the agreement of the Parties as to that issue; (3) a section for any disputed motions in limine with a subsection for the Government's disputed motions in limine and a subsection for Defendant's disputed motions in limine, in which the Parties present each motion under a separate heading, below which the moving Party provides its position with supporting authority, followed by the position and supporting authority of the opposing Party. Each disputed motion shall be sequentially numbered by party and identify the issue (e.g., Government's/Defendant's MIL 1: Motion to [FILL IN]).

For multi-Defendant cases, the Parties are encouraged to meet and confer regarding the appropriate length for a joint brief and the number of words each Party should be allowed. The Parties shall file either a stipulation (if agreement can be reached) or a joint motion explaining each Party's respective positions (if agreement cannot be reached).

### **D. Proposed Orders**

As a general rule, any motion requiring the signature of the Court should be presented along with a proposed order. *See* CrR 1(b)(8) (stipulated motions); CrR 12(b)(1) (pretrial motions).

Pursuant to this District's Electronic Filing Procedures, the moving Party must email a Microsoft Word version of a proposed order to [linorders@wawd.uscourts.gov](mailto:linorders@wawd.uscourts.gov) at the time of filing. The subject heading of the email should include the case number, the case name, and the title of the motion rather than simply "Proposed Order."

CrR 12(e)(7) provides guidance on the form of proposed orders. In addition, Parties submitting proposed orders are requested to format them such that the Court's signature block does not appear alone without any identifying content—such as the signature(s) of the presenting attorney(s) and/or at least one or two lines of specific text from the body of the order—above it

on the page. This supports the Court's efforts to deter unauthorized and fraudulent use of its signature.

A proposed order drafted such that the Court's signature appears alone on a page, or accompanied by only generic language such as "It is so ordered," will require reformatting, which may delay entry of the order.

## **II. PROCEDURES FOR ALL CRIMINAL TRIALS**

### **A. Pretrial Conference**

The pretrial conference will generally be held at least **two Fridays (10 days)** in advance of the trial date. An agenda of topics to be covered at the pretrial conference is posted on Judge Lin's Chambers Procedures page, <https://www.wawd.uscourts.gov/judges/lin-procedures>.

### **B. General**

#### **1. Schedule**

Unless Parties are otherwise notified, trials normally begin at 9:00 a.m. on Mondays, unless the Monday is a holiday. On each day of trial, Counsel and any pro se litigants are expected to be present **thirty (30) minutes** prior to the start time to discuss any upcoming issues. To ensure that the morning pretrial hearing is productive and efficient, Counsel shall meet after the conclusion of each trial day and attempt to resolve or refine upcoming disputes.

The normal trial day runs from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., with a 15-minute morning break and a 15-minute afternoon break taken at the Court's discretion.

#### **2. Glossary**

Where necessary, Counsel shall confer and prepare a joint glossary of: (1) any unusual or technical terminology that may assist the Court, Court Reporter, or jury during trial; and (2) any proper names, acronyms, and case citations that are likely to be used at trial. The glossary, in Microsoft Word format, must be emailed to Courtroom Deputy Kadya Peter at [Kadya\\_Peter@wawd.uscourts.gov](mailto:Kadya_Peter@wawd.uscourts.gov) no later than **three (3) days** before the start of trial. Hard copies shall also be provided to the Courtroom Deputy and Court Reporter on the first day of trial.

### **C. Evidence**

#### **1. Presentation of Evidence**

##### **a) Exhibits**

One physical set and one electronic set of the trial exhibits are to be delivered to Judge Lin's chambers **three (3) days** before the trial date. Each exhibit shall be clearly pre-marked by Counsel. Exhibit stickers/labels/tags can be obtained from the Clerk's Office during business hours or from the Courtroom Deputy at the pretrial conference. Exhibit tags generated electronically are also acceptable, so long as they list the following information:

(1) Government's, Defendant's, or Joint Exhibit; (2) case number; and (3) exhibit number. The Parties shall also bring one physical set of trial exhibits for the witnesses on the first day of trial.

A document shall be submitted only once; the same document shall not be duplicated across multiple Parties' sets of exhibits. Each exhibit shall be printed double-sided, unless there is a specific need to not do so. Once a Party has identified an exhibit in the pretrial order, the exhibit may be used by any Party. Each set of exhibits shall be submitted in a three-ring binder with numbered tabs.

The electronic set of trial exhibits must be delivered in the following format:

- Exhibits must be on a USB flash drive (preferred) or a CD/DVD.
- Each exhibit must be a single document.
- All exhibits other than audio or video exhibits must be in PDF format.
- If possible, PDF documents should be provided in a text-searchable format.
- Exhibits that contain audio or video must be playable in Windows Media Player.
- Exhibits must be numbered and named. Each file name must include the exhibit number and a brief description. For example, Government's Exhibit 1 might be named *G-1contract.pdf*. Defendant's Exhibit 1 might be named: *D-1email.pdf*.

A final exhibit list in Microsoft Word format must be separately emailed to Courtroom Deputy Kadya Peter at [Kadya\\_Peter@wawd.uscourts.gov](mailto:Kadya_Peter@wawd.uscourts.gov) **three (3) days** prior to the trial date. The exhibit list should contain the following columns: (1) Ex. #, (2) Description, (3) Authenticity, (4) Admissibility, (5) Objection, and (6) Admitted. *See* LCR 16.1 for a sample.

Each Party is responsible for having its original documents available at trial.

## **2. Admissibility and Admission of Evidence**

Exhibits or demonstratives to be used during opening statements shall be exchanged with sufficient advance notice such that any objections to them that cannot be resolved by the Parties shall be emailed to the Courtroom Deputy by **5 p.m. the Friday before the first trial day**.

Impeachment or rebuttal exhibits (those whose sole purpose is to attack a witness's veracity) need not be disclosed in advance, but they should be pre-marked, when possible, so that they will be immediately usable at trial without the need for labeling by the Courtroom Deputy. Counsel must be prepared to provide a copy of any such exhibit to opposing counsel and at least two (2) copies to the Court.

## **D. Criminal Jury Impanelment and Voir Dire**

This summary is provided to acquaint the Parties with the procedure for impaneling a criminal jury in Judge Lin's court.

## 1. Jury Composition

The jury will consist of twelve (12) members and at least two (2) alternates. The jurors will be the remaining panelists with the lowest numbers after all challenges have been exercised. The alternates will be selected by random drawing at the end of the case, just prior to the commencement of deliberations.

## 2. Voir Dire

### a) Submission of Proposed Voir Dire Questions

The general “sorting” voir dire questions used by the Court are posted at <https://www.wawd.uscourts.gov/judges/lin-procedures> and are meant to screen for hardship and familiarity with the case and/or witnesses. The Parties may submit for consideration additional proposed general sorting questions that can be answered with a “Yes” or “No” for the Court to ask the panel. Open-ended and multi-part questions are not appropriate for this portion of the voir dire. However, follow-up and any non-general sorting questions need not adhere to a particular format.

The Parties shall file a joint submission with (1) agreed-upon voir dire questions from the Court’s general voir dire; (2) any additional agreed-upon proposed sorting or general voir dire questions; (3) a chart of any disputed proposed voir dire questions that includes: (a) the proposed question; (b) any objection to the proposed question; and (c) the response to the objection. If any Party will be proposing a jury questionnaire, the proposed questionnaire, along with a joint statement including each Party’s position regarding the questionnaire, shall be filed. In addition to being filed on the docket, all of these documents must be submitted via email in Microsoft Word format to [linorders@wawd.uscourts.gov](mailto:linorders@wawd.uscourts.gov) and to Courtroom Deputy Kadya Peter at [Kadya\\_Peter@wawd.uscourts.gov](mailto:Kadya_Peter@wawd.uscourts.gov). If the Parties suggest changes to the Court’s general voir dire questions, they should also submit both clean and red-lined copies indicating any changes, deletions, or additions to those questions.

Counsel shall not ask any questions submitted to and rejected by the Court.

### b) Voir Dire Procedure

Before a jury panel is brought into the courtroom, Counsel will be given copies of the juror information forms. These forms contain basic information about each prospective juror. Counsel will also receive a list of prospective jurors in seating order. Each prospective juror will have been randomly assigned a juror number and will be seated according to that number.

The Court will briefly describe the case to the panel and will ask Counsel and any pro se litigants to introduce themselves and any clients present in court.

The Court will then conduct the initial voir dire examination consisting of general “sorting” questions. *See infra* Section II.D.2.a. These questions are asked of the entire panel, and any prospective juror whose answer would be “yes” or “probably yes” is asked to raise their juror number. The Court and Counsel may make note of any raised numbers for possible follow-up questions.

When the Court has finished asking questions of the entire panel, the Court will provide Counsel an opportunity for voir dire. Counsel for each Party may ask questions of the whole panel, individual prospective jurors, or both. However, each side (not each Party) is limited to time limits set by the Court at the pretrial conference.

### 3. Juror Challenges

After the Parties' voir dire is completed, the Court will send the panel on a break and then discuss with the Parties their juror challenges.

Generally, the Court uses the alternating method for peremptory challenges, starting with the Government. However, the Parties may request modifications to this procedure at the pretrial conference.

#### E. Jury Instructions

The Court recommends the latest version of the [Ninth Circuit Model Jury Instructions](#) as the preferred proposed instructions. The Parties shall submit a Joint Instructions and Joint Statement of Disputed Instructions ("Joint Instructions Statement"), and a proposed verdict form at least **twenty-one (21) days** before trial. The proposed joint instructions shall contain a chart of proposed instructions (*see* [Sample Criminal Jury Instructions Chart](#)) and contain two sections: (1) Agreed-Upon Instructions; and (2) Disputed Instructions. Each instruction shall begin on a new page. For Disputed Instructions, the proposed and alternate instruction shall be listed one after the other, with argument and authority for the instruction not to exceed **two (2) pages** for **each side** collectively per instruction (i.e., Co-Defendants must submit only one set together). To the extent any proposed instruction relates to and modifies a Ninth Circuit Model Jury Instruction, a red-lined version of the Model Instruction must be included with the submission.

The Court will discuss any disputed preliminary instructions at the pretrial conference and rule on them prior to trial. Each side will be permitted to put on the record any exceptions to the Court's instructions.

The Joint Instructions Statement and verdict form must be submitted via email in Microsoft Word format to [linorders@wawd.uscourts.gov](mailto:linorders@wawd.uscourts.gov) and to Courtroom Deputy Kadya Peter at [Kadya\\_Peter@wawd.uscourts.gov](mailto:Kadya_Peter@wawd.uscourts.gov).

Prior to opening statements, the Court will read the preliminary jury instructions aloud. Each juror will be given a set of instructions to keep with them throughout the trial.

At the conclusion of the evidence, the Court will prepare the final and controlling set of instructions with the Parties. The Parties will be given a second opportunity to take exceptions. The first set of instructions will be collected from jurors and the second, final set will be substituted and read to the jury before closing arguments. Each juror will be given a set of final instructions to use during deliberations.

#### F. Objections

"Speaking objections" in the presence of the jury will not be permitted. Counsel must stand when raising objections (unless an accommodation has been provided, *see infra* Section III.A and

should limit the objections to shorthand phrases such as “hearsay,” “lack of foundation,” “asked and answered,” etc. If additional discussion is needed, Counsel must request to approach the bench. Frequent or protracted bench conferences are discouraged.

Counsel requesting that an immediate jury instruction be given to the jury must provide the Court with the proposed text of the jury instruction.

### **G. Witnesses**

The rule on exclusion (sequestration) of witnesses will be in effect throughout the trial until the time of closing arguments and instructions. Other than Parties and their representatives, all witnesses must remain out of the courtroom except while testifying. After completion of their own testimony, a witness may remain in or return to the courtroom but cannot then be recalled. Counsel who desire a waiver of the rule with respect to a specific witness (for example, an expert) shall first discuss the matter with opposing Counsel and then present the request to the Court during the preliminary morning session prior to the start of trial on the particular day at issue.

Counsel shall instruct witnesses not to discuss their testimony with other witnesses, either before or after they complete their testimony.

Once the trial begins, witnesses will be considered “on call.” It is the responsibility of a calling party to ensure a witness’s presence. Except in extraordinary circumstances, the trial will not be recessed because a witness is unavailable. If alerted ahead of time, the Court will endeavor to accommodate witnesses with scheduling problems.

The use of an exhibit binder or courtroom technology for the presentation of evidence should obviate the need to approach the witness. Where Counsel seeks to impeach a witness by use of that witness’s prior deposition or other discovery materials, copies of the relevant document must be provided to the witness, the Court, and opposing counsel.

### **H. Deliberations**

Throughout jury deliberations, Counsel must remain within twenty (20) minutes of the courthouse so that the Court can expeditiously respond to any jury notes or a verdict. Counsel who choose not to remain in the immediate vicinity of the courtroom must provide the Courtroom Deputy with a telephone number where they can be contacted.

Unless Counsel object to this procedure, the jury will not be brought into the courtroom to be excused at the end of the day, nor for resumption of deliberations upon its return the following day. Instead, the Courtroom Deputy will excuse the jury from the jury room at the end of the day and collect all exhibits, notebooks, and verdict forms. These items will be returned to the jurors the next morning. Jurors will be reminded at each break and at the end of each day that they are not permitted to discuss the case with anyone.

**I. Issues Arising During Trial or After Court Hours**

Should an issue arise during trial after court hours, Counsel are instructed to meet and confer to see if the issue can be resolved without Court intervention. If such meet-and-confer efforts are unsuccessful, Counsel must notify Courtroom Deputy Kadya Peter of the issue by email at [Kadya\\_Peter@wawd.uscourts.gov](mailto:Kadya_Peter@wawd.uscourts.gov).

**III. COURTROOM DECORUM**

**A. Accommodations**

Counsel or other participants may request disability- or health-related accommodations to facilitate participation in any upcoming hearing, whether held virtually, in person, or in a hybrid format. Participants are encouraged to request accommodations as far in advance as possible by contacting Courtroom Deputy Kadya Peter by email at [Kadya\\_Peter@wawd.uscourts.gov](mailto:Kadya_Peter@wawd.uscourts.gov) or by telephone at (206) 370-8525.

**B. Cellular Phones, Laptops, and Other Electronic Devices**

Cellphones, laptops, and electronic devices are allowed inside the courtroom, but telephone ringtones and other functional sounds produced by devices must be disabled while in the courtroom. If your phone, laptop or tablet features a digital assistant (e.g., Siri), be sure to disable the voice-prompt or always-listening feature to avoid accidental courtroom interruptions. Individuals whose devices interrupt proceedings may be sanctioned.

**C. Standing and Speaking at the Podium**

If a jury is present in the courtroom, Counsel are required to stand when addressing the Court, a witness, or the jury, unless a disability- or health-related accommodation has been requested and granted (*see supra* Section III.A), or the necessity of such accommodation is readily apparent. As a general matter, Counsel will not be restricted to speaking at the podium for opening or closing arguments unless the Court, Court Reporter, a witness, other Counsel, or a juror indicates that they are unable to hear. However, Counsel shall stay at least five (5) feet back from the railing in front of the jury box and, to aid the Court Reporter, may be required to use a handheld microphone provided by the Court if leaving the podium.

Dated this 13th day of March, 2026.



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Tana Lin  
United States District Judge