

PART 4.00 PRE-TRIAL CONFERENCE

4.01 Pre-Trial Conference

4.02 Marking of Exhibits

4.03 Final Pretrial, Settlement
Conference

4.04 Dismissal for Want of Prosecution

4.01 PRE-TRIAL CONFERENCES

- A. **Requirements of Pretrial Conferences.** Any party on motion may request a pretrial conference in any civil action. In addition, the court may order that a pretrial conference be held. At least one pretrial conference should be held in all civil jury actions. The responsible attorneys who will try the case shall attend pretrial conferences. The court shall set the time, date, and place of the pretrial conference and direct that notice be given to all interested parties. The attorney for each party shall have ascertained in advance of the conference the extent of settlement authority. Each attorney shall have present in person or immediately available by telephone a representative with authority to discuss and determine each aspect of the potential settlement. All pretrial conferences shall be governed by the [Supreme Court Rules](#).
- B. **Pretrial Memorandum.** It shall be the duty of the attorneys for each of the parties involved in a cause of action to prepare a full and complete typewritten pretrial memorandum in form in accordance with these rules. See [Form 4.01 \(b\)](#). Unless otherwise ordered, the foregoing requirement shall not apply to a pretrial conference held in connection with a special progress call under Local Rule [3.09](#).
- C. **Settlement Prior To Trial.** In the event of settlement prior to a scheduled pretrial conference or prior to trial, the attorneys shall immediately notify the judge that the cause has been settled.

4.02 MARKING OF EXHIBITS

The court may direct that the parties produce all of the exhibits they expect to offer into evidence at a pretrial conference or at any other time as may be designated by the court. Each of the exhibits shall thereupon be marked for identification by the attorneys or as the court may direct. The parties shall then stipulate as to the exhibits to which there are no objections, and such exhibits shall be admitted into evidence without the necessity of further foundation. The rule shall not preclude the introduction of additional exhibits at trial.

4.03 FINAL PRETRIAL, SETTLEMENT CONFERENCE

In addition to the pretrial conference, the court, in its discretion, may order a final pretrial or settlement conference during which the attorneys for each party shall be prepared to exhaust any possibility of settlement and discuss all issues remaining prior to trial. Counsel responsible for conducting the trial shall appear with the full authority of their clients to discuss each issue.

4.04 DISMISSAL FOR WHAT OF PROSECUTION

- A. **Procedure.** In all cases where no appeal is pending and there has been no action of record for a period of one (1) year, the court may summarily dismiss the cause of action.

- B. **Notice.** Upon dismissal of any cause for want of prosecution, the Clerk of the Court shall give all pro se parties and all attorneys of record notice of the dismissal by regular U.S. Mail within ten (10) days of the dismissal. A copy of the notice with the clerk's certificate of mailing shall be made of record.