

WASHINGTON STATE BAR ASSOCIATION

To: Stakeholders and Interested Parties
From: Judge John Ruhl, Civil Litigation Rules Drafting Task Force
Re: Proposals to Amend CR 26(f) and CR 37(e) and to Add New CRLJ 26(h)

Attached for your review and comment are the following items:

- Clean and redlined drafts of suggested amendments to CR 26(f), to require initial discovery conferences in most Superior Court civil cases;
- Clean and redlined drafts of suggested amendments to CR 37(e), to require reasonable cooperation in initial discovery conferences in Superior Court civil cases;
- Clean and redlined drafts of suggested new CRLJ 26(h), to require initial discovery conferences in civil cases in Courts of Limited Jurisdiction; and
- Draft of Joint Status Report form, to be completed following initial discovery conferences in Courts of Limited Jurisdiction.

In 2017, the WSBA Board of Governors chartered the Civil Litigation Rules Drafting Task Force to draft proposed amendments to the Superior Court Civil Rules and the Civil Rules for Courts of Limited Jurisdiction, to implement the Board's adoption of several recommendations by the WSBA Task Force on the Escalating Cost of Civil Litigation ("ECCL"). The Board adopted the ECCL's recommendation that mandatory initial discovery conferences should be required in most civil cases in Superior Courts and in District Courts.

The Task Force drafted the attached proposals based upon its research of early-discovery-conference rules in federal and state courts, including courts in Arizona, California, Georgia, Idaho, Iowa, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, Oregon and Tennessee.

The Task Force seeks your feedback. Please feel free to distribute these materials within your organization or firm, or to others who may have an interest in participating. Stakeholder input is crucial and will assist the Rules Drafting Task Force and the Board of Governors in the rules-drafting process.

Please send all comments to Sherry Lindner at CLTF@wsba.org by **May 21, 2018**.

For more information about the Civil Litigation Rules Drafting Task Force, please visit: <https://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/Civil-Litigation-Rules-Drafting-Task-Force>.

Please note that this proposal is the first of several proposed rule changes arising out of the WSBA Board of Governors' recommendations based on the ECCL's work. The Civil Litigation Rules Drafting Task Force will vet each proposal with you in the coming months.