

Rule *200. Trial Readiness.

[Rescinded]

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- (1) *Application.* This Local Rule shall apply to all civil actions requiring a Cover Sheet pursuant to Rule 205.5, excluding cases commenced by Petition, Declaration of Taking, Zoning Appeals, and appeals from the Board of Assessment Appeals and other local agencies.

For cases filed on or after January 1, 2019 which were temporarily exempted from the then-effective version of this Rule by the Judicial Emergency Order dated November 24, 2020, an Order will be issued revoking such temporary exemption. For purposes of transition to the current version of this Rule, the Court shall issue new Case Management Orders as appropriate for cases commenced between January 1, 2019 and the effective date of the current Rule. Nothing in this Rule shall affect any Case Management Order in effect as of the effective date of the current Rule.

- (2) Nothing in this rule shall relieve the parties from the duty to move a civil action forward expeditiously, including, but not limited to:

- a) Prompt commencement and completion of fact discovery from the commencement of any civil action subject to this local rule;
- b) Exchange of expert reports and curricula vitae of said experts, or answers to expert interrogatories;
- c) The timely filing of dispositive motions.

- (3) *Arbitration Cases.* Except for cases excluded by paragraph (1) above, this paragraph applies to every civil action requiring a Cover Sheet pursuant to Rule 205.5, whereon the filing party indicates that the action is subject to compulsory arbitration.

- a) Approximately 60 days after the commencement of the action (or after the transfer of the action from another jurisdiction), the Court Administrator shall issue a Case Management Order setting deadlines for the close of fact discovery approximately 9 months from commencement; the service of Plaintiffs' expert reports approximately 10 months from commencement; the service of Defendants' and Additional Defendants' expert reports approximately 11 months from commencement; and the filing of dispositive motions approximately 12 months from commencement. The Order shall direct Plaintiffs to serve a copy of the Order immediately upon any party that is subsequently served with process or joined in the action and any attorney that subsequently enters an appearance for such a party. The Order shall provide that the action shall be added to the Court's Arbitration Inventory promptly after the deadline for filing dispositive motions if no timely dispositive motion is filed or promptly after the determination of all timely filed dispositive motions. Parties may

obtain an earlier listing for arbitration hearing by filing a praecipe under Local Rule 1302*(b)(1).

b) Upon the filing of an appeal from an arbitration award, the case shall be added to the Court's Civil Trial Inventory approximately 90 days from the filing of the appeal.

(4) *Non-Arbitration Cases.* Except in cases excluded by paragraph (1) or covered by paragraph (3) above, approximately 60 days after the commencement of the action (or after the transfer of the action from another jurisdiction), the Court Administrator shall issue a Case Management Order setting deadlines for the close of fact discovery approximately 18 months from commencement; the service of Plaintiffs' expert reports approximately 19 months from commencement, the service of Defendants' and Additional Defendants' expert reports approximately 20 months from commencement, and the filing of dispositive motions approximately 21 months from commencement. The Order shall direct Plaintiffs to serve a copy of the Order immediately upon any party that is subsequently served with process or joined in the action and any attorney that subsequently enters an appearance for such a party. The Order shall provide that the action shall be added to the Court's Civil Trial Inventory promptly after the deadline for filing dispositive motions if no timely dispositive motion is filed or promptly after the determination of all timely filed dispositive motions. Parties may obtain an earlier listing for trial by filing a praecipe under Local Rule 212.1*(d).

(5) *Stipulations to Expedite Deadlines.* Prior to the issuance of a Case Management Order, the parties may file a Stipulation, subject to approval of the Court, for entry of a Case Management Order that sets deadlines *earlier* than the standard Order that would issue under paragraph (3) or (4) above. After the issuance of a Case Management Order, the parties may file a Stipulation, subject to approval of the Court, that advances any or all of the deadlines in the Case Management Order to *earlier* dates. A Stipulation that purports to *extend* any deadlines in a Case Management Order shall not be filed and, if filed, shall be of no force or effect.

(6) *Special Management Cases.*

a) If an action is unusually complex or presents unusual circumstances that would make it impractical to comply with the standard deadlines, any party may file a Motion to Designate Case for Special Management. Such Motions are not favored and will be granted only upon a compelling showing of need. Circumstances that *may* support such a Motion include, but are not limited to, an unusually large number of parties; the need for an unusually broad or complex scope of discovery that cannot be completed by the standard deadline; complex legal issues that require specially phased discovery; and the need to stay a case pending the outcome of a related case. The Motion should include the position of other parties, to the extent practical. Any such Motion should be filed as soon as it becomes apparent that special management is required and need not await the issuance of a standard Case Management Order. Undue delay in filing a Motion may be grounds in itself for denial of the Motion.

b) Any other party may file a response within 15 days of the filing of the Motion.

- c) If the Motion is granted, the case shall be referred to a Civil Case Management Hearing Officer, who shall promptly convene a conference with counsel and thereafter submit to the Court a recommendation on a Case Management Order tailored to the particular needs of the case. Upon reviewing the recommendation, the Court will then issue a Case Management Order, which will supersede any standard Case Management Order previously issued by the Court Administrator.
- (7) *Motions for Extraordinary Relief.* Any extension of a deadline set forth in a Case Management Order under this Rule (or an Order under Local Rule 212.1*(d)(4)) may be obtained only through a Motion for Extraordinary Relief. The Motion shall set forth the reasons for the requested relief and the reasons that the current deadlines cannot be met despite diligent effort. Any party opposing the Motion shall have 15 days in which to respond, after which time the Court will enter an appropriate order.
- (8) *Transfer to or from Arbitration Track.* At any time prior to a trial or arbitration hearing, a party may file a motion for transfer to another track or the parties may stipulate to a transfer, subject to Court approval. The Court can also, sua sponte, order the transfer of a case from one track to another. In the event of a transfer from the arbitration track to the non-arbitration track, the Court Administrator, upon written request of any party, shall issue a new Case Management Order consistent, as much as possible, with the deadlines in paragraph (4) above.

Comments:

1. Zoning Appeals cases shall proceed pursuant to Local Rule 14;
2. Board of Assessment Appeal cases shall proceed pursuant to Local Rule 920;
3. Asbestos cases shall proceed pursuant to Local Rule 1041.1;
4. All cases involving title to real estate and equity cases are considered “Non-Arbitration Cases.”
5. See Local Rule 208.3(b) (2) for the time limit on filing any motion to compel discovery.