

**Rule 1. SCOPE AND PURPOSES**

- (a) **Purposes.** The courts have adopted these Local Rules and, within them, a *Differentiated Case Management Plan* to permit the courts to manage their civil dockets in the most effective manner, to reduce costs and to avoid unnecessary delay, without compromising the independence or the authority of either the judicial system or the individual judge. The underlying principle of the Rules is to make access to a fair and efficient court system available and affordable to all citizens.
- (b) **Definitions.** For purposes of these Local Rules:
- (1) **Differentiated Case Management [DCM]** is a plan providing for management of civil actions based on case characteristics. This system is marked by the following features: the court reviews and screens civil action filings and channels cases to processing “tracks” which provide an appropriate level of judicial, staff, and attorney attention; civil actions having similar characteristics are identified, grouped, and assigned to designated tracks; each track employs a case management plan tailored to the general requirements of similarly situated cases; and provision is made for the initial track assignment to be adjusted to meet the special needs of any particular case.
  - (2) **Judicial Officer** is either a United States district judge or a United States magistrate judge.
  - (3) **Court** means the United States district judge, the United States magistrate judge, or clerk of court personnel, to whom a particular responsibility, action, or decision has been delegated by the judges of the United States District Court for the Northern District of Mississippi or the United States District Court for the Southern District of Mississippi.
- (c) **Tracks and Assignment of Civil Actions**
- (1) **Expedited.** Civil actions on the Expedited Track will have a completion goal of nine or fewer months after filing of the first answer or other responsive pleading.
  - (2) **Standard.** Civil actions on the Standard Track will have a completion goal of twelve or fewer months or less after the filing of the first answer or other responsive pleading.
  - (3) **Complex.** Civil actions on the Complex Track will have the discovery cut-off established in the Case Management Plan and will have a completion goal of no more than twenty-four months after filing of the first answer or other responsive pleading.

- (4) **Administrative.** Civil actions on the Administrative Track, with the exceptions of bankruptcy appeals, student loan actions, and civil asset forfeiture actions, will normally be referred directly to a magistrate judge. These actions normally will have no discovery and will have a completion goal of nine months.
  - (5) **Mass Tort.** Civil actions on the Mass Tort Track will be treated in accordance with the special management plan adopted by the court.
  - (6) **Suspension Track.** The completion goal of civil actions placed on the Suspension Track will be determined at the Case Management Conference and time computations will commence on the date the stay order is lifted.
- (d) **Case Evaluation Criteria.** The court will consider and apply the following factors in assigning civil actions to a particular track:
- (1) **Expedited:**
    - (A) Legal Issues: Few and clear.
    - (B) Required Discovery: Limited.
    - (C) Number of Real Parties in Interest: Few.
    - (D) Number of Fact Witnesses: Up to five.
    - (E) Expert Witnesses: Few, if any.
    - (F) Likely Trial Days: Three or fewer.
    - (G) Character and Nature of Damage Claims: Liquidated or routine.
  - (2) **Standard:**
    - (A) Legal Issues: More than a few, some unsettled.
    - (B) Required Discovery: Routine.
    - (C) Number of Real Parties in Interest: Up to five legal entities but which represent no more than three diverse interests.
    - (D) Number of Fact Witnesses: Up to ten.
    - (E) Expert Witnesses: Usually fewer than four.
    - (F) Likely Trial Days: Five or fewer.
    - (G) Character and Nature of Damage Claims: Routine.
  - (3) **Complex:**
    - (A) Legal Issues: Numerous, complicated and possibly unique.
    - (B) Required Discovery: Extensive.
    - (C) Number of Real Parties in Interest: More than five.
    - (D) Number of Fact Witnesses: More than ten.
    - (E) Expert Witnesses: More than three.
    - (F) Likely Trial Days: More than five.
    - (G) Character and Nature of Damage Claims: Usually requiring expert testimony.

- (4) **Administrative:** Civil actions that, based on the court's prior experience, are likely to result in default or consent judgments or usually can be resolved on the pleadings or by motions. These include such actions as Social Security appeals, bankruptcy appeals, habeas corpus petitions, student loans, civil asset forfeiture actions, or other actions involving an administrative record.
- (5) **Mass Torts:** Factors to be considered for this track will be identified in accordance with the special management plan adopted by the court.
- (6) **Suspension:** Civil actions stayed pending resolution of remand motions, immunity defense motions, jurisdictional motions, bankruptcy proceedings or for other good cause found by the court.