Civil Practice and Trial Procedure

The Court's requirements and standard practices for civil practice are detailed in the following sample orders:

- Sample Order to Attend Scheduling Conference and Notice of Requirements for Submission of Discovery Plan
- Sample Case Management Requirements and Scheduling Order

Scheduling Conferences & Scheduling Orders. If an answer is filed, the Court reviews the parties' Fed.R.Civ.P. 26(f) report and either issues a scheduling order or an order to appear for a scheduling conference. If a motion to dismiss is filed, the Court may or may not issue a scheduling order or convene a scheduling conference. At or immediately after a scheduling conference, the Court issues a scheduling order.

The Court also schedules settlement conferences and joint final pretrial conferences in every civil case. The Court may convene additional conferences as necessary.

Final Pretrial Conference. Trial counsel and all parties who are (i) natural persons; (ii) a representative with full and final settlement authority on behalf of each party that is not a natural person; (iii) a representative with full and final settlement authority on behalf of each insurance carrier that has undertaken the prosecution or defense of the case and/or has contractually reserved itself the right to settle the action; and/or (iv) a representative authorized to act on behalf of each party that is a governmental entity must be present at the Final Pretrial Conference **and** have settlement authority.

Joint Final Pretrial Orders. The Joint Final Pretrial Order must be submitted electronically through CM/ECF no later than two (2) weeks before the date of the Final Pretrial Conference. The Joint Final Pretrial Order shall **strictly comply** with the requirements of Local Rule 16.2.

Joint Bench Book. The parties shall submit a Joint Bench Book and a courtesy copy of exhibits to the Court no later than one (1) week prior to the Final Pretrial Conference. Requirements for the contents of the Joint Bench Book will be included in the Case Management Requirements and Scheduling Order.

Exhibits. Counsel are required to mark all proposed exhibits in advance of trial and keep track of all admitted exhibits during trial. Counsel must confer and maintain one set of admitted exhibits to be turned over to the jury prior to closing jury instructions. The provisions of Federal Rule of Civil Procedure 37(c)(1) will apply for failure to list an exhibit.

Jury Instructions. Parties are to meet and confer prior to trial to prepare final jury instructions. Stipulated final jury instructions (as well as disputed instructions) are to be submitted to the Court no later than one (1) week prior to the Final Pretrial Conference. Parties are responsible for electronically filing a copy of the Final Jury Instructions on the docket after the Final Pretrial Conference. Parties are advised to consult Federal Jury Practice and Instructions (available on Westlaw) or Modern Federal Jury Instructions (available on Lexis), and to the extent that Michigan law governs, the Michigan Civil Jury Instructions.