

**Sixth Judicial Circuit Court
Oakland County, Michigan**

Civil Case Conference Pilot Program

The Sixth Judicial Circuit Court has established a Civil Case Conference Pilot Program that refers selected civil matters to a case conference to be conducted among counsel prior to the issuance of a scheduling order by the Court.

This Pilot Program will study whether requiring counsel to participate in early case conferences—similar to those currently required under FRCP 26(f)—will promote the issuance of more effective scheduling orders for the administration of cases, and more efficient progression and resolution of cases.

PILOT PROGRAM DESCRIPTION:

1. This Pilot Program shall apply only to cases filed from January 14, 2008 to December 31, 2008.
2. This Pilot Program shall apply only to cases assigned to Judge Steven Andrews, Judge Mark Goldsmith, Judge John McDonald, Judge Rudy Nichols, Judge Colleen O'Brien, and Judge Edward Sosnick.
3. This Pilot Program shall apply only to the following case-type codes:
 - a. CB – Business Claims
 - b. CC – Condemnation
 - c. CD – Employment Discrimination
 - d. CE – Environment
 - e. CL - Labor Relations
 - f. NH – Medical Malpractice
 - g. NP – Products Liability
4. This Pilot Program shall not apply to any action filed or defended *In Propria Persona*.
5. The Oakland County Clerk's Office shall provide the plaintiff's attorney with notice of the Pilot Program at the time of the commencement of the action. The Clerk's Office shall stamp the words "Pilot Program" on both the original complaint, and the exterior of the Court File.
6. The plaintiff's attorney shall share the notice with all defense attorneys filing an appearance.

7. Counsel shall, as soon as practicable, but no later than 14 days after all defendants in the action have filed an answer or other responsive pleading, conduct an in-person or telephonic Case Conference among counsel to:
 - i. Consider the nature and basis of their claims and defenses;
 - ii. Discuss the possibilities for a prompt settlement or resolution of the case;
 - iii. Identify whether any party desires the issuance of a Specialized Scheduling Order to address issues including, but not limited to, the duration, scope, or order of discovery;
 - iv. Plaintiff shall be responsible for filing a Joint Report regarding the Case Conference with the judge's clerk, and addressed to the judge's attention, no later than 14 days after the Case Conference is held.

Failure by the parties to conduct a Case Conference and file a Joint Report may result in the issuance of sanctions or the taking of other action by the Court.

8. Upon receipt of a Joint Report, the Court may take one or more of the following actions:
 - i. Conduct a scheduling conference with the parties to discuss issues identified in the Joint Report or otherwise;
 - ii. Issue a Specialized Scheduling Order;
 - iii. Permit a standard scheduling order to be issued without prejudice to the parties' opportunity to request modification of the order within 14 days of its issuance;
 - iv. Refer the matter to a Facilitator, or conduct its own Settlement Conference.
9. The Caseflow/ADR Supervisor of the Case Management Office shall collect data regarding case type, case age, and type of scheduling order to evaluate the efficacy of the pilot project. The results shall be presented in an annual report. The report shall be available in the Case Management Office. After dissemination of the annual ADR report, the Chief Judge, 2007 OCBA Bench Bar Circuit Court Section chairmen and other designated individuals shall meet to review the program.

NOTES:

1. This program was approved by the Judges of the Sixth Judicial Circuit Court on November 6, 2007.
2. The State Court Administrative Office has acknowledged that the Sixth Judicial Circuit Court may implement the Pilot Program as it comports with Michigan Court Rule 2.401.
3. The Pilot Program shall be effective beginning on January 14, 2008 through December 31, 2008.