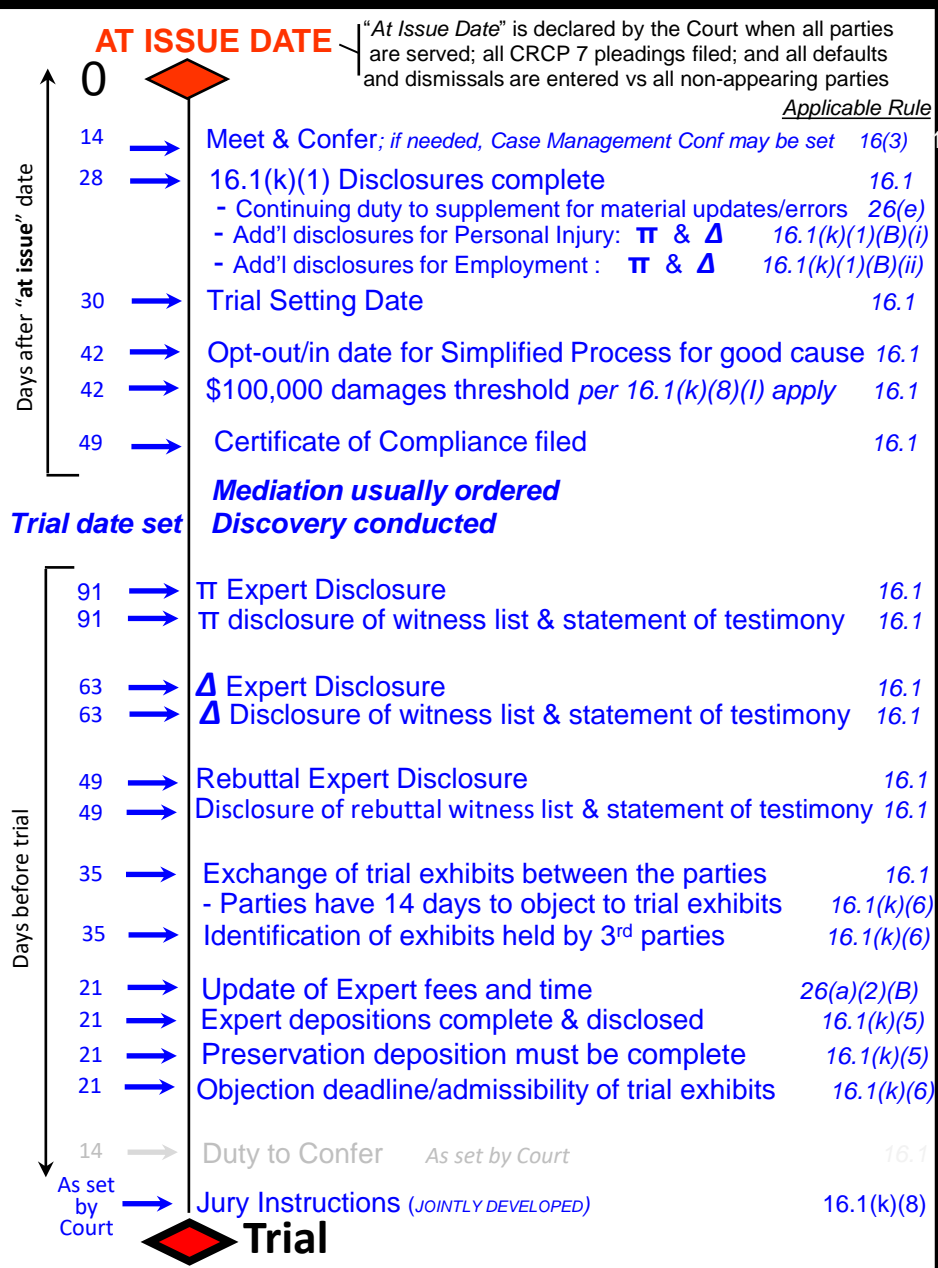


DISTRICT COURT ACTIONS

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* Hearing 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 Proc.
- CRCP 26 – Discovery
- CRCP 37 – Sanctions
- CRCP 45 – Subpoenas
- CRCP 121 – Practice Standards

Disclosure and Discovery

Initial Disclosure – (automatic)

Within 28 days once case “at issue”

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

Expert Testimony *must provide:*

- π : 91 days *prior*; Δ : 63 days
- Basis of Opinion
- Identity
- Credits/Qualifications
- Payment
- Appearances/other cases
- List of Publications
- Summary of Opinion

Discovery / Scope & Devices

Parties may seek discovery on any matter not privileged, that is relevant to the matter in dispute *per CRCP Rules 16, 16.1; 26; 37*

Devices:

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

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

For all court forms: <http://www.courts.state.co.us/Forms/Index.cfm>

For all Colorado Statutes & all Court Rules: <http://www.checkerboard.co>