

**{5.151 STREAMLINED CIVIL TRIALS WITH AMOUNTS IN CONTROVERSY
BETWEEN \$50,000 AND \$250,000. (New SLR)}**

- (1) **Except as provided in subsection (3) of this rule, a civil case in which the only relief is recovery of money damages exceeding \$50,000 but not exceeding \$250,000, exclusive of attorney fees, costs, disbursements and interest, are assigned to the Streamlined Trial Project (STP).**
- (2) **A plaintiff who files a civil case that is subject to being assigned to the STP shall state in the caption "SUBJECT TO THE STP."**
- (3) **The following cases are excluded from the STP:**
 - (a) **Any case in which one or more parties will not be represented by counsel; and**
 - (b) **Any case in which one of the parties serves and files a timely notice to remove the case from the STP pursuant to subsection (4) of this rule.**
 - (i) **A notice to remove from any party must be filed within thirty (30) days of the filing of a defendant's or any third-party defendant's first appearance, whichever is latest.**
 - (ii) **After the time for filing a notice to remove the case from the STP has expired and no later than 21 days before trial, a party may, based on new facts and for good cause, file a motion with the Presiding Judge or designee requesting that the case be removed from the STP.**
- (4) **A party seeking to remove a case from the STP pursuant to subsection (3) of this rule must:**
 - (a) **Confer with opposing counsel and with the attorney's client about the reasons for removal;**
 - (b) **File and serve a notice that is substantially in the form prescribed by the court. (See Notice to Remove Case From Streamlined Trial Project,, Forms Appendix)**
 - (c) **Specify in the notice the reasons for removal; and**
 - (d) **If requested by the court, the attorneys and their clients shall meet with the Presiding Judge or designee to discuss the reasons for removing the case from the STP.**
- (5) **For cases assigned to the STP, the court shall:**
 - (a) **Assign a motions judge to the case pursuant to SLR 5.014.**

- (b) Set a trial date at a Trial Readiness Case Management Conference pursuant to SLR 7.015.
- (i) The trial date shall be within one year of the filing of the action, unless the parties otherwise agree and the court finds good cause for setting a later trial date.
 - (ii) Trial dates will be set at the Trial Readiness conference and will be considered “firm” trial dates.
 - (iii) A party’s failure to complete discovery is not a basis for seeking a postponement of the trial date.
- (6) Unless the parties otherwise agree or the court orders for good cause shown, the parties in an STP case shall be subject to the following discovery requirements and limitations:
- (a) Within four weeks after the last date for removal from the STP, without the necessity of a discovery request, each party shall disclose and produce the following:
 - (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) Absent agreement or prior court order, each party shall be subject to the following discovery limitations:
 - (i) two depositions per party;
 - (ii) one set of requests for production of documents per party; and
 - (iii) one set of requests for admission per party.
 - (c) Absent agreement or prior court order, the parties shall serve all discovery requests no later than 60 days before the trial date, and complete all discovery no later than 21 days before trial.

- (d) **Before filing a motion to compel, motion for a protective order, or any other discovery motion, the parties shall 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.**
- (7) **For cases assigned to the STP, a party shall not file any pretrial motions under ORCP 21 or 47 without prior order of the court for good cause shown.**