

**LOCAL RULES
FOR
NINETEENTH CHANCERY COURT DISTRICT**

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

**RULE 1. GENERAL ORDER REGARDING THE SETTING OF
ACTIONS AND MATTERS SPECIFIED IN RULE 81, MRCP**

(a) Pursuant to Rule 81, Mississippi Rules of Civil Procedure, it is the General Order of this Court that the actions and matters specified therein shall be set for hearing as follows:

(1) No process shall issue in any action or matter unless it has first been set for a day and time certain by the Court or the Court Administrator on the appropriate docket of the Court.

(2) If such action or matter is not heard on the day set for the original hearing, it may by order be continued to a later day for hearing without additional summons on the defendant or respondent.

(3) In the absence of the Court, the Clerk of Court, or his Deputy, is authorized to continue such actions and matters to a later date.

RULE 2. COMPLETION OF DISCOVERY MATTERS

(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.

RULE 3. LOCAL RULE REGARDING EXHIBITS

(a) In all contested matters before the Court the attorneys shall confer prior to trial for the purpose of identifying and marking all exhibits (other than for rebuttal purposes) proposed to be offered into evidence at trial by any party:

(1). PRE-MARKING EXHIBITS. All proposed exhibits shall be pre-marked using evidence labels specified by the Court Reporter. They shall be marked consecutively beginning with number 1 and shall not be identified as to which party is offering the exhibit. The exhibit label shall be centered at the bottom of the first page of each exhibit. The exhibits shall be furnished to the Clerk of Court prior to the time the case is called for trial.

(2). EXHIBIT LIST. The attorneys shall prepare a single list of all proposed exhibits to be offered by the parties. The list shall identify each exhibit by its number and contain a brief description of each exhibit. The exhibit list shall be furnished to the Clerk of Court prior to the time the case is called for trial. A copy shall also be furnished to the Court Reporter prior to trial.

(3). COPIES OF EXHIBITS. The copies of exhibits as required by Rule 3.05 Uniform Chancery Court Rules shall also be marked but exhibit labels are not required.

(4). SANCTIONS. Every contested case in which this rule is not followed when the case is called for trial shall be passed until this rule is complied with. All other cases on The trial docket for that day will have priority over the non-conforming case.

(b) Any attorney who has attempted to comply with this rule but received no response or cooperation from other counsel shall be allowed to briefly make a record of same before the Court. Opposing counsel will be allowed to respond. Should the Court determine that the failure to comply was the fault of an attorney or attorneys, the Court will consider it as a contempt of court, and the attorney or attorneys responsible shall be subject to the maximum penalties allowed by law for contempt of court.

[Adopted by orders entered April 17, 1995; May 12, 2000; and, July 13, 2001; and, approved by the Supreme Court by orders entered October 10, 1995; May 15, 2000; and, January 2, 2002.]