

H10

**DO NOT
FILE THIS
PAGE OR**

**PROPOSED
SCHEDULING
ORDER**

SELF-SERVICE CENTER

INSTRUCTIONS:

HOW TO FILL OUT THE FORM “PROPOSED SCHEDULING ORDER”

USE THIS FORM ONLY if:

- ✓ You are involved in a Civil action, but NOT the following civil actions; and
 - Medical malpractice case;
 - Case subject to compulsory arbitration under Rule 72(b)
 - Case designated as complex under ARCP Rule 72(b)
 - Cases seeking the following relief:
 - Change of name;
 - Forcible entry and detainer;
 - Enforcement, domestication, transcript or renewal if a judgment;
 - An order pertaining to a subpoena sought pursuant to Rule 45.1(e);
 - Restoration of Civil rights;
 - Injunction against harassment or workplace harassment;
 - Delayed birth certificate;
 - Amendment of birth certificate or marriage license;
 - Civil forfeiture;
 - Distribution of excess proceeds;
 - Declarations of factual innocence under Rule 57.1 or factual improper party status under Rule 57.2;
 - Review of a decision of an agency or court of limited jurisdiction; and
- ✓ There has been a petition/complaint **and** an answer/response filed in your case, and
- ✓ One (or more) parties is represented by a lawyer – and you are **not**, and
- ✓ Your case is a “Standard” case, meaning that your case is not eligible for management as an Expedited or Complex case; and
- ✓ You have read Rule 16, Arizona Rules of Civil Procedure, and are aware of the timed deadlines.

STEP 1: FILL OUT THE “PROPOSED SCHEDULING ORDER” form

A. GENERAL INSTRUCTIONS

1. Type or print using **black ink only**.
2. Make sure your form is titled “*Proposed Scheduling Order*” – “*Standard Case*”
3. In the top left corner of the first page fill in the information requested.
4. Blank line on left side: “**Name of Plaintiff.**” In this space, put the name of the party who filed the original case. If the **other** party filed the original case, he/she will be the Plaintiff. In the space that says “Name of Defendant,” fill in the name of the Defendant. Whoever was the Defendant for the filing of the original case will be the Defendant for **all other** papers filed in this case.
5. “Case Number” line: Write in your “**Case Number.**” Your case number stays the same any time papers are filed in your case. On the top right of each following page, also write in the case number. Then on the first page write the name of the judge assigned to your case. If you do not know the name of the judge assigned to your case, call the court where your case was filed:

B. INFORMATION ABOUT MY CASE.

1. **Initial Disclosure.** Write in the date the parties exchanged disclosure statements, or the date you and the other party plan to exchange disclosure statements.
2. **Expert Witness Disclosure:**
 - **Simultaneous exchange of testimony:** Write in the date the parties will simultaneously disclose areas of expert testimony.
 - (Alternative) Write in the date the Plaintiff shall disclose areas of expert testimony.
 - (Alternative) Write in the date the Defendant shall disclose areas of expert testimony.
 - **Simultaneous exchange of expert identity and opinion:** Write in the date the parties simultaneously shall disclose areas of expert identity and opinion.
 - (Alternative) Write in the date the Plaintiff shall disclose areas of expert identity and opinion.
 - (Alternative) Write in the date the Defendant shall disclose areas of expert identity and opinion.
3. **Lay (Non-expert) Witness Disclosure:** Write in the date the parties will simultaneously disclose all lay witnesses
 - (Alternative): Write in the order followed by the date the parties will disclose lay witnesses.
4. **Final Supplemental Disclosure.** Write in the last date the parties will provide supplemental disclosure.
5. **Discovery Deadlines.** Write in the dates that both parties agree to propose for Discovery matters.
6. **Settlement Conference or Private Mediation.** Place a checkmark in the box of the type of settlement conference you propose.
 - If you propose private mediation, provide a date upon which the mediation will be finished.
 - If you prefer no settlement conference, place a check mark in that box.
7. **Dispositive Motions.** A dispositive motion is a motion seeking a trial court order that resolves one or more claims in favor of the requesting party without need for further trial court proceedings. "To dispose" of a claim means to *decide* the claim in favor of one or another party. On the line provided, write the date you propose all dispositive motions will be filed.
8. **Trial Setting Conference.** The court will provide the date on the first line. Place a check mark in the box for whom you propose to initiate the conference call.
9. **Firm Dates.** Please read this thoroughly.
10. **Further Orders.** Use the lines to describe any other matters you propose be addressed by the court before the court issues the order.
11. **Signature. DO NOT sign this form.** The judge will sign and date the form upon completion of the order.

STEP 2: GO TO THE "PROCEDURES" PAGE. After you have filled out the Proposed Scheduling Order, read and follow the "PROCEDURES: Joint Report and Proposed Scheduling Order after completion."

SELF-SERVICE CENTER

PROCEDURES: WHAT TO DO WITH THE *JOINT REPORT* and *PROPOSED SCHEDULING ORDER* Forms

AFTER COMPLETION

USE these procedures **ONLY** if you have filled out both forms, “JOINT REPORT” AND “PROPOSED SCHEDULING ORDER” and you want a trial to be set in your case. Here are the steps you need to take:

STEP 1: REVIEW both forms “*JOINT REPORT*” AND “*PROPOSED SCHEDULING ORDER*.”

Make sure you complete all documents using **black ink**. **Sign and date both** the “Joint Report” and the “Proposed Scheduling Order” **before** you photocopy them, even though you have not actually delivered or mailed the forms as you promised on the last page of the “Joint Report” and “Proposed Scheduling Order.”

STEP 2: PHOTOCOPY. Make **3 photocopies** of both forms: “*JOINT REPORT*” and “*PROPOSED SCHEDULING ORDER*” and follow these instructions:

- 1 photocopy for the judicial officer (Judge) assigned to your case
- 1 photocopy for your records
- 1 photocopy for the other party (If there is more than 1 other party, you will need a photocopy for each.)

STEP 3: GO to the CLERK of COURT FILING COUNTER.

- Hand the original and all copies of the “*JOINT REPORT*” and “*PROPOSED SCHEDULING ORDER*” to the Clerk of the Court where you filed your case.
- Ask the Clerk to stamp the copies and return them to you. These are now “conformed” copies. The stamp provides proof the original form was filed.
- **PHOTOCOPY 1** of both forms: Mail one copy to the other party; or if the party is represented by an attorney, mail or deliver one copy to his/her attorney. Remember if there is more than 1 other party, you must mail a photocopy to each.
- **PHOTOCOPY 2:** Provide one copy of both forms to the Judge assigned to your case by:
 1. Delivering a copy of both forms to Civil Court Administration, or
 2. Placing a copy of both forms in a wire basket with the Judge’s name on it located outside the Judge’s courtroom, or
 3. Mailing it directly to the judicial officer assigned to your case.
- **PHOTOCOPY 3** of both forms: Keep this set of copies for your records.

STEP 4: WAIT TO RECEIVE A NOTICE FROM THE COURT. Once you have filed the “*Joint Report*” and “*Proposed Scheduling Order*,” the office of the judge assigned to your case will contact you to tell you the dates of your pretrial conference and trial. The document you will receive in the mail is called a “*Minute Entry*,” and it will give you instructions about what to file before the Trial.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

Case Number CV: _____

Plaintiff

PROPOSED SCHEDULING ORDER
 Standard case

Defendant

UPON CONSIDERATION of the Parties' Proposed Scheduling Order, the Court orders as follows:

1. **INITIAL DISCLOSURE:** The parties have exchanged their initial disclosure statements, or will exchange them no later than:

2. **EXPERT WITNESS DISCLOSURE:** The parties shall simultaneously disclose areas of expert testimony by: _____.
 - (Alternative): Plaintiff shall disclose areas of expert testimony by _____.
Defendant shall disclose areas of expert testimony by _____.
The parties shall simultaneously disclose the identity and opinions of experts by: _____.
 - (Alternative): Plaintiff shall disclose the identity and opinions of experts by _____.
Defendant shall disclose the identity and opinions of experts by _____.
 - The parties shall simultaneously disclose their rebuttal expert opinions by _____.

3. **LAY (non-expert) WITNESS DISCLOSURE:** The parties shall simultaneously disclose all lay witnesses by: _____.

- (Alternative): The parties shall disclose lay witnesses in the following order, and by the following dates:

4. FINAL SUPPLEMENTAL DISCLOSURE: Each party shall provide final supplemental disclosure by _____. This order does not replace the parties' obligation to seasonably disclose ARCP Rule 26.1 information on an on-going basis and as it becomes available.

No party shall use any lay witness, expert witness, expert opinion, or exhibit at trial not disclosed in a timely manner, except 1) upon order of the court for good cause shown, or 2) upon a written or an on-the-record agreement of the parties.

5. DISCOVERY DEADLINES: The Court orders the following Discovery Deadlines:

- The parties will submit all discovery undertaken pursuant to ARCP Rules 33 through 36 by _____.
- The parties will complete the depositions of parties and lay witnesses by _____.
- The parties will complete the depositions of expert witnesses by _____.
- The parties will complete all other discovery by _____.
- "Complete discovery" includes conclusion of all depositions and submission of full and final responses to written discovery.

6. SETTLEMENT CONFERENCE or PRIVATE MEDIATION: [Choose One]:

- Referral to ADR for a settlement conference:** The clerk or the court will issue a referral to ADR by a separate minute entry.
- Private mediation:** The parties shall participate in mediation using a private mediator agreed to by the parties. The parties shall complete the mediation by _____.

All attorneys and their clients, all self-represented parties, and any non-attorney representatives who have full and complete authority to settle this case shall personally appear and participate in good faith in this mediation, even if no settlement is expected. However, if a non-attorney representative requests a telephonic appearance and the mediator grants the request before the mediation date, a non-attorney representative may appear telephonically.

- NO settlement conference or mediation:** A settlement conference or private mediation is not ordered.

7. DISPOSITIVE MOTIONS:

The parties shall file all dispositive motions by _____.

8. TRIAL SETTING CONFERENCE: On _____ [the court will provide this date] the court will conduct a telephonic trial setting conference. Attorneys and self-represented parties shall have their calendars available for the conference.

Case No. _____

Plaintiff Defendant will initiate the conference call by arranging for the presence of all other counsel and self-represented parties, and by calling this division at (_____ division's telephone number) at the scheduled time.

9. FIRM DATES: No stipulation of the parties that alters a filing deadline or a hearing date contained in this scheduling order will be effective without an order of this court approving the stipulation. Dates set forth in this order that govern court filings or hearings are firm dates, and may be modified only with this court's consent and for good cause. This court ordinarily will not consider a lack of preparation as good cause.

10. FURTHER ORDERS: The court further orders as follows:

Date

Judge of the Superior Court