

IN THE SUPREME COURT OF MISSISSIPPI

NO. 89-R-99006

IN RE: UNIFORM CHANCERY COURT RULES

ORDER

This matter came before the Court, en banc, on the petition of the Rules Advisory Committee of the Supreme Court, filed November 10, 2000, seeking amendment of Uniform Chancery Court Rules to make certain provisions for the regulation of discovery in the Chancery Courts of Mississippi. The Court having examined the petition finds that the proposal will contribute to the fair and efficient administration of justice and that it should be granted.

IT IS, THEREFORE, ORDERED that the petition of the Chancery Conference, filed November 10, 2000, be and the same is hereby granted, and the Uniform Chancery Court Rules shall stand amended with the addition of a new Rule 1.10 to read as set forth in Exhibit "A" hereto.

IT IS FURTHER ORDERED that a certified copy of this order shall be forwarded by the Clerk of this Court to West Publishing Company for publication as promptly as reasonably possible in the advance sheets of the Southern Reporter, Second Series, the official reporter of cases decided in this Court, and in the *Mississippi Rules of Court*.

SO ORDERED, this, the 15th day of December, 2000.

/s/ William L. Waller, Jr.

WILLIAM L. WALLER, JR., JUSTICE,

FOR THE COURT

DIAZ, J., NOT PARTICIPATING

EXHIBIT "A" TO ORDER

AMENDMENT TO UNIFORM CHANCERY COURT RULES

Rule 1.10 DISCOVERY DEADLINES AND PRACTICE

A. All discovery must be completed within ninety days from service of an answer by the applicable defendant. Additional discovery time may be allowed with leave of court upon written motion setting forth good cause for the extension. Absent special circumstances the court will not allow testimony at trial of an expert witness who was not designated as an expert witness to all attorneys of record at least sixty days before trial.

B. When responding to discovery requests, interrogatories, requests for production, and requests for admission, the responding party shall, as part of the responses, set forth immediately preceding the response the question or request to which such response is given. Responses shall not be deemed to have been served without compliance to this subdivision.

C. No motion to compel shall be heard unless the moving party shall incorporate in the motion a certificate that movant has conferred in good faith with the opposing attorney in an effort to resolve the dispute and has been unable to do so. Motions to compel shall quote verbatim each contested request, the specific objection to the request, the grounds for the objection and the reasons supporting the motion.