

CHAPTER 8
MANDATORY SETTLEMENT CONFERENCES AND TRIALS

Rule 5.8.1

Mandatory Settlement Conference (MSC).

A. Setting MSC Date. The MSC will be set only when all parties and/or their attorneys have completed, signed and filed the *Joint Readiness Declaration–Mandatory Settlement Conference* (form SDSC D-274).

B. Settlement Conference Brief and Supporting Documents.

1. Unless otherwise ordered by the court, a settlement conference brief with all supporting documents is mandatory. The optional form *Mandatory Settlement Conference Brief* (form SDSC D-241) is available for use or guidance.

2. Each party must include a proposed division and value of assets and debts which can be satisfied by providing a copy of the party's final *Schedule of Assets and Debts* (form FL-142).

3. When there are financial issues, each party must include a current *Income and Expense Declaration* (form FL-150) and attach the documents specified in the form.

4. The settlement conference brief and all attachments must be exchanged between the parties and served on the assigned settlement conference attorney in a manner that ensures they are received no later than 4:00 p.m., three court days before the MSC, unless otherwise ordered by the court.

C. MSC Confirmation. No later than 10 calendar days before the scheduled MSC, parties must call the court to confirm that the MSC will go forward and to receive the name and address of the settlement conference attorney.

D. Continuances and Sanctions. An MSC may be continued only by court order, requested at least five court days before the scheduled date for the MSC. Failure to timely request a continuance, for any reason, other than the settlement of the entire case, is good cause for imposing sanctions.

E. Personal Appearance and Sanctions. All parties must personally appear at the MSC unless excused in advance by the court. Failure to personally appear at the MSC is good cause for imposing sanctions.

(Adopted 2005; Rev. 2006; Rev. 1/1/2007; Rev. 1/1/2008; Rev. 1/1/2009; Rev. 1/1/2010; Rev. 1/1/2011; Rev. 1/1/2012; Rev. & Renum. 1/1/2013; Rev. 1/1/2014; Rev. 1/1/2015; Rev. 1/1/2016; Renum. 1/1/2017; Rev. 1/1/2018)

Rule 5.8.2

Trial Setting. All trial related dates and procedures, including but not limited to, discovery cut-off dates, designation of expert witnesses, trial briefs, motions in limine, and witness lists will be as ordered by the court. (Adopted 1/1/2017)

Rule 5.8.3

Trial Exhibits. Absent a separate court order, all exhibits must be filed or lodged in accordance with Rule 5.5.5 above. (Adopted 1/1/2017)