

REPORT OF THE SECTION OF COURTS,  
LAWYERS AND THE ADMINISTRATION OF  
JUSTICE OF THE DISTRICT OF COLUMBIA BAR  
RECOMMENDING AMENDMENT OF THE DISCOVERY  
DEADLINE UNDER CIVIL RULE 26(d) OF THE  
SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

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SUMMARY OF REPORT OF THE  
SECTION OF COURTS, LAWYERS AND  
THE ADMINISTRATION OF JUSTICE OF THE  
DISTRICT OF COLUMBIA BAR RECOMMENDING  
AMENDMENT OF THE DISCOVERY DEADLINE  
UNDER CIVIL RULE 26(d) OF THE  
SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

The Section of Courts, Lawyers and the Administration of Justice recommends that the procedure for setting discovery deadlines in Superior court "Civil II" cases be revised to correct the current situation in which many months pass between the discovery deadline and the pretrial and trial dates.

Currently, the deadline is 180 days (for jury trials) and 120 days (for non-jury trials) after the case is at issue as to all parties. The Section recommends that the discovery deadline be a set period of time (e.g. 90 days) before pretrial. This change would preserve the admirable goal of forcing litigants to have their discovery completed well before trial, and thereby enhancing early settlements. At the same time, it would eliminate all the problems that invariably arise as a result of such a lengthy "dead time" between the discovery deadline and trial.

The Section's proposal has sufficient flexibility so that, when the civil trial backlogs are reduced, the discovery deadline would automatically be earlier. Under the current system, the deadline has no relation whatsoever to the trial date.