**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI**

**AT KANSAS CITY**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, )**

 **Plaintiff(s), )**

 **) Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**vs. ) Division 3**

 **)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, )**

 **Defendant(s). )**

**PRE-TRIAL CONFERENCE ORDER**

 NOW on this day, the Court finds this matter should be set for a pre-trial conference on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_ A.M./P.M.

1. **ATTENDANCE:** Counsel who will actually try the case *must* attend the pre-trial conference. Individual parties must be available by telephone to discuss the case, including settlement of the case. If a party is not an individual, an authorized representative thereof who is capable of discussing the case and/or authorized to make settlement decisions must be available by telephone.
2. **INFORMAL PRE-TRIAL CONFERENCE:** No later than one week before the date of the pre-trial conference with the Court, counsel shall meet with each other for an informal pre-trial conference, at which time they shall:
	1. Discuss and thoroughly exhaust all settlement possibilities;
	2. Enter into all possible stipulations of facts;
	3. Pre-mark exhibits and exchange exhibit lists;
	4. Exchange exhibits and stipulate, whenever possible, as to foundation and identification of exhibits; and
	5. Identify and discuss their respective deposition designations and interrogatory designations, discuss any objections thereto, and resolve, whenever possible, any objections regarding such designations.
3. **PRE-TRIAL MOTIONS/DESIGNATIONS:** No later than three days before the pre-trial conference, counsel **shall** provide to the Court and/or file with the Court **all** motions in limine, deposition designations, and interrogatory designations. Any party opposing same **shall** provide to the Court and/or file with the Court, their opposition/objections thereto, no later than two days before the pre-trial conference. Courtesy copies of any such pleadings filed with the Court **shall** be provided to Division 3 (such courtesy copies shall be marked as “courtesy copies” and shall reflect the file stamp date of the original). Courtesy copies **shall** be emailed to Div3.cir16@courts.mo.gov. **Any motions in limine, deposition designations, interrogatory designations, and/or opposition/objections thereto, which are not timely filed and provided to the Court as set forth above, will not be considered by the Court.**
4. **JOINTLY SUBMITTED PROPOSED JURY INSTRUCTIONS:** One week prior to the pre-trial conference, the parties shall **jointly** submit an annotated (with sources) set of proposed jury instructions. Proposed annotated instructions shall reflect the authorities upon which the instruction is based and should be taken from the Missouri Approved Instructions (MAI) where available and appropriate. All instructions shall be designated as “Instruction No. \_\_.” The instructions should be submitted electronically in Word format to the Division 3 Law Clerk at Div3.cir16@courts.mo.gov. Separate instructions are appropriate *only* when the parties cannot agree upon a specific instruction. In that instance, counsel shall state in writing the reason for the objection, with authority cited, as well as an alternative instruction. **The deadline for submitting objections and alternative proposed instructions is one (1) week before the date of trial.**
5. **PRE-TRIAL CONFERENCE:** At the pre-trial conference, counsel and the Court will discuss the following subjects, plus any others deemed appropriate:
	1. Status of settlement negotiations and examine the possibility of settlement;
	2. Length of trial;
	3. Number of prospective jurors to be requested, number of alternate jurors to be seated, juror note taking, and juror questions;
	4. Invoking the rule;
	5. Special or unusual proposed voir dire questions (such as insurance);
	6. Legal, procedural, and evidentiary issues;
	7. Motions in limine and opposition thereto, provided they have been timely filed and provided to the Court as set forth in paragraph 3 above.
	8. Proposed jury instructions. In addition to the electronic copies of instructions provided according to paragraph 4 above, the parties **shall** provide the Court and opposing counsel with an original and one hard copy of the proposed jury instructions – i.e. one “clean” copy and one “dirty” copy (prepared in accordance with Missouri Rule of Civil Procedure 70). Counsel shall be prepared to fully discuss the instructions at the pre-trial conference.
	9. Deposition designations, reasons for reading portions of depositions (instead of live testimony), foundations for same, including possible waiver thereof or agreement thereon, and objections to reading certain portions of depositions, provided they have been timely filed and/or provided to the Court as set forth in paragraph 3 above.
	10. Designation of any answers to interrogatories or responses to request for admissions which any party proposes to read at trial, and any objections to reading same, provided they have been timely filed and/or provided to the Court as set forth in paragraph 3 above.
	11. Any stipulations of fact and stipulations as to exhibits; and
	12. Provide and/or file with the Court, an original and one copy of any trial briefs, exhibit lists, and witness lists, and provide copies of same to opposing counsel.
6. **ADDITIONAL ORDERS:** The Court hereby makes the following orders:

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1. The parties and their attorneys are required to comply with the directives and requirements set forth in the document entitled “Policies, Procedures and Courtroom Decorum” as posted on the Division 3 website.

**IT IS SO ORDERED.**

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Date HON. JERRI J. ZHANG

 Judge, Division 3

CC: All counsel via e-Notification

 All pro se parties via U.S. Mail