RULE 16.1 - CASE MANAGEMENT TRACKS

(As amended ~~December 1, 2015~~)

(a) Civil Case Tracks

Each civil case shall be assigned to one of the following tracks:

1. Administrative
2. Standard
3. Complex
4. Toxic Tort
5. Prisoner Civil Rights
6. Individuals With Disabilities Education Act
7. Employee Retirement Income Security Act

Definitions

(1) Administrative Track. Contains those cases in which discovery is prohibited entirely unless specific approval is obtained from a judicial officer. Cases on this track include cases filed under 28 U.S.C. §§ 2254, 2255 (habeas corpus cases); social security disability cases; government collections of student loans and VA benefits; government foreclosures; and bankruptcy appeals. Administrative track cases shall ordinarily be resolved within six (6) months after filing.

(2) Standard Track. Contains those cases in which discovery is limited to not more than 30 interrogatories per opposing side (subparts not permitted); 30 requests for admission per opposing side; 2 sets of requests for production per opposing side; and 5 depositions per opposing side. In standard track cases, d~~D~~iscovery ~~in standard track cases~~ shall ordinarily be completed within ~~4~~5 months and the case scheduled for trial within ~~6~~7 months after ~~issue is joined~~issuance of the scheduling order. Cases on this track shall include cases such as vehicle collision cases involving only negligence claims; slip and fall cases; Fair Labor Standards Act and False Claim Act cases; personal injury litigation; civil rights cases other than prisoner civil rights; statutory forfeiture cases; simple contract cases; declaratory judgments regarding insurance coverage; FELA cases; Jones

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Act cases; foreclosure of first preferred ship mortgages; and complaints for copyright violations for unauthorized musical performances.

(3) Complex Track. Contains those cases that require special attention because of the number of parties, complexity of the issues, scope of discovery, and/or other comparable factors. Cases that are transferred or returned to Maine by the Multi-District Litigation Panel shall be placed on the complex track. The scope of discovery, motion practice, ADR and other matters will be discussed with the parties or their lawyers.

(4) Toxic Tort Track. Contains all the asbestos-related tort actions and any others that the court decides present similar problems.

(5) Prisoner Civil Rights Track. Contains civil rights cases filed by prisoners pursuant to Title 42 U.S.C. § 1983. Discovery and motion practice in prisoner track cases shall ordinarily be completed within 4 months of the issuance of the scheduling order.

(6) Individuals With Disabilities Education Act Track. Contains those cases filed under the Individuals With Disabilities Education Act, 20 U.S.C. § 1400 et seq. (IDEA)

(7) Employee Retirement Income Security Act Track. Contains those cases filed pursuant to §502(a)(1)(B) of The Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1132(a)(1)(B) (ERISA).

Assignment

Each case shall be assigned to a track by the Clerk based on the initial pleading. The Court may on its own initiative, or upon good cause shown by a party, change the track assignment of any case.

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