

**SUGGESTED AMENDMENT**  
**SUPERIOR COURT CIVIL RULES (CR)**  
**CR 16 – PRETRIAL PROCEDURE AND FORMULATING ISSUES**

1           **(a) Pretrial Report.** All parties in the case shall confer in completing a joint pretrial  
2 report no later than the date provided in the case schedule or court order. The pretrial report  
3 shall contain:

- 4           (1) A brief non-argumentative summary of the case;  
5           (2) The material issues in dispute;  
6           (3) The agreed material facts;  
7           (4) The names of all lay and expert witnesses, excluding rebuttal witnesses;  
8           (5) An exhibit index (excluding rebuttal or impeachment exhibits);  
9           (6) The estimated length of trial and suggestions by either party for shortening the trial;

10 and

- 11           (7) A statement whether additional alternative dispute resolution would be useful before  
12 trial.  
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14           **(b) Pretrial Conference.** Each attorney with principal responsibility for trying the case,  
15 or each unrepresented party, shall attend a pretrial conference, if scheduled. At the pretrial  
16 conference, the court may consider and take appropriate action on the following matters:

- 17           (1) Formulating and simplifying the issues and eliminating claims or defenses;  
18           (2) Obtaining admissions and stipulations about facts and documents to avoid  
19 unnecessary proof and addressing evidentiary issues;  
20           (3) Adopting special procedures for managing complex issues, multiple parties, difficult  
21 legal questions, or unusual proof problems;  
22           (4) Establishing reasonable parameters on the time to present evidence;  
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1 (5) Establishing deadlines for trial briefs, motions in limine, deposition designations for  
2 unavailable witnesses, proposed jury instructions, or any other pretrial motions, briefs, or  
3 documents;

4 (6) Resolving any pretrial or trial scheduling issues; and

5 (7) Facilitating in other ways the just, speedy, and inexpensive disposition of the action.  
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7 **(c) Pretrial Order.** The court shall enter an order which recites the action taken at the  
8 conference, the amendments allowed to the pleadings, and the agreements made by the parties as  
9 to any of the matters considered, and which limits the issues for trial to those not disposed of by  
10 admissions or agreements of counsel; and such order when entered controls the subsequent  
11 course of the action, unless modified at the trial to prevent manifest injustice. The court in its  
12 discretion may establish by rule a pretrial calendar on which actions may be placed for  
13 consideration as above provided and may either confine the calendar to jury actions or to nonjury  
14 actions or extend it to all actions.  
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