

NO. _____

PLAINTIFF(S)

IN THE COUNTY CIVIL COURT

v.

AT LAW NO. 1

DEFENDANT(S)

HARRIS COUNTY, TEXAS

JOINT PRETRIAL STATEMENT FOR JURY TRIALS [TEMPLATE]

For jury trials counsel shall prepare and file a Joint Pretrial Statement setting forth the matters discussed below. Plaintiff is responsible for filing the jointly prepared pretrial statement at least 72 hours prior to the scheduled pretrial conference, or if no pretrial conference is scheduled, then at least 72 hours before the scheduled trial. Counsel is instructed to cooperate in the preparation of the Joint Pretrial Statement.

The Joint Pretrial Statement shall contain the following:

1. STATEMENT OF THE ADVERSARY PROCEEDING

A concise statement of the case for the convenience of the Court.

2. CAUSES OF ACTION

Please list all causes of action and state the required elements including the burden of proof.

3. AFFIRMATIVE DEFENSES

Please list all affirmative defenses and required elements.

4. AGREED APPLICABLE PROPOSITIONS OF LAW

List legal propositions not in dispute.

5. CONTESTED ISSUES OF LAW

State briefly the issues of law in dispute. Litigants shall file memoranda of authorities on each or all issues no later than 72 hours prior to the pretrial conference.

6. ADMISSIONS OF FACT

List all material facts that have been stipulated, admitted, and should require no proof.

7. CONTESTED ISSUES OF FACT

List all major, material, and necessary factual issues in controversy to the final disposition of this proceeding

8. EXHIBITS

An Exhibit List numbering and briefly describing all exhibits to be offered in evidence or referred to in trial shall be attached to the Joint Pretrial Statement. All exhibits must be marked by the parties for identification prior to

trial, designating such exhibits by the name of the offering party followed by an exhibit number. (For example "Plaintiff's Exhibit 1").

Counsel for all parties have been ordered to confer at their earliest convenience for the purpose of arriving at all possible stipulations and for the exchange of documents that will be offered in evidence at the trial. This requirement shall not apply to rebuttal exhibits that cannot be anticipated. Counsel for each party must exchange all exhibits with one another prior to the pretrial conference pursuant to the court's procedures posted at www.CountyCivilCourt1.org. Failure to do so will be grounds for this Court to deny admission of any or all exhibits of the party whose counsel failed to timely provide exhibits to opposing counsel.

At the pre-trial conference, please deliver one set of exhibits to the Judge in a 3-ring notebook, with each exhibit tabbed and marked. An exhibit list must be included in the notebook.

9. WITNESSES

Each party should list the names and addresses of all witnesses expected to be called during trial with a brief statement of what facts are expected to be proved by each witness. The proponent of a witness must state the amount of courtroom time needed for direct examination.

*Counsel is expected to stipulate to the qualifications of experts. Any inability to stipulate must be set forth in the pretrial statement and specifically brought to the Court's attention at the pretrial conference. **However, Daubert hearings to exclude expert testimony must be set prior to the pretrial conference.***

10. SETTLEMENT

Report here the prospects of settlement. Do not set forth the details of any settlement offer or offers. Simply report what the chances are of the parties reaching a settlement.

11. ESTIMATED TRIAL TIME

Statements as to the estimated time to try the proceeding, including times requested for *voir dire* and opening statement.

12. REQUIRED ATTACHMENTS

The following are REQUIRED attachments FOR EACH PARTY:

- Exhibit Lists;
- Agreed Motion in Limine Items;
- Deposition Excerpts or Edited Videotapes; and
- Jury Charge.

Counsel for Plaintiff
Bar No.

Counsel for Defendant
Bar No.