

LCRLJ 40
CIVIL TRIAL SETTINGS, PRE-TRIAL/SETTLEMENT CONFERENCES,
CONFIRMATION HEARINGS

(a) Civil Trial Settings

(1) After the defendant's answer has been filed, any party may request the court set the matter for trial.

(2) To request that the court schedule the matter for trial, the party so requesting may utilize the Note for Civil Trial Setting form, filing the original with the court and serving a copy upon all other parties.

(3) Demand for a jury trial must be made no later than five (5) days after the Note for Civil Trial Setting is served. The party filing the demand shall at the time of filing pay the required jury fee and indicate by affidavit that the jury demand was served on all parties.

(4) Upon receipt of jury demand, the plaintiff shall, within fourteen (14) days, initiate a telephone conference call with the district court civil clerk and the defendant to set the trial date and settlement conference date.

(5) Whenever any case set for trial is settled (other than at settlement conference), or will not be tried for any reason, notice of that fact shall be given immediately to the court. If notification is not given by 48 hours prior to the time of the trial, the court in its discretion may order any party to pay terms.

(b) Continuances

(1) Stipulations. Once a trial has been scheduled, the court will grant a continuance upon written stipulation of the parties filed within two (2) weeks of the date of issuance of the notice. The stipulation shall set forth a date certain for trial, obtained from the Calendar Coordinator.

(2) Motions. Any other request for continuance shall be presented by motion after notice to all parties at a date and time to be scheduled by the Calendar Coordinator. The court shall grant a continuance only upon a showing of good cause.

(3) Terms. If a continuance is granted it may be upon the

condition that the moving party pay all appropriate costs, including but not limited to attorney fees, witness fees and other costs directly related to the continuance.

(c) Pre-Trial / Settlement Conferences

Whenever a demand for jury trial has been filed in a civil case, the case will be set for a Settlement Conference / Pre-Trial, approximately ninety (90) days prior to the trial date. All parties, their attorneys, and a person with authority to consent to settlement for each party shall be present at this hearing. A settlement conference shall be conducted first. If settlement is not reached, the case will proceed immediately to Pre-trial.

All discovery pursuant to CRLJ 26 (a) - (c) shall be completed prior to this conference.

At Pre-trial, the judge will enter a Pre-trial Order stating the nature of the claim and defense, witnesses and exhibits anticipated by each party, any additional discovery authorized by the court and timelines for its completion and any pre-trial motions to be set.

(d) Confirmation Hearing

A confirmation hearing shall be set within one week prior to trial. All trial briefs, proposed jury instructions and any remaining pre-trial motions or motions in limine shall be filed with the court seven (7) days prior to the confirmation hearing.

Adopted June 26, 2002 [Effective September 1, 2002]
