

Local Rule 16-1 - Pretrial Procedures

(a) Initial Pretrial Conference. In all cases not exempted under subsection (g) of this rule, the court may order the parties to appear for an initial pretrial conference.

(b) Actions with Unrepresented Parties. In actions where a party is unrepresented, the court may issue a scheduling order after consulting with the parties' attorneys and the unrepresented parties at a scheduling conference or by telephone, or other means.

(c) Case Management Plan. Unless otherwise ordered or exempted under (f) of this rule, the parties in a civil case must confer, prepare, and file a joint case management plan:

(1) within 90 days after the case was either filed or removed to the court; and

(2) according to the instructions and form available on the court's website (<http://www.insd.uscourts.gov/case-management-plans>).

(d) Parties' Responsibilities for Case Management Plan. The plaintiff must initiate and coordinate the efforts to confer about, prepare, and file the case management plan. If the plaintiff fails to do so, the defendant must appear at the initial pretrial conference with a proposed case-management plan.

If the parties cannot agree on all provisions of the case management plan the parties must file a joint plan that contains their respective positions in the disputed portions of the case management plan. The court will enter a case management plan that the court deems most appropriate with or without additional input from the parties.

(e) Additional Conferences. The court may set additional pretrial conferences. The parties must confer before each conference and must be prepared to address case-management plan issues, settlement, trial readiness, and any other matters specifically directed by the court.

(f) Deadlines. Absent court order, deadlines established in any order or pretrial entry under this rule may not be altered unless the parties and the court agree, or for good cause shown.

(g) Exempted Cases. Unless otherwise ordered by the court, the following types of cases will be exempted from the scheduling and planning requirements of Fed. R. Civ. P. Rule 16(b):

(1) an action for review of an administrative record;

(2) a petition for habeas corpus or other proceeding to challenge a criminal conviction or sentence;

- (3) an action brought by a person in custody of the United States, a State or a State subdivision;
- (4) an action to enforce or quash an administrative summons or subpoena;
- (5) an action by the United States to recover benefit payments;
- (6) an action by the United States to collect on a student loan guaranteed by the United States;
- (7) a proceeding ancillary to proceedings in another court;
- (8) an action to enforce, vacate or modify an arbitration award;
- (9) mortgage foreclosures in which the United States is a party; and
- (10) civil forfeiture cases.