



United States District Court
DISTRICT OF MINNESOTA

LR 16.1 CONTROL OF PRETRIAL PROCEDURE BY INDIVIDUAL JUDGES

(a) Each judge may prescribe any pretrial procedures that the judge deems appropriate and that are consistent with the Federal Rules of Civil Procedure and with these rules.

(b) When a judge schedules a conference authorized by LR 16.2-16.6, the judge must give the parties reasonable notice of the date and time for the conference.

(c) At a conference authorized by LR 16.2-16.6, the judge may require attendance by the parties, the parties' attorneys, the parties' representatives, or representatives of insurance companies whose coverage may apply.

[Adopted effective February 1, 1991; amended November 1, 1996; amended January 3, 2000; amended July 23, 2012]

2012 Advisory Committee's Note to LR 16.1

The language of LR 16.1 has been amended in accordance with the restyling process described in the 2012 Advisory Committee's Preface on Stylistic Amendments.

The language about alternative dispute resolution in former subsections (d) and (e) of this rule has been moved to LR 16.5. The language requiring parties to consider the use of ADR has been removed because it is addressed in LR 26.1 and Forms 3-4.

1999 Advisory Committee's Note to LR 16.1

The Alternative Dispute Resolution Act of 1998 requires that each district implement an ADR program to encourage and promote the use of Alternative Dispute Resolution in the District. The Act further requires that the Court designate an ADR Administrator which may a judicial officer or court employee who is knowledgeable in alternative dispute resolution practices and processes to implement administer, oversee and evaluate the court's alternative dispute resolution program. Title 28 United State Code, Sections 651; 652) Local Rule 16.1(d)and (e) are designed to comply with the mandate of the Act in these respects.

1996 Advisory Committee's Note to LR 16.1

The Civil Justice Reform Act Implementation Plan (CJRA Plan) adopted by the District Court observes that early and ongoing judicial control of the pre-trial process promotes efficient case management. Local Rules 16.1 through 16.8 are designed to implement many of the provisions of the CJRA Plan. These Local Rules codify many of the Court's past practices by defining with some particularity some of the more useful ways in which the Court has employed the Rule 16 conference to manage cases. The Rules are also designed to provide some uniformity among the judicial officers of the Court without sacrificing the flexibility Fed. R. Civ. P. 16 is intended to encourage.

LR 16.1 authorizes each Judge to manage his or her own docket by the adoption of any pre-trial procedures which are consistent with the Federal Rules of Civil Procedure and these Local Rules. The Rule also requires that reasonable notice of the time for the conference be given to all parties and makes clear that the Court has the power to order the attendance at any conference those whose attendance is necessary to accomplish the business of the conference.