

ATTORNEY OR PARTY WITHOUT AN ATTORNEY (name, state bar number, and address) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (name): _____	<i>For Court Use Only</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF NEVADA	
<input type="checkbox"/> 201 Church Street, Suite #5, Nevada City, CA 95959 (530)265-1294 <input type="checkbox"/> 10075 Levon Avenue, Suite #301, Truckee, CA 96161 (530)582-7835	
Plaintiff/ Petitioner:	
Defendant:/ Respondent:	
STIPULATION AND ORDER TO PARTICIPATE IN ADR	Case Number _____

Pursuant to CRC §3.221, all parties stipulate to participate in mediation of this case. Any ADR Services shall be paid for by the parties pursuant to a separate ADR Fee Agreement.

The parties further stipulate:

That _____ be appointed as the mediator.

Address:

 City, State, Zip:

 Phone Number:

It is understood that the ADR Information Form must be submitted by the parties and counsel at the conclusion of the case. Attorney(s) signing on behalf of their client(s) have been given the authority to stipulate to mediation.

Date	Type or Print Name	Signature of Party or Attorney for Party
Date	Type or Print Name	Signature of Party or Attorney for Party
Date	Type or Print Name	Signature of Party or Attorney for Party
Date	Type or Print Name	Signature of Party or Attorney for Party

APPROVED; Mediation to be completed by Mandatory Settlement Conference Date: _____

DATED: _____

 JUDGE OF THE SUPERIOR COURT

NAME OF COURT: Nevada County Superior Court


ADR Information Form

This form should be filled out and returned, within 10 days of the resolution of the dispute, to: Nevada County Superior Court, 201 Church St., Suite 5, Nevada County, CA 95959

- 1. Case name: No.
2. Type of civil case: PI/PD-Auto, PI/PD-Other, Contract, Other (specify)
3. Date complaint filed, Date case resolved
4. Date of ADR conference, 5. Number of parties
6. Amount in controversy: \$0-\$25,000, \$25,000-\$50,000, \$50,000-\$100,000, over \$100,000 (specify)
7. Plaintiff's Attorney, Cross Complainant's Attorney, 8. Defendant's Attorney, Cross Defendant's Attorney
9. Please indicate your relationship to the case: Plaintiff, Plaintiff's attorney, Defendant, Defendant's attorney, 3rd party defendant, 3rd party defendant's attorney, Other (specify)
10. Dispute resolution process: Mediation, Arbitration, Neutral case evolution, Other (specify)
11. How was case resolved? a. As a direct result of the ADR process, b. As an indirect result of the ADR process, c. Resolution was unrelated to ADR process.
12. Check the closest dollar amount that you estimate you saved... \$0, \$250, \$500, \$750, \$1,000, more than \$1,000 (specify)
13. If the dispute resolution process caused a net increase in your costs... \$0, \$250, \$500, \$750, \$1,000, more than \$1,000 (specify)
14. Check the closest number of court days that you estimate the court saved... 0, 1 day, more than 1 day (specify)
15. If the dispute resolution process caused a net increase in court time... 0, 1 day, more than 1 day (specify)
16. Would you be willing to consider using this dispute resolution process again? Yes, No

NAME OF COURT: _____

ADR Information Form

This form should be filled out and returned, within 10 days of the resolution of the dispute, to:  NEVADA COUNTY SUPERIOR COURT-TRUCKEE BRANCH
10075 LEVON AVENUE, SUITE 301
TRUCKEE CA 96161

1. Case name: _____ No. _____
 2. Type of civil case: PI/PD-Auto PI/PD-Other Contract Other (specify) : _____
 3. Date complaint filed _____ Date case resolved _____
 4. Date of ADR conference _____ 5. Number of parties _____
 6. Amount in controversy \$0-\$25,000 \$25,000-\$50,000 \$50,000-\$100,000 over \$100,000 (specify): _____
 7. Plaintiff's Attorney Cross Complainant's Attorney
 8. Defendant's Attorney Cross Defendant's Attorney
- | | |
|------------------------|------------------------|
| NAME _____ | NAME _____ |
| ADDRESS _____ | ADDRESS _____ |
| TELEPHONE NUMBER _____ | TELEPHONE NUMBER _____ |
9. Please indicate your relationship to the case:

<input type="checkbox"/> Plaintiff	<input type="checkbox"/> Plaintiff's attorney	<input type="checkbox"/> Defendant	<input type="checkbox"/> Defendant's attorney
<input type="checkbox"/> 3rd party defendant	<input type="checkbox"/> 3rd party defendant's attorney	<input type="checkbox"/> Other (specify) : _____	
 10. Dispute resolution process:

<input type="checkbox"/> Mediation	<input type="checkbox"/> Arbitration	<input type="checkbox"/> Neutral case evolution	<input type="checkbox"/> Other (specify) : _____
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 11. How was case resolved?
 - a. As a direct result of the ADR process.
 - b. As an indirect result of the ADR process.
 - c. Resolution was unrelated to ADR process.
 12. Check the closest dollar amount that you estimate you saved (attorneys fees, expert witness fees, and other costs) by using this dispute resolution process compared to resolving this case through litigation, whether by settlement or trial.

<input type="checkbox"/> \$0	<input type="checkbox"/> \$250	<input type="checkbox"/> \$500	<input type="checkbox"/> \$750	<input type="checkbox"/> \$1,000	<input type="checkbox"/> more than \$1,000 (specify) :\$ _____
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 13. If the dispute resolution process caused a net increase in your costs in this case, check the closest dollar amount of the additional cost:

<input type="checkbox"/> \$0	<input type="checkbox"/> \$250	<input type="checkbox"/> \$500	<input type="checkbox"/> \$750	<input type="checkbox"/> \$1,000	<input type="checkbox"/> more than \$1,000 (specify) :\$ _____
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 14. Check the closest number of court days that you estimate the court saved (motions, hearings, conferences, trial, etc.) as a result of this case being referred to this dispute resolution process:

<input type="checkbox"/> 0	<input type="checkbox"/> 1 day	<input type="checkbox"/> more than 1 day (specify) : _____
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 15. If the dispute resolution process caused a net increase in court time for this case, check the closest number of additional court days:

<input type="checkbox"/> 0	<input type="checkbox"/> 1 day	<input type="checkbox"/> more than 1 day (specify) : _____
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 16. Would you be willing to consider using this dispute resolution process again? Yes No

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
CASE MANAGEMENT STATEMENT	
<i>(Check one):</i> <input type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$25,000)	<input type="checkbox"/> LIMITED CASE (Amount demanded is \$25,000 or less)
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: _____ Time: _____ Dept.: _____ Div.: _____ Room: _____ Address of court <i>(if different from the address above):</i> <input type="checkbox"/> Notice of Intent to Appear by Telephone, by <i>(name):</i>	
INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.	

1. **Party or parties** *(answer one):*

- a. This statement is submitted by party *(name):*
- b. This statement is submitted **jointly** by parties *(names):*

2. **Complaint and cross-complaint** *(to be answered by plaintiffs and cross-complainants only)*

- a. The complaint was filed on *(date):*
- b. The cross-complaint, if any, was filed on *(date):*

3. **Service** *(to be answered by plaintiffs and cross-complainants only)*

- a. All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
- b. The following parties named in the complaint or cross-complaint
 - (1) have not been served *(specify names and explain why not):*
 - (2) have been served but have not appeared and have not been dismissed *(specify names):*
 - (3) have had a default entered against them *(specify names):*
- c. The following additional parties may be added *(specify names, nature of involvement in case, and date by which they may be served):*

4. **Description of case**

- a. Type of case in complaint cross-complaint *(Describe, including causes of action):*

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**

The party or parties request a jury trial a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**

a. The trial has been set for *(date)*:

b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:

c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:

7. **Estimated length of trial**

The party or parties estimate that the trial will take *(check one)*:

a. days *(specify number)*:

b. hours *(short causes) (specify)*:

8. **Trial representation** *(to be answered for each party)*

The party or parties will be represented at trial by the attorney or party listed in the caption by the following:

a. Attorney:

b. Firm:

c. Address:

d. Telephone number:

f. Fax number:

e. E-mail address:

g. Party represented:

Additional representation is described in Attachment 8.

9. **Preference**

This case is entitled to preference *(specify code section)*:

10. **Alternative dispute resolution (ADR)**

a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.

(1) For parties represented by counsel: Counsel has has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.

(2) For self-represented parties: Party has has not reviewed the ADR information package identified in rule 3.221.

b. **Referral to judicial arbitration or civil action mediation** (if available).

(1) This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.

(2) Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

(3) This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption)*:

PLAINTIFF/PETITIONER: _____ DEFENDANT/RESPONDENT:	CASE NUMBER: _____
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10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	<input type="checkbox"/>	<input type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete mediation by (<i>date</i>): <input type="checkbox"/> Mediation completed on (<i>date</i>):
(2) Settlement conference	<input type="checkbox"/>	<input type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete settlement conference by (<i>date</i>): <input type="checkbox"/> Settlement conference completed on (<i>date</i>):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete neutral evaluation by (<i>date</i>): <input type="checkbox"/> Neutral evaluation completed on (<i>date</i>):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete judicial arbitration by (<i>date</i>): <input type="checkbox"/> Judicial arbitration completed on (<i>date</i>):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete private arbitration by (<i>date</i>): <input type="checkbox"/> Private arbitration completed on (<i>date</i>):
(6) Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete ADR session by (<i>date</i>): <input type="checkbox"/> ADR completed on (<i>date</i>):

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

11. Insurance

- a. Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (*explain*):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

- Bankruptcy Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
 - (1) Name of case:
 - (2) Name of court:
 - (3) Case number:
 - (4) Status:
- Additional cases are described in Attachment 13a.
- b. A motion to consolidate coordinate will be filed by (*name party*):

14. Bifurcation

- The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

- The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):

16. Discovery

- a. The party or parties have completed all discovery.
 - b. The following discovery will be completed by the date specified (*describe all anticipated discovery*):
- | <u>Party</u> | <u>Description</u> | <u>Date</u> |
|--------------|--------------------|-------------|
|--------------|--------------------|-------------|

- c. The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

PLAINTIFF/PETITIONER: <hr/> DEFENDANT/RESPONDENT:	CASE NUMBER:
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17. Economic litigation

- a. This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed *(if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):*

18. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference *(specify):*

19. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court *(if not, explain):*
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following *(specify):*

20. Total number of pages attached *(if any):* _____

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached.



CASE MANAGEMENT INFORMATION SHEET
PURSUANT TO CALIFORNIA RULES OF COURT § 3.720 – 3.730

- The clerk will set a date for the Case Management Conference at the time the complaint is filed.
- The complaint and cross-complaint are to be filed and served pursuant to California Rule of Court 3.110, along with a copy of the *Notice of Case Management Conference* and the *Case Management Information Sheet* with attached blank copy of the *Case Management Statement*. Counsel is also required to serve the Nevada County Superior Court Alternative Dispute Resolution Information Sheet and Stipulation form. [See below for forms.]
- At least fifteen calendar days prior to the scheduled Case Management Conference, each party shall file with the court and serve on all parties, a completed *Case Management Statement*. [See below for forms information.]

EXPEDITED JURY TRIALS

- The Truckee Branch has implemented the new Expedited Jury Trials Act of 2010, which permits litigants to opt into a shorter trial with a smaller jury panel to reduce costs and increase the efficient resolution of smaller and less complicated disputes. An expedited jury trial is a binding jury trial before a jury panel of eight (8) or less jurors and no alternates, with a limit of three peremptory challenges for each side. Each side has a limit of three hours to present its case. All parties waive all rights to appeal, to move for directed verdict, or to make any post-trial motions, except as specified in CCP §630.09. In order to opt into the expedited jury trial process, all parties and any insurance carriers must execute a *Stipulation and Consent Order* and file that executed consent order prior to the CMC with the CMC Statements. [See below for forms information.]

CMC PROCEDURES

- The court will review the CMC Statements filed by parties and, based on the information provided in those statements, will issue a Tentative CMC Ruling establishing proposed trial dates and duration, MSC dates, arbitration, mediation and or ADR requirements, and any other applicable case management criteria. Those Tentative CMC Rulings will be posted on the court's website www.nevadacountycourts.com by 3:00PM, the Wednesday prior to CMC. [See below for forms information.]
- Those CMC Tentative Rulings will become the order of the court, unless by no later than 4:00pm, on the Thursday prior to the date for the CMC, any party calls the court at (530) 582-7835, and notifies the court of that party's intention to appear at the CMC and object to any of the proposed content of the Tentative CMC Ruling. It shall be the responsibility of any objecting party to notify all other parties in the case by the quickest available and reliable means of the required telephonic appearances at the CMC.

TELEPHONIC CMC PROCEDURES

- All appearances at CMCs shall be by telephone through Court Call. When an objecting party calls the Court, the court will advise the party of the time of the call in for the CMC. It shall be the responsibility of the party objecting to the Tentative CMC Ruling to notify all other parties of the time of the CMC and to arrange the court call for all parties to the case, including any unrepresented litigants.

ADR PROCEDURES

- ADR information sheets must be included with all summons and complaints at time of service. All parties to the dispute may voluntarily agree to take the matter to an ADR process. A *Stipulation and Order* form must be completed. Parties choose and contact their own ADR provider. [See below for forms information.]

FORMS AND FORM PACKETS

- All CMC and ADR forms and packets are available at the court's website: www.nevadacountycourts.com
- All CMC and ADR forms and packets are available for pick-up at the clerk's counters.
- Judicial Council forms are also available at www.courts.ca.gov.
- You may request forms and packets be mailed; self-addressed 8-1/2"x11" envelope must be provide with postage sufficient to cover 2 oz.