

LOCAL RULE 20

FLOW CHART OF CIVIL CASE

20.1 Case filed with the Clerk's Office: About sixty (60) days from the filing date of the complaint, the plaintiff's attorney will have a phone status with Assignment Commissioner to check on service or other issues germane to the case at that stage.

20.2 When Service is Completed:

- A. The party being served has twenty-eight (28) days to answer the complaint
 - (1) Motion for Extension of time to plea can be filed;
 - (2) Motion for Mediation may be filed; or
 - (3) The parties may work on some kind of agreement with the plaintiff. (Ex. Loan modification or payment arrangements).
- B. The party may choose not to file an answer. Default Judgment may then be granted without hearing unless the damages are un-liquidated.

20.3 When Service is not completed: The case will be set for phone status with the Assignment Commissioner to review plaintiff(s) effort at perfecting service.

20.4 Answer

- A. Answer is filed: The case can be set for any of the following hearings
 - (1) Phone status; or
 - (2) Scheduling ConferenceThe following deadlines will be set at the scheduling conference:
 - a. Amending Pleadings
 - b. Motions to Join New Parties
 - c. Plaintiff(s) experts to be disclosed
 - d. Defendant(s) experts to be disclosed
 - Disclosures shall include identity and a report of the expert(s) opinion on the issues relevant to the particular case.
 - e. Written certification that all discovery has been completed
 - f. Telephone Report which plaintiff shall initiate
 - g. Motions for Summary Judgment and other dispositive motions
 - Responses shall be filed fourteen (14) days later
 - Replies seven (7) days thereafter
 - h. Oral/non-oral arguments regarding Summary Judgment
 - i. Formal pre-trial before the Judge, all counsel to be present
 - Fourteen (14) days prior to the formal pre-trial, counsel shall submit formal pre-trial statements.
 - j. Final pre-trial before the Judge, counsel to be present
 - k. Jury Instructions due:
 - Fourteen (14) days prior to the final pre-trial dateObjections to Jury Instructions due: (in writing)
 - Seven (7) days prior to the final pre-trial date.Exhibits:

- shall be exchanged Fourteen (14) days prior to the final pre-trial date, with a copy to the Court
- Exhibits not exchanged may result in the Court denying their admission.

Objections to Exhibits due:

- Seven (7) days prior to the pre-trial, with a copy to the Court
- Failure to object to exhibits may be deemed admissible.

l. Jury Trial/Court Trial Date

m. Request for a Continuance:

- Must be submitted in writing no less than Sixty (60) days prior to trial date.
- All dates set forth herein by the Scheduling Order may be extended only by leave of the Court. Failure to comply with the Scheduling Order may result in sanctions.

(3) Pre-trial

B. No Answer filed: The plaintiff can move for Default Judgment

(1) On some cases the Court might have to set the case for a hearing on damages after the Court has ruled on the Default Motion.

(2) The party being awarded judgment can pursue collection on the Judgment. (Ex. Garnishment)

(3) If the case is a foreclosure, plaintiff will need to submit a praecipe for order of sale with an approved legal description to the Court.

a. Order of Sale is issued to the Sheriff's Department after Judgment is granted on a foreclosure case.

b. Confirmation of Sheriff's Sale (completely closes the case) is to be received Thirty (30) days from sheriff sale date.

20.5 Dismissals/Settlements – If counsel or parties advise the Court that a case has been settled, the dismissal or Settlement Entry shall be due in thirty (30) days or an early time designated by the Court.