

Proposed Revisions (Redline)

**Rule 317. Pre-Trial Requirements Issue Conference/Case Management Conference**

**A. Issue Conference**

An Issue Conference is required in all cases at least ~~10~~14 days ~~prior to~~before the date set for trial, at which time the parties ~~are to~~must meet and confer and ~~execute necessary~~exchange and/or ~~sign as applicable the~~ documents ~~as~~listed below. Plaintiff ~~or~~/Petitioner must arrange the Issue Conference at a mutually agreeable time and location.

At the Issue Conference the parties must:

1. ~~A.~~—Exchange exhibits and inspect photos and diagrams (to be submitted on the date of trial), excluding those ~~contemplated to~~that will be used only for impeachment or rebuttal.
2. ~~B.~~—Stipulate to all facts amenable to stipulation, and to the admission of and/or foundation for as many of the trial exhibits as possible.
3. ~~C.~~—Prepare a Joint Statement of the Case to be read to prospective jurors (Jury Trials only).
4. ~~D.~~—Prepare a Joint Witness List, excluding impeachment ~~or~~and rebuttal witnesses, with a brief description of who each witness is, and time estimates for the direct and cross-examination of each witness.
5. ~~E.~~—Prepare a Joint List of Controverted Issues, for all issues that are to be determined by the Court rather than by a jury. If all the parties fail to agree that an issue is uncontroverted, then the issue ~~is~~should be listed as controverted.
6. ~~F.~~—Exchange all motions in limine.
7. ~~G.~~—Discuss any proposed voir dire questions for the Court to include in its voir dire (Jury Trials only).
8. ~~H.~~—Execute a Statement of Compliance.

~~The parties must prepare courtesy copies for the Court of all trial briefs, exhibits, and voir dire questions. Trial exhibits (those which are or can be reduced to paper copies) must be contained in a separate notebook, together with an Exhibit List with columns for indicating whether the exhibits have been marked and entered.~~

~~Parties who file motions in limine are responsible for providing courtesy copies for the Court of all filings generated by their motions in limine. If a party files four or more such motions, these courtesy copies should be contained in three-ring binders with tables of contents~~

and separately numbered tabs for each motion and all papers related to that motion, including opposition and reply papers.

~~The Plaintiff or Petitioner is responsible for providing courtesy copies of the Joint Statement of the Case, the Joint Witness List, and the Joint List of Controverted issues.~~

~~The above items, including the courtesy copies referenced above, and the Statement of Compliance signed by all counsel and self-represented parties, must be submitted to the courtroom clerk in the department of the judicial officer to whom the case has been assigned for trial filed no later than noon of the Friday/Wednesday before trial.~~

~~Failure to conduct the issue conference as required may result in sanctions pursuant to Rule 381.~~

~~At the discretion of the assigned judicial officer, a case management Pre-Trial Conference may be scheduled in lieu of or in addition to the Issue Conference.~~

## **B. Joint Trial Notebook**

By noon on the Wednesday before trial, the parties must deliver to the clerk in the trial department, for the Court, a tabbed three-ring Joint Trial Notebook that contains all of the following items, if applicable. Separate notebooks must be used if any notebook will be more than 3" thick. The Trial Notebook is a courtesy copy for the Court's use and does not relieve the parties of their obligation to electronically file all trial-related documents.

1. Table of Contents.
2. Copies of the operative pleadings (including the operative complaint, answers, cross-complaints, if any, and answers to cross-complaints).
3. Joint Statement of the Case (Jury Trials only).
4. Joint Witness List, with the information set forth in Rule 317A(4), above. Two separate courtesy copies of the Joint Witness List must also be provided to the Clerk.
5. Stipulations of fact, exhibit admissibility and/or foundation, or of anything else relevant to the trial.
6. Joint List of Controverted Issues, as set forth in Rule 317A(5), above.
7. Joint Exhibit List, with columns for indicating whether the exhibits have been marked and entered. Two separate courtesy copies also must be provided to the Clerk.
8. Proposed Jury Instructions, including all stipulated instructions, non-stipulated instructions proposed by each party, and all proposed special instructions. A

separate courtesy copy must also be provided separately to the Court. (Jury Trials only.)

9. Proposed Verdict Forms (Jury Trials only).

10. Any Trial Briefs.

11. Any Proposed Voir Dire Questions for the Court to include in its voir dire (Jury Trials only).

12. Any motions in limine exchanged at the issue conference, along with all then-filed oppositions and replies thereto.

**C. Exhibit Notebooks; Motion in Limine Notebooks**

On the date set for trial, the parties also must bring with them:

1. Two complete sets of Joint Exhibit Notebooks, not to exceed 3” each. The original set will be for the witness, pre-marked with Court Exhibit tags, and one set will be for the Court. Each exhibit must be marked with a discrete number and must be accurately identified on the Joint Exhibit List.

2. For all opposed motions in limine, a separate notebook containing those Motions in Limine, grouping together all documents relevant to each motion in order (motion followed by opposition and any reply).

Failure to conduct the Issue Conference, submit a Joint Trial Notebook, or comply with any other provisions of this rule as required may result in sanctions pursuant to Rule 381.

*(Local Rule 317 revised effective January 1, 2020)*