

Instructions: How to fill out the form Proposed Scheduling Order

Use this form only if:

- ✓ You are involved in a civil action; and
- ✓ Your case is not subject to compulsory arbitration; and
- ✓ Your case is not asking for the following relief:
 - Change of name;
 - Forcible entry and detainer;
 - Enforcement, domestication, transcript or renewal of a judgment;
 - An order pertaining to a subpoena sought pursuant to Rule 45.1(e)(2);
 - 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;
 - Review of a decision of an agency or Court of limited jurisdiction;
 - Declarations of factual innocence under Rule 57.1 or factual improper party status under Rule 57.2;
 - Petition under Rule 45.2(e); and
- ✓ There has been a petition/Complaint and an answer/response filed in your 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.
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.

6. Check the box for Discover "Tier" that applies to your case.

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. (applies to Tier's 2 and 3 only)
 - Areas of expert testimony. Write in the date the parties will simultaneously disclose areas of expert testimony or write in dates Plaintiff and Defendant will disclose the areas of expert testimony to the other party.
 - Identity and Opinions of Expert Witnesses. Write in the date the parties simultaneously disclosed the experts' identities and opinions or write in the dates Plaintiff and Defendant will disclose the experts' identities and opinions to the other party.
 - Opinions of Rebuttal Expert Witness. Write in the date the parties will simultaneously disclose their rebuttal expert opinions.
3. Lay (Non-expert) Witness Disclosure. Write in the date the parties will simultaneously disclose all lay witnesses or 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. Check the box of the type of settlement conference you propose. Choose only one.
 - If you propose private mediation, provide a date upon which the mediation will be finished.
 - If you prefer no settlement conference, check that box.

7. Dispositive Motions and Trial.

- 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.
- Write in the date by which the parties propose a trial date be set.
- Write in the number of days the parties believe the trial will last.

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. Write in the Court's telephone number to be called.

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: What to Do with the Joint Report and Proposed Scheduling Order Forms After Completion.

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 Plaintiff OR Defendant

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

Case Number CV: _____

Plaintiff

PROPOSED SCHEDULING ORDER (*check one*)

Defendant

- Tier 1
- Tier 2
- Tier 3

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 this date: _____

2. **Expert Witness Disclosure (Tier 2 and 3 only):**

A. Areas of expert witness testimony

The parties shall disclose areas of expert testimony to each other by this date:
_____.

(Or):

Plaintiff shall disclose areas of expert testimony to Defendant by this date
_____.

Defendant shall disclose areas of expert testimony to Plaintiff by this date
_____.

B. Identity and opinions of expert witnesses

The parties shall disclose the identity and opinions of experts to each other on or before this date: _____.

(Or):

Plaintiff shall disclose the identity and opinions of experts to Defendant by this date _____.

Defendant shall disclose the identity and opinions of experts to Plaintiff by this date _____.

C. Opinions of rebuttal expert witnesses

The parties shall disclose their rebuttal expert opinions to each other by this date _____.

3. Lay (non-expert) witness disclosure (required for all tiers):

A. The parties shall disclose all lay (non-expert) witnesses to each other by this date: _____.

(Or)

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

Plaintiff or Defendant	Date of Disclosure
_____	_____
_____	_____
_____	_____

4. Final supplemental disclosure:

A. Each party shall send the other party any final supplemental disclosure by this date: _____.

B. This order does not replace the parties' obligation to continue to disclose ARCP Rule 26.1 information on an on-going basis and as it becomes available.

C. 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:

- A. Tier 1** cases are permitted **120 days** in which to complete discovery.
- B. Tier 2** cases are permitted **180 days** in which to complete discovery.
- C. Tier 3** cases are permitted **240 days** in which to complete discovery.
- D.** The time to complete discovery runs from the date of the Early Meeting.
- E.** The parties will submit all discovery pursuant to ARCP Rules 33 through 36 by this date _____.
- F.** The parties will complete the depositions of parties and lay witnesses by this date _____.
- G.** The parties will complete the depositions of expert witnesses by this date _____.
- H.** The parties will complete all other discovery by this date _____.
- I.** "Complete discovery" includes conclusion of all depositions and submission of full and final responses to written discovery.

6. Settlement Conference or Private Mediation: [choose only 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 this date _____.

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 and Trial:

- A. The parties shall file all dispositive motions by this date _____.
- B. The parties propose a trial date of no later than this date _____.
- C. The parties believe the trial will last _____ days.
(number of days)

8. Trial Setting Conference:

A. 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.

B. 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 the following telephone number: _____ at the scheduled time.
(Court's telephone number)

9. Firm Dates:

- A. 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.
- B. 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.
- C. 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