

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend, effective immediately, sections 206.5-aa and 206.10 of the Uniform Rules for the Court of Claims, concerning respectively filing by electronic means and conferences, to read as follows:

§206.5-aa Filing by Electronic Means

* * *

(c) From time to time, the Presiding Judge of the Court of Claims, at the request of the Attorney General or his or her designee, may designate one or more categories of claims in the Court of Claims, as identified by subject matter, geographic region or otherwise, as claims to be subject to FBEM. The clerk of the Court shall promptly advise the Attorney General of all such designations. Upon designation of a category of claims by the Presiding Judge pursuant to this subdivision, the Attorney General shall be deemed, for all purposes under section 202.5-b, to have agreed to service of all papers upon him or her [in such claims by electronic means] by electronic means for those claims in which the claimant consents to proceed pursuant to such section.

* * *

§ 206.10 [Preliminary] Conferences

(a) In all matters, except appropriation claims and prisoner pro se claims, the court shall order a preliminary conference as soon as practicable, but no later than six months, after the action has been assigned.

(b) The court, in ordering a preliminary conference, shall fix the date and time for the conference and notify the parties. Except where a party appears pro se, an attorney thoroughly familiar with the claim and authorized to act on behalf of the party shall appear at such conference.

(c) The matters to be considered at the preliminary conference shall include:

(1) simplification and limitation of factual and legal issues, where appropriate;

(2) establishment of a timetable for the completion of all disclosure proceedings, provided that all such procedures must be completed within 18 months of the assignment of the claim to the judge, unless otherwise shortened or extended by the court depending upon the circumstances;

(3) settlement of the claim; and

(4) any other matters that the court may deem relevant.

~~[(d)]~~ (f) At the conclusion of [the] any conference the court may make a written order including its directions to the parties as well as stipulations of counsel.

(e) The court may direct the holding of additional conferences as the court may deem helpful or necessary in any matter before the court.

~~[(f)]~~ (g) If any party fails to appear for a scheduled conference, the court may note the default on the record and enter such order as appears just, including dismissal.

~~[(g)]~~ (d) In lieu of a preliminary conference as outlined in this section, and unless the court orders otherwise, the parties may execute a stipulation, to be so ordered by the court, agreeing to a timetable for the completion of disclosure within 18 months of the assignment of the claim to the judge.

Chief Administrative Judge of the Courts

Dated:

AO/ /04