

Rule 43. Pretrial Conference in Contested Matters**43.01 Timing**

The court may convene a pretrial conference sua sponte or upon the motion of any party. Any pretrial conference shall take place at least ten (10) days prior to trial.

43.02 Purpose

The purposes of a pretrial conference shall be to:

- (a) determine whether a settlement of any or all of the issues has occurred or is possible;
- (b) determine whether all parties have been served and, if not, review the efforts that have taken place to date to serve all parties;
- (c) determine whether all parties who seek legal representation have obtained legal representation and determine that attorneys of record have filed certificates of representation with the court;
- (d) identify any unresolved discovery matters;
- (e) resolve any pending pretrial motions;
- (f) determine the order in which evidence will be presented pursuant to Rule 45;
- (g) identify and narrow issues of law and fact for trial, including identification of:
 - (1) the factual allegations admitted or denied;
 - (2) any stipulations to foundation and relevance of documents; and
 - (3) any other stipulations, admissions, or denials;
- (h) exchange witness lists and a brief summary of each witness' testimony;
- (i) set a deadline for the exchange of exhibits prior to trial and determine how exhibits shall be marked prior to the start of trial;
- (j) confirm the trial date and estimate the length of trial; and
- (k) determine any other relevant issues.

(Amended effective January 1, 2007.)

43.03 Pretrial Order

Within fifteen (15) days of the pretrial conference, the court shall issue a pretrial order which shall specify all determinations required by this rule. From the date of the pretrial conference to the commencement of the trial, the parties shall have a continuing obligation to update information provided during the pretrial conference.

(Amended effective August 1, 2009.)