

## Summary of Proposal to Amend Rule 5.25 of Title 5, Division 1, Chapter 1 of the Local Rules

### Requests to Set Settlement Conferences and Trial Dates

The proposal to amend rule 5.25, entitled *Requests to set settlement conferences and trial dates*, of the court's Local Rules ("Rules") is part of the court's continuing effort to review, correct, and update its rules as needed.

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#### SUMMARY

The Family Committee proposed amendments to this rule to streamline it and improve readability, and to conform it to the practice of the Family bench officers. The Rules and Forms Committee reviewed and approved the proposed amendments to the rule.

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#### Rule 5.25. Requests to set settlement conferences and trial dates

##### (a) Request for trial or settlement conference

Either party may request the court set ~~that~~ a trial date or settlement conference date ~~be set~~ by (1) making the request at a status conference or case resolution conference, or (2) serving and filing a *Request for Case Resolution Conference* (~~Local Form ALA FL-050~~ form ALA FL-050). ~~Upon filing a request for trial, a case resolution conference will be calendared by the clerk.~~

##### ~~(b) Motion to set~~

~~Either party may serve and file a notice of motion to set a settlement conference and trial date or to set a trial date without a settlement conference. Trial dates will not be set without settlement conference dates unless the court determines that the matter will proceed as an uncontested matter, or unless a settlement conference has already been conducted by the court. At the time of the hearing on the motion to set, a court may make orders concerning proceeding to trial as the court deems appropriate. The only other relief that can be requested as part of a motion to set is:~~

~~(1) Relief that would result in the matter proceeding as a default.~~

~~(2) Relief regarding the other party's failure to serve a preliminary disclosure declaration.~~

**(eb) Request Stipulation for voluntary settlement conference**

The parties may request a settlement conference for ~~in writing that~~ the entire matter ~~is ready for settlement conference and trial~~ or ~~for that certain issues are ready for~~ bifurcated issues ready for a settlement conference and trial. If the court grants the request ~~is granted~~, the court will notify the ~~matter will be set and the~~ parties notified of the date, time, and place of the voluntary settlement conference. The parties must use the *Stipulation and Order for Voluntary Settlement Conference* (~~Local Form ALA FL-045~~form ALA FL-045) ~~to make their request.~~

*Rule 5.25 amended effective January 1, 2016 2012; adopted as rules 11.0.4 and 11.0.5 effective May 19, 1998; previously amended effective January 1, 2004; previously amended and renumbered to Rule 5.25 effective January 1, 2008; previously amended effective January 1, 2012.*