

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** the “*Joint Report*” **before** you photocopy it.

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 the other party (If there is more than 1 other party, you will need a photocopy for each.)
- 1 photocopy for your records

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

- Hand the original and all copies of the “*JOINT REPORT*” and “*PROPOSED SCHEDULING ORDER*” to the Clerk of Superior 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:** Mail one copy of both forms 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 one other party, you must mail a photocopy of both forms 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:** Keep this set of copies of both forms 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 inform you of the dates of your Pre-Trial conference and Trial. The document you will receive in the mail is called a “*Minute Entry,*” which will give you instructions about what to file before the Trial.

INSTRUCTIONS:

HOW TO FILL OUT THE FORM “JOINT REPORT”

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 if 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; or
 - 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 “JOINT REPORT” form

A. GENERAL INSTRUCTIONS

1. Type or print using **black ink only**.
2. Make sure your form is titled “*Joint Report*.”
3. In the top left corner of the first page, fill in the information requested about you.

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 is 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. Then, write the name of the Judge assigned to your case. If you do not know the name of the assigned Judge, telephone the Court where your case was filed:

Civil Court Administration	(Phoenix)	602-506-1497
Civil Court Administration	(Surprise)	602-372-9400
Civil Court Administration	(Northeast)	602-372-7904
Civil Court Administration	(Mesa)	602-506-2021

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

B. DISCOVERY TIER

1. Select the Tier that applies to your case.
2. The parties may, but are not required to, provide a summary of the Rule 16(b) early meeting.

C. INFORMATION ABOUT MY CASE

1. **Brief Description of the Case.** Write in what your case is about. Also, answer the question about the remedy if the claimant is not asking for a monetary award.
2. **Current Case Status.** Put a check mark in the appropriate boxes indicating the current case status. If you checked the "no" box to either question, explain why in writing.
3. **Amendments (Applies to Tiers 2 and 3 only).** Put a check mark in the proper box to tell the Court about whether a party to the case thinks they might file a pleading amendment that will add a new party to the case.
4. **Settlement.** Write in the date that both parties agree to a settlement conference or private mediation. If the parties do not agree, write in the reason(s) on the lines provided.
5. **Readiness.** Write in the date your case will be ready for Trial.
6. **Jury.** Place a check mark in the box to tell the Court whether you request a jury Trial.
7. **Length of Trial.** On the line provided, write in the number of days you estimate the Trial to last. If you have many witnesses, experts, and/or if there is an attorney for the other side, you may want to request "1 Day." If there are no witnesses other than you and the other party, and you don't have a lot to tell the Judge, the case may take only a few hours. The Court will decide how much time to schedule for the Trial. If the Trial takes longer than the time allowed, the Judge can continue the Trial to another date and time.

8. **Summary Jury.** If your case is a civil case and you want a jury Trial, check the “yes” box; otherwise, check the “no” box.
9. **Short Cause** (Applies to Tier 1 only). If you have a non-jury Trial and your case will be no more than one hour, check “yes”; otherwise, check the “no” box.
10. **Preference.** Write the rule or statute that authorizes why your case is entitled to preference for Trial.
11. **Special Requirements.** Use the lines to describe the type of disability accommodations, and/or the language of the interpreter you will need at Trial.
12. **Scheduling Conference.** Place a check mark in the box that tells the Court whether you will need a scheduling conference. If you need a scheduling conference, write in the reason(s) for the request.
13. **Other Matters.** If you think there are other matters affecting the case management of your case, write the matters you wish to bring to the Court’s attention on these lines.
14. **Items upon which the Parties do not agree.** On the lines provided, write any other issues on which you and the other party disagree.

D. GOOD FAITH CONSULTATION and SIGNATURES.

1. The parties must attach a good faith consultation certificate under Rule 7.1(h) to the Joint Report. Both Plaintiff AND Defendant must sign this form. The form must be dated when the last signature is signed.

STEP 2: GO TO THE “PROCEDURES” PAGE. After you have filled out the Joint Report, read and follow the “PROCEDURES: WHAT TO DO WITH THE JOINT REPORT AND PROPOSED SCHEDULED 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 Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Case Number CV: _____

Plaintiff

JOINT REPORT

Defendant

- Tier 1
- Tier 2
- Tier 3

SELECT ONE BOX ACCORDING TO YOUR CASE'S DISCOVERY TIER:

Tier 1 – The parties signing below certify that they have conferred about the matters contained in Rule 16(b)(2) and (c)(3), and they further certify that,

- (a) Every Defendant has been served or dismissed, and every defendant who has not been defaulted has filed a responsive pleading;
- (b) There are no third party claims;
- (c) This case is not subject to the mandatory arbitration provisions of Rule 72; and
- (d) With regard to matters upon which the parties could not agree, they have set forth their positions separately in items 13 below. Each date in the Joint Report and in the Proposed Scheduling Order includes a calendar month, day, and year.

OR

Tier 2 – The parties signing below certify that they have conferred about the matters contained in Rule 16(b)(2) and (c)(3), and that this case is not subject to the mandatory arbitration provisions of Rule 72. With regard to matters upon which the parties could not agree, they have set forth their positions separately in items 13 below. The parties are submitting a Proposed Scheduling Order with this Joint Report. Each date in the Joint Report and in the Proposed Scheduling Order includes a calendar month, day, and year.

OR

Tier 3 – The parties signing below certify that they have conferred about the matters contained in Rule 16(b)(2) and (c)(3). With regard to matters upon which the parties could not agree, they have set forth their positions separately in items 13 below. The parties are submitting a Proposed Scheduling Order with this Joint Report. Each date in the Joint Report and in the Proposed Scheduling Order includes a calendar month, day, and year.

OPTIONAL SUMMARY OF RULE 16(b) EARLY MEETING: (not to exceed 4 pages of text), split evenly between separate statements of the parties if they do not agree on the summary’s contents:

1. BRIEF DESCRIPTION OF THE CASE:

- If a claimant is seeking other than monetary damages, specify the relief sought:

2. CURRENT CASE STATUS (TIERS 2 and 3 ONLY):

Every defendant has been served or dismissed YES NO

Every party who has not been defaulted has filed a responsive pleading YES NO

- Please explain if "No" is the response to either of the above questions:

3. AMENDMENTS (TIERS 2 and 3 ONLY): A party anticipates filing an amendment to a pleading that will add a new party to the case: YES NO

4. SETTLEMENT: The parties agree to engage in settlement discussions with a settlement judge assigned by the court, or a private mediator.

The Parties will be ready for a settlement conference or a private mediation by: _____

If the parties will not engage in a settlement conference or a private mediation, state the reason(s):

5. READINESS: This case will be ready for trial by _____.

6. JURY: There is a right to a trial by jury, YES NO

If there is such a right, it has been waived by the parties, YES NO

7. LENGTH OF TRIAL: The estimated length of trial is _____ days.

8. SUMMARY JURY: The parties agree to a summary jury trial YES NO

9. SHORT CAUSE (TIER 1 ONLY): A non-jury trial will not exceed one hour **YES** **NO**

10. PREFERENCE: This case is entitled to a preference for trial pursuant to the following statute or rule:

11. SPECIAL REQUIREMENTS: At a pretrial conference or at trial, a party will require disability accommodations (specify)

an interpreter (specify language) _____

12. SCHEDULING CONFERENCE: The parties request a Rule 16(d) scheduling conference.

YES **NO**

If requested, the reasons for having a conference are:

13. OTHER MATTERS: Other matters that the parties wish to bring to the court's attention that may affect management of this case:

14.ITEMS UPON WHICH THE PARTIES DO NOT AGREE: The parties were unable in good faith to agree upon the following items, and the position of each party as to each item is as follows:

The parties must attach a good faith consultation certificate under Rule 7.1(h) to this Joint Report.

Dated this _____ day of _____, 20_____.

For Plaintiff

For Defendant

For Plaintiff

For Defendant

For Plaintiff

For Defendant

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 if 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:

Civil Court Administration (Phoenix)	602-506-1497
Civil Court Administration (Surprise)	602-372-9400
Civil Court Administration (Northeast)	602-372-7904
Civil Court Administration (Mesa)	602-506-2021

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 Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA 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