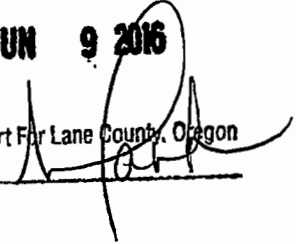


FILED
AT 10³⁰ O'CLOCK M

JUN 9 2016

Circuit Court For Lane County, Oregon
BY 

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LANE COUNTY

ESTABLISHMENT OF THE LANE
COUNTY CIRCUIT COURT
STREAMLINED JURY TRIAL
PROJECT

61-01-04610

GENERAL ORDER

Pursuant to Uniform Trial Court Rule 5.150, IT IS HEREBY ORDERED that the Lane County Circuit Court shall establish a Streamlined Jury Trial Project effective July 1, 2016. The Streamlined Jury Trial Project rules and practices are set forth in the attached draft supplementary local rule.

6/9/16



Karsten H. Rasmussen

5.151 LANE COUNTY CIRCUIT COURT STREAMLINED JURY TRIAL PROJECT

(1) **ELIGIBILITY:** Except as provided in subsections (a) and (b) of this section, civil cases in which the only relief sought is recovery of money damages not exceeding \$100,000, exclusive of attorney fees, costs, disbursements and interest, are included in the Streamlined Jury Trial Project (SJTP). This rule does not apply to consumer collections, foreclosure, domestic relations, probate, or cases filed in the Small Claims Department.

(a) All parties must be represented by counsel or the case will be excluded from the SJTP.

(b) A party may serve and file a timely notice to remove the case from the SJTP. Removal is automatic subject to the following:

(i) A plaintiff must file the notice within thirty (30) days of the filing of the action or, if a counterclaim is asserted, within fourteen (14) days of the filing of the counterclaim.

(ii) A defendant or third party defendant must file the notice with that party's first appearance.

(iii) A party must state the reason for removal in the notice.

(iv) After the time for filing the notice has expired and no later than the trial date, a party may by motion request that the case be removed from the SJTP for good cause shown related to a new development that could not have been previously identified.

(2) For all cases subject to the SJTP, the filing party must place in the title of a pleading (including a claim, counterclaim, cross claim, and third-party claim): "SUBJECT TO STREAMLINED JURY TRIAL PROJECT".

(3) Each case assigned to the SJTP shall be exempt from mandatory arbitration, pursuant to ORS 36.405(2)(a), and from all court rules requiring mediation, arbitration, and other forms of alternative dispute resolution.

(4) For each case assigned to the SJTP, the court shall set a trial date as provided by UTCR 7.020 with a case status conference within 45 days of the date the court issues the Ready for Trial Notice. The trial date shall be set within eleven months of the case initiation date.

(5) **PRETRIAL PROCEDURE:** Unless otherwise agreed to by the parties or upon order of the court for good cause shown:

(a) Each party must provide to all other parties within 30 days of the date the court issues the Ready for Trial Notice:

- (i) The names and, if known, addresses and telephone numbers of all persons, other than expert witnesses, likely to have knowledge that the party may use to support its claims or defenses, unless the use would be solely for impeachment.
 - (ii) A copy of all unprivileged ORCP 43 A(1) documents and tangible things that the party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.
 - (iii) A copy of all insurance agreements and policies discoverable pursuant to ORCP 36 B(2).
- (b) Except for good cause shown and approval by the court, no party shall:
- (i) Take more than four hours of depositions.
 - (ii) Serve more than one set of requests for production.
 - (iii) Serve more than one set of requests for admission.
 - (iv) File a pretrial motion, including a motion for summary judgment, absent prior leave of the court.
- (c) All discovery requests must be served no later than 60 days before the trial date.
- (d) All discovery must be completed no later than 21 days before the trial date.
- (e) Before filing a motion to compel, motion for a protective order, or any other discovery motion, the parties must contact the motions judge by telephone and request assistance in resolving the dispute. The motions judge may resolve the dispute informally, without requiring the parties to file a written motion or scheduling a hearing.
- (f) A party's failure to request or respond to discovery is not a basis for that party to seek postponement of the trial date.
- (6) TRIAL PROCEDURE: The Oregon Rules of Civil Procedure (ORCP), Oregon Evidence Code (OEC) and Uniform Trial Court Rules (UTCRC) apply to cases under the SJTP. However, the parties shall consider modification of these rules to expedite the trial and reduce the costs of litigation, including;
- (a) Stipulation to a six or eight person jury.
 - (b) Stipulation to the admissibility of documents such as those described in UTCRC 13.190.
- (7) The court will discuss trial procedure and modification of trial procedure and rules of evidence at the case status conference set pursuant to subsection (4) of this rule.