

Working list of things that *every* judge in *every* case should be attempting accomplish at *every* 16.2 CMC meeting, in order to ensure that it is a useful, productive step in the orderly litigation and resolution of cases, rather than a time-wasting annoyance for bench, Bar, and clients.

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- A recitation on the record under EDCR 7.50 of any stipulated terms.
- Interim orders sufficient to keep the peace and allow the case to progress; if matters are claimed to be in contest, then directions by the court as to which party will have which burden, as to both going forward (motion) and as to proof.
- Discovery discussion – what to expand, constrict, or turn over voluntarily (if any of the latter, this again would be a 7.50 stip to prevent future difficulties and lower expenses).
- Whether any or all issues could be settled based on information known up to that time; cases can and should be narrowed when possible, and some could be proven up on the spot.
- At least a preliminary discussion of a litigation budget on all sides, to encompass what each side sees as probable expenses, and a judicial first take on who will be paying the freight. Lawyers should hand in, and judges should review, the litigation budget forms circulated most of a year ago (at least as much as anything else, this conversation could lead to actual partial or complete resolution of cases much faster than might otherwise be the case).
- In the event an attorney fails to bring a client to the CMC and the judge believes that some or any actions cannot be taken in the absence of the missing party, then rescheduling of the CMC and an appropriate award of fees imposed on the non-appearing party, measured by the cost of the attendance of the complying party.
- Dates for all future proceedings, including a trial date, if things remain unsettled and in contest.