

A SUMMARY OF THE
SHORT, SUMMARY,
AND EXPEDITED CIVIL
ACTION PROGRAMS
AROUND THE COUNTRY



Short, Summary, and Expedited Civil Action Programs Around the Country

Jurisdiction	Program Name	Applicable Statute/Rule	Date First Enacted	Voluntary or Mandatory	Discovery	Evidentiary Agreements	Pretrial Conference	Trial Date	Length of Trial	Judicial Officer	Jury Selection Procedure	Number of Jurors	Witnesses	Transcript	High-Low Agreements Allowed	Binding or Appealable
N.D. Cal.	Expedited Trial Procedure	General Order No. 64	2011	Voluntary	Absent agreement, limited to 10 interrogatories, 10 requests for production, 10 requests for admission, and 15 hours of deposition time, per side; experts limited to one per side absent agreement or leave		Initial expedited trial conference within 30 days after agreement filed; pretrial motions require leave of court and may not exceed 3 pages; pretrial conference shall be held no later than 150 days after agreement approved	Unless otherwise ordered, trial is to be held no later than 6 months after the agreement is approved by the court	The judge sets limits for opening and closing with 3 hours per side for introduction of evidence		May be tried to a judge or a jury; the judge conducts voir dire	6 jurors and may proceed with 5				Binding with limited grounds for appeal
D. Minn.	Expedited Trials Program	U.S. District Court for the District of Minnesota Rules of Procedure for Expedited Trials	2001	Voluntary	Expectation that Rule 26(a)(1) will be more vigorously followed and enforced; documents under Rule 26(a)(3) to be exchanged within 30 days of pretrial conference and all discovery within 120 days of the pretrial conference; discovery limited to 10 interrogatories, 5 requests for production, 5 requests for admission, and 2 depositions per party		Pretrial conference to be scheduled with magistrate within 30 days of the date the Complaint was served; pretrial order to be issued at pretrial conference	Trial to be held no later than 6 months after the pretrial conference; if the parties consent to trial before a magistrate judge, trial shall be held within 120 days of the date of the pretrial conference	8 hours per side				Only one expert witness may testify per party; written witness statements may be offered in lieu of direct testimony			

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D. Nev.	Short Trial Program	General Order 2013-01 and Short Trial Rules 1-26	2013	Voluntary	Exchange initial disclosures within 7 days after Stipulation approved; parties must submit a Stipulated Scheduling Order and Discovery Plan within 30 days after appointment of judge and meet with judge to confer, exchange documents not previously produced; extent to which discovery is allowed is at discretion of judge	Subject to timely objections, documents admitted without necessity for authentication; joint evidentiary booklets created, to be submitted with joint pretrial memorandum	Joint pretrial memorandum due to judge 7 days prior before pretrial conference; pretrial conference held no later than 10 days before trial	Trial to commence no later than 150 days from the date presiding judge is assigned	Allowed up to 9 hours each to present the case unless a different time frame is stipulated to and approved, including voir dire, opening and closing			4, or 6 if good cause shown	Parties can quote directly from relevant depositions, interrogatories, requests for admissions, or any other evidence as stipulations by the parties; parties not required to present oral testimony			Parties may agree the results are binding final and non-appealable; otherwise parties have the right to file a direct appeal

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W.D. Pa.	Pilot Program for Expedited Civil Litigation		2012	Voluntary	Exchange initial disclosures within 7 days after Stip. approved if not previously; Rule 26(a)(2) disclosures no later than 30 days prior to discovery close; discovery to be completed no later than 90 days after the Expedited Trial Conf.; discovery limited to 20 interrogatories, 10 requests for production, 10 requests for admission, and 15 hours of depositions, per side	Documents may be admitted without authentication	Initial Case Management Conference serves as Expedited Trial Conference	Trial to be held no later than 6 months after the Expedited Trial Conference	3 hours per side, not including opening and closing		Court to set time limits for voir dire, opening statements, and closing argument	6 jurors, may proceed with 5	Testimony limited to one expert per side; parties may agree to submit expert reports in lieu of testimony			Binding with limited grounds for appeal
W.D. Wash.	Individualized Trial Program	Local Civil Rule 39.2	2012	Voluntary; parties complete an "Agreement for Individualized Trial and Request for Approval"	Initial disclosures due in 7 days after agreement approved if not already exchanged; discovery to be completed no later than 90 days after the individualized trial conference; discovery limited to 10 interrogatories, 10 requests for production, 10 requests for admissions, and 15 deposition hours, per side		Individualized trial conference within 30 days of filing the agreement; joint individualized trial statement due 7 days before individualized trial conference; pretrial conference held no later than 150 days after agreement approved	Trial to be held no later than 6 months after the agreement is approved	3 hours per side, not including opening and closing		Includes a trial before a judge or a jury	7 jurors and may proceed with 6	Only one expert witness may testify per party			Binding with limited grounds for appeal

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Alabama	Expedited Civil Actions	Ala. Code § 6-1-3; draft rules currently under consideration by the Supreme Court	2012	To be determined; to be applicable to civil actions not exceeding \$50,000												
Arizona, Maricopa County Superior Court	Short Trial Program	Affiliated with ADR program	1997	Alternative to mandatory arbitration or as an appeal from an unfavorable arbitration decision; also used voluntarily separate from ADR	Uses abbreviated discovery process	Stipulations to documentary evidence and pretrial motions strongly encouraged; evidentiary notebooks	Telephonic conference to be held at least three days prior to short trial; 7 days prior to trial, a Joint Pre-Trial Memorandum should be sent to JPT	Short Trials generally scheduled within 90 days of referral	1 day jury trial; 2 hours per side with 10 minutes for opening and closing statements	Judge pro tempore oversees the trial only	Parties allocated 3 peremptory challenges	4 jurors; 3 required for verdict	Live testimony discouraged; witnesses can be used by deposition or affidavit; evidentiary notebooks may also be used	No record		Binding with limited grounds for appeal

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California	Expedited Jury Trial Program	Expedited Jury Trials Act, 2010 Cal. Stat. 3660 (codified at Cal. Civ. Proc. Code §§ 630.01-.12); Cal. R. Ct. 3.1545-3.1552	2010	Voluntary	The parties may follow existing rules and procedures or may modify the rules by joint stipulation; pretrial exchange between parties no later than 25 days prior to trial; supplemental exchange of evidence no later than 20 days before trial	Rules of evidence apply unless agreed to otherwise; parties allowed to enter into agreements governing the rules of procedure, including manner and method of presenting evidence; evidentiary notebooks encouraged	Pretrial conference to be held no later than 15 days prior to trial		3 hours per side, excluding jury selection	Presiding judge is responsible for assignment; may assign civil court judge or a temporary judge to conduct expedited trial	One hour for voir dire, with 15 minutes for the judicial officer and 15 minutes per side; three peremptory challenges per party; joint form questionnaire encouraged	8 jurors (or fewer by stipulation); 6 required for verdict	Parties are encouraged to limit the number of live witnesses		Yes	Binding, subject to any high/low agreement. Right to bring post-trial motions waived except on limited grounds

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Colorado	Simplified Procedure for Civil Actions	Colorado Rule of Civil Procedure 16.1	2003	Applicable where a party claims \$100,000 or less, although parties may elect to be excluded (no cause required); various case types are automatically excluded (e.g. domestic relations); recovery limited to \$100,000	Automatic disclosures due 35 days after the case is at issue; depositions available only in lieu of trial testimony or to obtain and authenticate documents; no additional discovery unless as agreed to by parties	Juror notebooks; rules of evidence and procedure apply except as provided in Colo. R. Civ. P. 16.1(k)		Cases proceeding under simplified procedure to be given early trial settings and hearings				No less than 6 jurors and one alternate unless stipulated otherwise	Direct testimony limited to discussing information in disclosures, with exceptions			Binding
Florida	Expedited Trials	Florida Stat. § 45.075	1999	Voluntary	Discovery to be completed within 60 days of the court adopting the joint stipulation; all interrogatories and requests for production to be served within 10 days after the order is entered and responses served within 20 days	Standard rules of evidence and procedure apply, except where otherwise stated		Case may be tried within 30 days after the 60 day discovery cutoff, if such schedule does not impose undue burden on the court calendar	1 day jury trial; 1 hour for jury selection, 3 hours per side inclusive of opening and closing statements		Voir dire limited to one hour		Parties are permitted to introduce written reports by experts instead of testimony; deposition excerpts and video permissible			Binding

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Georgia	Summary Jury Trial	Ga. Code. Ann. § 15-23-2; Ga. Alt. Dispute Resolution R. I. Ga. Unif. R. Dispute Resolution Programs, App'x A, Introduction, R.2	1993	Voluntary												Advisory
Indiana	Mini trial	Ind. Alt. Dispute Resolution R. 4	1991		Discovery proceeds according to standard rules						Jury deliberations time-limited		Evidence to be presented in expedited fashion	Deemed confidential		Advisory
Indiana	Summary Jury Trial	Ind. Alt. Dispute Resolution R. 5	1991				Agreement must set date for pretrial conference	Firmly fixed time for trial must be set at pretrial conference	Evidence to be presented in expedited fashion			6 jurors; jury deliberations time-limited		Deemed confidential		The parties may agree to make the verdict binding

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Iowa	Expedited Civil Action	Iowa Court Rule 1.281	2015	Voluntary by plaintiffs, based on claimed damages of \$75,000 in damages or less; both parties can request through joint motion, without limit on damages	Must be completed 60 days before trial; no more than 10 interrogatories per side, no more than 10 requests for production per side, no more than 10 requests for admission			Within 12 mos, with extension to 15 months possible	2 days, unless extended for good cause; each side allowed 6 hours for jury selection, opening statements, presentation of evidence, examination and cross-examination of witnesses, and closing arguments	If jury desired, must file a demand for jury trial	6 jurors, 5 must agree for a verdict; each side must strike 3 out of 12 person panel		One party deposition per side; two non-party depositions per side; one expert each, unless showing good cause to increase; witness/expert can complete Healthcare Provider Statement in lieu of testimony				
Minnesota	Expedited Civil Litigation Track Pilot Project	Special Rules for the Pilot Expedited Civil Litigation Track	2013	Mandatory for included civil actions filed in First and Sixth Judicial Districts on or after July 1, 2013	Parties required to serve automatic disclosures; discovery period limited to 90 days post Case Management Conference; limited to 15 interrogatories, 15 requests for production, 25 admissions		A Case Management Conference is held within 45 to 60 days of the date of filing (or ELT Election)	Trial is to be held within four to six months									

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Minnesota	Summary Jury Trial	Minn. Gen. R. Prac. 114.02, 114.08, 114.13; Minn. Stat. §604.11	1993									6		Deemed confidential		Advisory
Nebraska	Summary Jury Trial	L.B. 225, 1987 Neb. Laws 600 (1987), codified at Neb. Rev. Stat. §25-1154 to -1157	1987	Voluntary					As agreed to by parties and court			6	Parties to exchange summaries of evidence at least ten days prior to trial			Advisory and not appealable

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Nevada	Short Trial Program	Nev. Rev. Stat. Ann. § 38.250; Nev. Rev. Stat. Ann. § 67.060 /Nevada Short Trial Rules	2000	Mandatory component of the ADR program in Clark and Washoe Counties; also used voluntarily in 2 other counties; recovery not to exceed \$50,000 excl. attys fees, costs, and interest, unless otherwise stipulated	Parties required to meet with judge for a mandatory discovery conference to exchange documents, identify witnesses, formulate discovery plan	Evidentiary objections to be submitted at time of pretrial memorandum; subject to timely objection, documentary evidence may be admitted without necessity of authentication or foundation of a live witness; joint evidentiary notebooks	Joint pretrial memorandum due to judge 7 days prior before pretrial conference; pretrial conference held no later than 10 days before trial	Not later than 120 days after assignment of presiding judge, and 240 days after filing of a written stipulation for parties that enter by stipulation	Typically one day, with 3 hours per side unless otherwise agreed to by parties and court	Judge pro tempore assigned by ADR Commissioner	15 minutes per side for voir dire, two peremptory challenges each	4 or 6 members (up to 8 if good cause)	Parties encouraged to use written reports in lieu of oral testimony in court; written reports by experts encouraged in lieu of live testimony; numerous mandatory provisions to simplify presentation of evidence	No formal reporting of the proceedings unless paid for by the party or parties	Parties may set high/low; \$3,000 cap on attorneys fees; and \$500 cap on expert witness fees that can be recovered by a party	Advisory, unless otherwise agreed the results are binding. Direct appeal available to state supreme court, except where the parties have agreed the results are binding

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New Hampshire	Summary Jury Trial	Civil Rule 31 of the Superior Court of the State of New Hampshire	1986	Voluntary; the parties may stipulate that the verdict is a final determination on the merits, or any other use of the verdict to help aid resolution of the case		Exhibits must be marked and exchanged prior to trial and objections raised			Each side has 1 hour to present their case			6 jurors or fewer if stipulated	No direct testimony. Evidence to be presented through the attorneys	No record permitted except in extraordinary circumstances.		Advisory unless otherwise agreed; counsel may stipulate that a consensus verdict will be deemed a final determination on the merits and that judgment will be entered
New Jersey	Expedited Jury Trial Program	Available through Civil Complementary Dispute Resolution Program		Voluntary			The parties meet prior to trial for a preliminary hearing at which time exhibits are entered into evidence and all objections heard and ruled on		Typically one to two days; time limits only on opening statements (15 minutes) and summations (30 minutes)		Jury selection is streamlined by limiting jury to six members and 3 peremptory challenges	Six jurors, may proceed with 5	Generally only the parties testify live and the remaining evidence is presented by counsel (via report and deposition)			No limits on damages and final judgments appealable

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New York	Summary Jury Trial Program	Various local court rules.	1998	Voluntary		Generally relaxed rules of evidence, subject to determinations at evidentiary hearing	All documentary evidence exchanged prior to trial; evidentiary hearing prior to trial/	Placed on calendar for trial at earliest possible date	Generally a one-day jury trial; 10 minute opening and closing and one hour presentation of case	No less than 6 jurors and one alternate unless stipulated otherwise	If conducted by court, parties have 10 minutes to also voir dire the jury; 2 peremptory challenges		Live witnesses limited to two; portions of video may be played in lieu of actual appearances		Yes, recited in stipulation signed by attorneys	Generally binding. Right to appeal waived
North Carolina (under general court rules)	Summary Jury Trial	N.C. Super. & Dist. Cts. R. 23	1991	Voluntary				As per agreement of the parties	As agreed to by parties and court	Presider is referee selected by parties	As agreed to by the parties		As agreed to by parties and court			Advisory, unless otherwise agreed
North Carolina (under mediated settlement rules)	Summary Bench Trial or Summary Jury Trial	N.C. Super. Ct. Mediated Settlement Conf. R. 13	2002	Voluntary						Presiding officer selected by parties	Three peremptory challenges per side	Procedure for jury selection provided	Evidence presented in summary fashion by the attorneys			Advisory or binding upon agreement of parties

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North Dakota	Summary Jury Trial	N.D. R. Ct. 8.8	1999	Voluntary					To be conducted in a summary abbreviated fashion				Expert-jurors may be used	Deemed confidential		Advisory
Oregon	Expedited Civil Jury Trial Program	Or. Unif. Trial Ct. R. 5.150	2012	Voluntary, the decision to accept or reject a case for designation is within the sole discretion of the presiding judge; if accepted, the case is removed from mandatory arbitration and all forms of required ADR	Discovery must be complete no later than 21 days prior to trial; discovery may proceed by stipulation (if not, 2 depositions, 1 set of requests for production; 1 set of requests for admission; all discovery requests served no later than 60 days before trial)	Encouraged to expedite trial	Initial case conference within 10 days of the expedited case designation with all trial counsel and self-represented parties required to appear; pretrial conference no later than 14 days before trial; pretrial motions not allowed without prior leave of court	Trial date set no later than 4 months from the date of the order	No time limits		Short voir dire		Parties encouraged to limit live witness testimony			No limits on appeals
Ohio	Summary Jury Trial	Wood Cnty. (Ohio) Gen. Div. C.P. Ct R. 7.12					Court may conduct pre-hearing conference		1 hour per side			6	Evidence presented through the attorneys	No record unless otherwise arranged for by the parties		Non-binding unless otherwise stipulated to by the parties

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Pennsylvania (various counties)	Summary Jury Trial	Various local court rules.	2003			Partially provided for in local rule			One hour per side			6, with 5 needed for verdict	Presentation of evidence by counsel	No record		Generally non-binding
South Carolina	Fast Track Jury Trial Process	March 7, 2013 Admin. Order implementing program statewide and providing Rules and Procedures/Order on Fast Track Jury Trial Process, Appellate Case No. 2013-000389 (S.C. Mar. 7, 2013)(state supreme court administrative order)	2013	Voluntary		The parties may agree to use streamlined rules of evidence	A pretrial conference is typically held 10 days prior to trial during which the Special Hearing Officer rules on objections to documentary evidence previously exchanged and witness lists are exchanged	Trial set for a mutually convenient date; standard trials to have priority over Fast-Track Jury trials in scheduling or use of court resources	Generally a one-day jury trial	Special Hearing Officer chosen and compensated by the parties	Voir dire to be conducted by Special Hearing Officer or judge; two peremptory challenges per side	6	Parties encouraged to limit live witness testimony	No record of proceeding unless either party elects to have a transcript of the proceeding, which shall be at that party's expense	High-low agreements honored	Binding; parties may waive right to post-trial motions and parties waive appeal absent fraud
Tennessee	Summary Jury Trial	Tenn. Sup. Ct. R. 31 § 2-3, 10, 24							To be conducted in an expedited fashion				Evidence presented through the attorneys	Not recorded unless otherwise agreed by the parties		Advisory

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Texas	Expedited Actions	Texas Rule of Civil Procedure 169	2013	Mandatory in all cases where all claimants affirmatively plead that they seek only monetary relief aggregating \$100,000 or less, including damages, penalties, costs, expenses, pre-judgment interest, and attorneys fees (with case type exceptions); \$100,000 cap on recovery	Discovery ends 180 days after the first request for discovery is served; discovery is limited to 6 hours of depositions/15 written interrogatories, requests for production, and admissions			Trial must be set within 90 days of the end of discovery	8 hours/side for jury selection, opening, presentation, and closing		Total time for trial, including jury selection, limited to eight hours per side, with exceptions		Ability to challenge expert testimony limited			Binding
Texas	Mini trial	Tex. Civ. Prac. & Rem. Code Ann. § 154.024	1987	Voluntary										Each party and counsel present the position of the party before select representatives or an impartial third party		Advisory

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Texas	Summary Jury Trial	Tex. Civ. Prac. & Rem. Code Ann. § 154.026	1987	Voluntary								6				Advisory
Utah	Expedited Jury Trial	Utah Code Ann. 78B-3-901-to 909; Utah R. Jud. Admin. R 4-501	2011	Voluntary					No more than 3 hours per side	Jury	Limited to 1 hour, each side will exercise no more than one peremptory challenge	Six jurors with no alternates, five required for verdict	Agreement of parties to include limitations on witnesses		High-low agreement mandatory	Binding; limited right to appeal or to seek new trial
Virginia	Summary Jury Trial	Va. Code Ann. §8.01-576.1 to 576.3	1988	Voluntary						Jury		7	Parties to present a summary of evidence and given opportunity to rebut			Non-binding unless otherwise stipulated to by the parties