

Rule 10.1 Motions To Compel Discovery

(a) Before filing any motion to compel discovery, the moving party or attorney shall confer in person or by telephone with the opposing party or counsel for the purpose of amicably resolving the discovery dispute. The moving party or attorney shall attempt to arrange a suitable conference date with the opposing party or counsel and confirm the date by written notice sent at least five (5) days before the conference date, unless an earlier date is agreed upon or good cause exists for a shorter time period. If by telephone, the conference shall be initiated by the person seeking the discovery responses.

(b) No counsel for a party shall file, nor shall any clerk set for hearing, any motion to compel discovery unless accompanied by a "Rule 10.1 Certificate of Conference" as set forth below:

RULE 10.1 CERTIFICATE OF CONFERENCE

I, the undersigned party or attorney, certify to the court as follows:

If discovery conference is held:

The parties or counsel personally conducted a conference on [insert date]. At this conference, there was a substantive discussion of every item presented to the court in this motion and, despite their best efforts, the parties or counsel were unable to resolve the matters presented.

Certified this ____ day of _____, 20__.

Signature of Party or Attorney

If discovery conference is not held:

The moving party or counsel has personally attempted to contact the respondent or counsel to arrange a conference to resolve the matters presented in this motion as follows:

[Insert dates, times, methods of contact, and results here.]

Respondent or counsel has failed to respond or failed to confer in good faith in an attempt to resolve the matters presented.

Certified this ____ day of _____, 20__.

Signature of Party or Attorney

(c) If the court finds that the parties or counsel have failed to confer in good faith, or have willfully failed to confer, the court may impose, at its discretion, sanctions on the non-conferring party, including attorney fees and costs.