

PRESIDING JUDGE BROWN BAG
NEW CIVIL CASE MANAGEMENT SUPPLEMENTARY LOCAL RULES
Noon August 25, 2011

A committee of circuit court judges developed a set of three new Supplementary Local Rules which are the base for a significant change in civil case management in the Fourth Judicial District. This new approach to civil case management will be implemented for cases filed on or after February 1, 2012, with the effective date of the new rules. Cases filed prior to February 1, 2012, will continue to be managed under the existing Supplementary Local Rules for motion practice and trial setting.

This new approach to civil case management was developed by Judges Henry Kantor, Marilyn Litzenberger, Judith Matarazzo, Adrienne Nelson and Janice Wilson. The new rules are based on their own research on best practices in state and federal courts and also based on discussions with members of the civil bar on best practices for the management of civil actions from the attorney's point of view. The judges of the circuit court approved these rules and the approach instituted by the rules for the management of civil actions in the circuit court.

The three new rules are:

“2.011 CIVIL CASE MANAGEMENT COVER SHEET

In civil actions, except small claims, FED, family law, juvenile, protective proceedings or probate cases, any complaint or petition initiating an action shall be accompanied by a Civil Case Management Cover Sheet.

- (1) The cover sheet shall identify:
 - (a) All parties plaintiff/petitioner and defendant/respondent;
 - (b) Any related cases pending in the Fourth Judicial District (Multnomah County Circuit Court) and their case numbers;
 - (c) Contact information for plaintiff/petitioner's attorney, including:
 - (i) Name, mailing address, phone number and OSB number;
 - (ii) Email address for all court-generated electronic notices; and,
 - (d) The type of case, selected from a list provided by the court on the Cover Sheet form.
- (2) The cover sheet, if so indicated, will serve as notice of a change of address pursuant to UTCR 2.010(14);
- (3) A form of Civil Case Management Cover Sheet is available from Presiding Court and in Room 210 of the courthouse.”

“7.011 INITIAL CIVIL CASE MANAGEMENT CONFERENCE

- (1) This rule applies only to civil actions filed on or after February 1, 2012, except small claims, FED, family law, juvenile, protective proceedings or probate cases.
- (2) The parties in all civil cases subject to this rule must participate in an initial case management conference unless the case has been dismissed, transferred to arbitration, to the Expedited Civil Jury Trial Program or to a special assignment, unless the Presiding Judge or his/her designee otherwise directs. The purpose of this conference is to facilitate case management.

(3) The court will send notice of the initial case management conference to all counsel or self-represented litigants who have appeared in the case. The notice will announce the date for the conference and list the information to be provided by the parties. Counsel for a party that has not yet filed an appearance is expected to participate in the conference but does so without waiving any rights of the party, including the right to challenge personal jurisdiction. Plaintiff/Petitioner is required to forward a copy of the notice to all non-appearing parties who have been served. The parties will appear by phone unless the court otherwise indicates.

(4) At the conference, the court and counsel will select an appropriate track for the case and an SLR 7.015 Trial Readiness Case Management Conference date will be set, if appropriate.

(5) A form of the Initial Case Management Order is available from Presiding Court and in Room 210 of the courthouse.”

And,

“7. 015 TRIAL READINESS CIVIL CASE MANAGEMENT CONFERENCE

(1) This rule applies only to civil actions subject to SLR 7.011.

(2) The parties in all civil cases must participate in a trial readiness case management conference unless the case has been dismissed, transferred to arbitration, to the Expedited Civil Jury Trial Program or to a special assignment, unless the Presiding Judge or his/her designee otherwise directs. The court will not generate a trial date in these cases without conferring with the parties and there will be no “regular course” trial date postponements. The purpose of this conference is to facilitate the selection of a firm trial date and to assess readiness for trial.

(3) Thirty five days prior to the conference the Court will send notice to all counsel or self-represented litigants who have appeared in the case. The notice will announce the date for the conference and instruct the parties to come prepared with three agreed upon trial dates within the “time to trial” guidelines as set by the court. The court will then set the trial date. Any request for a postponement of the trial date selected at the trial readiness conference must be presented as provided in SLR 7.035 (2) (f) and will not be granted without a showing of good cause.

(4) The parties will appear by phone unless the court otherwise indicates.”

CIVIL CASE MANAGEMENT SHEET
(Not for Small Claims, FEDs, Family Law, Protective Proceedings or Probate Matters)

PARTIES:

Plaintiffs:

Defendants:

Related cases in Multnomah County Circuit Court (case **number(s)**):

PLAINTIFF ATTORNEY:

Name: _____ OSB Number: _____

Phone Number: _____

Address: _____

If this is not your current address in OJIN, check the box if you wish this to serve as notice of a change of address pursuant to UTCR 2.010(14). THE COURT DOES NOT COORDINATE WITH THE OREGON STATE BAR REGARDING CHANGES OF ADDRESS – SEPARATE NOTICE TO THE COURT IS REQUIRED.

Email address **FOR ALL COURT-GENERATED NOTICES:** _____

TYPE OF CASE (check ONE):

Tort and Employment

- | | |
|---|--|
| <input type="checkbox"/> Motor vehicle (including (UM & UIM))

<input type="checkbox"/> Product liability
<input type="checkbox"/> Wrongful Death
<input type="checkbox"/> Negligence
<input type="checkbox"/> Professional negligence
<input type="checkbox"/> Defamation
<input type="checkbox"/> Fraud
<input type="checkbox"/> Intentional injury to property (including nuisance and trespass) | <input type="checkbox"/> Intentional personal injury (including assault, battery, false arrest, intentional infliction of emotional distress)
<input type="checkbox"/> Employer liability (ELL)
<input type="checkbox"/> Employment discrimination/wrongful discharge
<input type="checkbox"/> Wage and hour
<input type="checkbox"/> Employment contract
<input type="checkbox"/> Other (specify): _____ |
|---|--|

Contract (other than employment)

- Collections (consumer credit)
- Insurance
- Negotiable instrument
- Shareholder suit
- Other (specify): _____

Real Property

- Quiet Title
- Condemnation/Eminent Domain
- Foreclosure
- Specific Performance
- Other (specify): _____

Other

- | | |
|--|---|
| <input type="checkbox"/> Declaratory Judgment/Injunctive Relief
<input type="checkbox"/> Intellectual property
<input type="checkbox"/> Other (specify): _____ | <input type="checkbox"/> Elder Abuse
<input type="checkbox"/> Interpleader (ORCP 31) |
|--|---|

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY**

Plaintiff)	Case No. _____
)	
v.)	INITIAL CASE MANAGEMENT ORDER
)	
Defendant)	
)	

To facilitate the efficient and effective management of this case, the court orders:

___ On stipulation of the parties, the case is designated an **Expedited Civil Jury Case** and is assigned to Judge _____ . (See Expedited Civil Jury Case procedures.)

___ The case is assigned to **arbitration**. The case shall proceed under the rules for court-annexed arbitration (SLR chapter 13). Arbitration must occur within 120 days of the date of this order.

___ The parties will ask the Presiding Judge for **complex case designation**. The presiding judge will conduct a conference on the request on _____ at _____ pm.

___ The case will be heard in the **regular track**.

All pretrial motions will be heard by Judge _____

A trial readiness conference will be held and a trial date will be set on _____ at _____ am/pm.
Absent extraordinary circumstances, trial will be held by _____ (12 months from the filing of the complaint).

Dated: _____

Judge