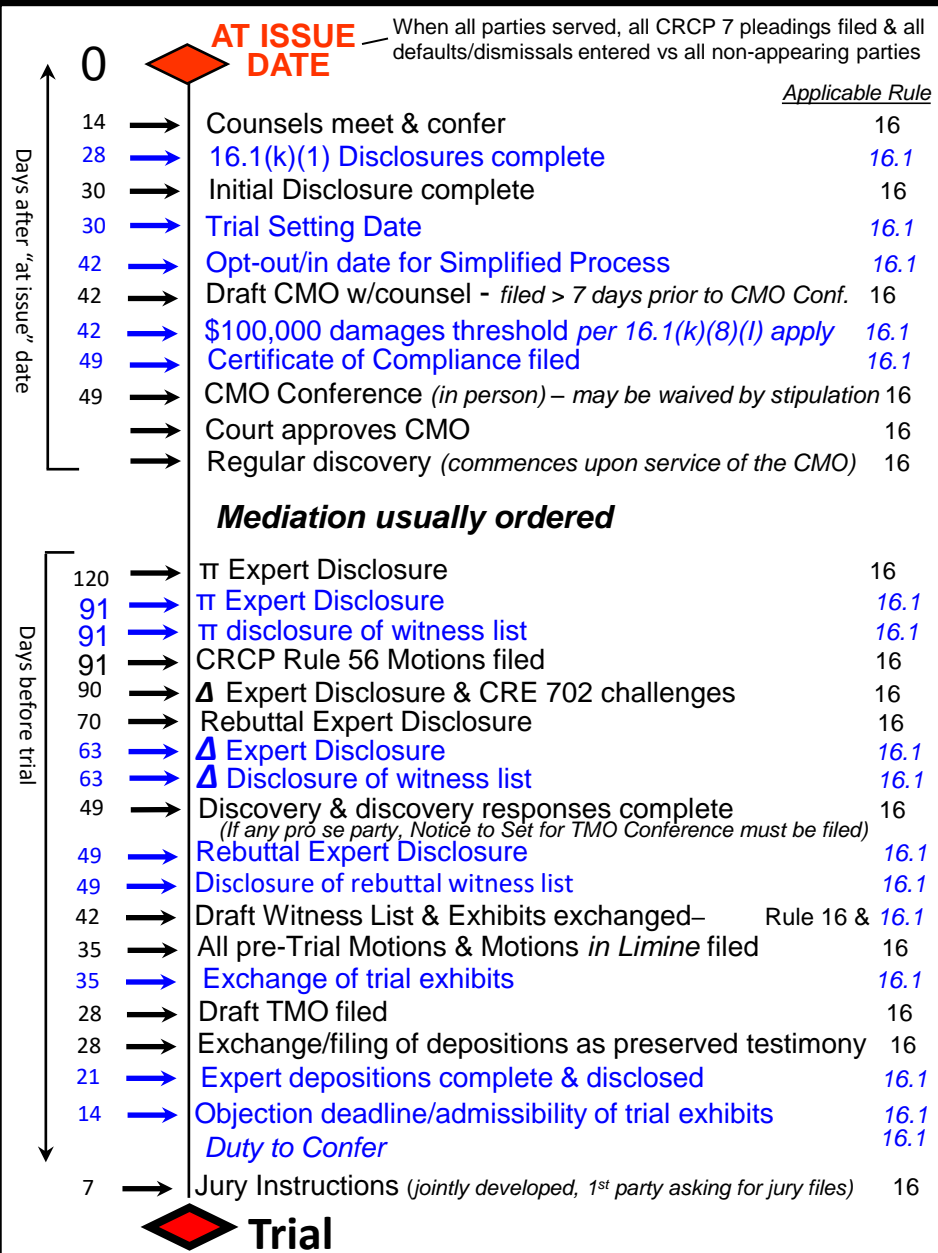


# DISTRICT COURT ACTIONS

**PROVISIONS UNDER THE SIMPLIFIED PROCESS OF RULE 16.1 ARE SHOWN IN BLUE; UNDER RULE 16 IN BLACK**

Colorado Civil Procedure (VERY GENERALIZED) Always check the CMO, TMO, & court rules for specifics & updates



### Case Management

**Pre-trial CMO includes:**

- 'At Issue' date
- All pending motions
- Any proportionality factors
- Proposed deadlines
- Trial length and date (if set)
- Disclosure Deadlines
- Joinder Schedule
- Motions/In Limine Hrg Sched.
- Settlement efforts
- Subjects for expert testimony

**Trial Management Order TMO:**

- Claims and Defenses
- Stipulated facts
- Pre-Trial motions
- Legal issues in controversy
- Itemization of Damages
- Lay and Expert witnesses
- Anticipated length of trial
- Matters in dispute
- Anything else pertinent

*Deviation from the TMO permitted upon showing that divergence could not have been anticipated with reasonable diligence*

### Jury Instructions

Jury instructions must be filed 7 days prior to the trial date (and sometimes more), along with verdict forms, including those agreed upon, and those in dispute

### Basic Rules

- CRCP 4 & 5 – Process & Service
- CRCP 7 & 8 – Motions/Pleadings
- CRCP 16.1 – Simplified Civil
- CRCP 26 – Discovery
- CRCP 37 – Sanctions
- CRCP 45 – Subpoenas
- CRCP 121 – Practice Standards

### Disclosure and Discovery

**Initial Disclosure** – (automatic) Within 30 days once case "at issue"

- Individuals with knowledge
- Relevant Documents
- All categories of Damage
- Computation

**Expert Testimony** must provide:

- π: 180 days prior; Δ: 90 days
- Basis of Opinion
- Identity
- Credits/Qualifications
- Payment
- Appearances/other cases
- List of Publications
- Summary of Opinion

### Discovery Scope & Devices

Parties may seek discovery regarding any matter not privileged, relevant to the matter per CRCP Rules 16, 16.1; 26; 37

**Devices:**

- Depositions
- Interrogatories (30 per party)
- Production of Documents
- Request for Admission (20)

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**Permitted Discovery under Rule 16.1 Simplified Process:**

- 6 hrs combined depositions per party
- 5 requests for production of documents per party
- Inspections & exams per CRCP Rules 34(a)(2) & 35