

## PREPARING A CASE MANAGEMENT STATEMENT

This template was prepared by the Justice & Diversity Center, a nonprofit organization, and is not an official court form. It can be used in civil lawsuits in the Northern District Court of California. This template provides guidance only. Using this template does not guarantee any result.

### ★ HOW TO GET LEGAL INFORMATION & ADVICE

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This packet provides general guidance about preparing a Case Management Statement. Before filing this document, make an appointment for free legal information and advice at one of the Legal Help Centers.

#### APPOINTMENTS – Based on the courthouse where complaint was filed

- ★ SAN FRANCISCO, OAKLAND, OR EUREKA-MCKINLEYVILLE  
Federal Pro Bono Project | [fedpro@sfbar.org](mailto:fedpro@sfbar.org) | (415) 782-8982  
**NOTE:** Contact for scheduling only – no legal advice is given when scheduling.
  
- ★ SAN JOSE  
Federal Pro Se Program | (408) 297-1480  
Drop-in hours Tuesday and Thursday from 9:00 a.m. to 4:00 p.m.  
280 South 1st Street, 2nd Floor, Room 2070, San Jose

### ★ UNDERSTANDING LAWS & RULES

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The Legal Help Centers (see above) are the best resource for people without lawyers. There are other resources for understanding the laws and rules of the Court:

1. **Handbook for Pro Se Litigants** – The Handbook is a procedural guide for people who are representing themselves. It was prepared by the Court and is available at the Clerk’s Office or on the Court’s website at: <https://www.cand.uscourts.gov/pro-se-handbook/>.
2. **Legal Research Guide for Pro Se Litigants** – The Guide provides information for people who are representing themselves about how to do legal research, like finding statutes and decisions in other cases. It was prepared by the Justice & Diversity Center and is available at the Legal Help Centers and at: <https://www.cand.uscourts.gov/pro-se-litigants/legal-help-center-templates-packets/>.
3. **Federal Rules of Civil Procedure** – These Rules explain the procedures from filing through trial for all civil cases in the federal courts across the country and are available at: <https://www.uscourts.gov/rules-policies>.
4. **Civil Local Rules** – The Civil Local Rules follow the same numbering as the Federal Rules of Civil Procedure, but generally provide more detail. They apply in this District only and are available at: <https://www.cand.uscourts.gov/rules/civil-local-rules/>.

## ★ WHEN TO PREPARE A CASE MANAGEMENT CONFERENCE STATEMENT

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1. **Figure out when the Statement is due** – When the case was filed, the Clerk issued a document called an Initial Scheduling Order, which set the date that this Statement is due. Check the Initial Scheduling Order and any other Orders issued by the Court to confirm the due date.
2. **Begin working a few weeks before the deadline** – While the Statement should not take long to prepare, it may take time to reach the opposing side by phone before you file (see the next section).

## ★ HOW TO COMPLETE THE TEMPLATE

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1. **Read the Pro Se Handbook** – Chapter 33, “What is a Case Management Conference and How Do I Prepare for It?” explains more about Case Management Conferences.
2. **Gather resources about legal processes and rules** – The resources found above in the section entitled “Understanding the Laws and Rules” describe the processes and rules of the Court, and it may be helpful to have them available when completing this template.
3. **Contact the opposing side** – Before you file a Case Management Statement, you must contact the opposing party’s lawyer (or the unrepresented party) to talk about the Statement. The Court also prefers if you file a joint statement, even if the parties do not agree on everything in the Statement. See Civil Local Rule 16-9 and Federal Rule of Civil Procedure 26(f) (see above for links to these Rules).
4. **Fill in the case information** – On the top of the first page, write your name, address, and check the box for the division to which your case has been assigned. Write in the plaintiff’s and defendant’s names in the middle of the page. Then, write in the case number and the judge’s name.
5. **Complete Section 1** – Part (a), “Jurisdiction,” explains why this is the correct court to decide this case, instead of a state court. Federal courts like this one generally decide two types of cases: (1) those involving a violation of federal law (“federal question”); and (2) those involving parties from different states (“diversity of citizenship”), where the plaintiff is suing for more than \$75,000. Part (b) of this section explains whether the defendant(s) have been served with the Complaint. Review the Proof of Service for each defendant and write in the correct name and date in the first two columns. If you are not sure about “personal jurisdiction” or “venue,” contact the Legal Help Center.
6. **Complete Section 2** – Write a short description of what this case is about. Include only the most important facts from the Complaint, including those you and the other side disagree on. It is acceptable to have different facts sections for each party if needed, for example: “Plaintiff’s Statement of Facts” and “Defendant’s Statement of Facts.”
7. **Complete Section 3** – Briefly explain the law or laws the Plaintiff says the Defendant violated. If you know of any similar cases that might help you win, you can list those here. Plaintiffs and defendants may have separate sections here if needed.
8. **Complete Section 4** – “Motions” are requests to the Court, usually made in writing. This section tells the Court if any Motions have been filed, and which ones may be filed later. If you

do not know whether motions will need to be filed, you can indicate that you are unsure at this time.

9. **Complete Section 5** – If a plaintiff wants to change its claims, or a defendant wants to change its defenses or claims, it will need to “amend” its Complaint or Answer/Counterclaim. If you think you may want to file an amendment, make an appointment at the Legal Help Center (page 1).
10. **Complete Section 6** – This section, “Evidence Preservation,” lets the Court know that you are keeping all the papers, electronic information, such as emails and text messages, and any other records that might be needed by either side. You are required to speak with the opposing side about the type of information each of you is preserving. You are also required to review the Court’s Guidelines for the Discovery of Electronically Stored Information, available here: <https://www.cand.uscourts.gov/forms/e-discovery-esi-guidelines/>
11. **Complete Section 7** – At the beginning of almost every case, without the Court telling you to, each party must write its own list of the people and documents that have information supporting its case. This is called “Initial Disclosures” and parties are required to exchange these. The Legal Help Center has an Initial Disclosure template you can use. If the parties have already exchanged these disclosures, have a date by which they have agreed to exchange them, or if one party has provided them but not the other party, you can tell the Court that here.
12. **Complete Section 8** – “Discovery” is the process the parties use to collect evidence, information, and testimony from each other. This process includes requests for documents, requests for admissions, and written questions, as well as depositions and subpoenas. Section 8 describes each side’s plan for discovery, and whether there will be problems getting access to the information needed. If you are unsure which discovery tools you may use, you can say that you may be taking discovery, but you are currently unsure which tools you will use. The parties must also discuss whether they would like to enter into an agreement (stipulation) about electronic discovery. See number 10 above for link to more information about electronic discovery.
13. **Review Section 9** – Most cases with self-represented (“pro se”) litigants are not “Class Actions.” If you think your case might be a class action, contact the Legal Help Center. Otherwise, do not write anything here.
14. **Complete Section 10** –The Court wants to know if another judge or other person has been asked to decide a case that is “related” to this one because it involves some or all the same people, and the same claims or legal issues. If you are not sure, Civil Local Rule 3-12 (see page 2) gives more information about what kind of cases are “related.”
15. **Complete Section 11** – State what the plaintiff wants from the defendant, or what the plaintiff wants the Court to do, including any amount of money sought and how that amount was calculated. If a defendant filed a claim, state the same information for the defendant. Plaintiffs and defendants may have separate sections here if needed.
16. **Complete all parts of Section 12** – Alternative Dispute Resolution (“ADR”) refers to the ways in which a case can be resolved without a trial. The Court wants to know if you have tried to informally resolve the case already and what type of ADR option you choose. The Court also wants to know that you have complied with ADR Local Rule 3-5, which is found here:

<https://www.cand.uscourts.gov/about/court-programs/alternative-dispute-resolution-adr/adr-local-rules/#ADR-MOP>

17. **Review Section 13** – Sometimes the judge may refer a case to another decision-maker, such as an arbitrator. Because this is rare, Section 13 is pre-filled to read “Not Applicable” and there is nothing you need to add. If you have questions, contact the Legal Help Center.
18. **Complete Section 14** – In some cases, the parties agree on some or all the facts and may just need the Court to decide if a law was violated. If there are issues on which all the parties agree, or that the Court can resolve based on the written papers of the parties (by “Motion”), check the box that applies and explain. Otherwise, check “Not applicable.” After speaking with the opposing side, identify (in bold or highlight) one to three issues which are the most consequential to the case. Explain how the parties might quickly resolve these issues.
19. **Complete Section 15** – Usually, the Court will set the deadlines for the rest of the case, but if you want to propose deadlines or timing, you may do so. These proposed dates or deadlines can be from the parties together or you may have a different proposal from the other party. The deadlines commonly set at the Conference are the following:
  - a. Fact Discovery Cutoff: See Section 8 (above). The “cutoff” is the date by which all parties must **receive** information from the other side.
  - b. Expert Discovery: Talk with the opposing side about the last day to designate experts in the case. There may be cases where expert testimony is not needed. If you have questions, contact the Legal Help Center.
  - c. Hearing Date for Dispositive Motions: “Dispositive motions” are written requests to end the case without a trial; the most common kind is a Motion for Summary Judgment.
  - d. Proposed Month/Year for Trial: It is not unusual for a trial to happen about a year after a Case Management Conference.
20. **Complete Section 16** – If you requested a jury trial in the Complaint or Answer, and still would like a jury trial, check the first box. If you forgot to request a jury trial in the Complaint or Answer or are not sure whether your case can or should be tried before a jury, contact the Legal Help Center. If you do not want to have a jury trial, check the second box.
21. **Review Section 17** – This Section is used to tell the Court whether anyone who is not named as a plaintiff or defendant in the case will be affected by the outcome. These people, companies, or organizations are thought of as being “interested” in the case. Civil Local Rule 3-15 (see page 2) explains who may be “interested.” Usually, if you are representing yourself, the answer is “None.”
22. **Section 18** – This section is about professional conduct obligations of attorneys and does not apply to self-represented litigants.
23. **Complete Section 19** – If you have ideas for making this case go smoothly, write them here.
24. **Number the pages** – Count the number of pages in your final Statement, including any you added after the signature lines. On the bottom of each page, write in the page number and the total.

25. **Review, sign, and date** – Read the entire Statement to confirm that all the statements are correct.
26. **Prepare the Certificate of Service** – Each document that you file must be “served” on each other party, usually by sending it in the mail. A Certificate of Service is a document that lets the Court know that you served a certain document. To prepare the Certificate, follow the instructions on it. If all parties (including you) are registered ECF filers, you do not need to prepare or file a Certificate of Service.

## ★ FILING & SERVING YOUR STATEMENT

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1. **Make three copies** – Once you have completed and signed your Statement and Certificate (if needed), make three copies of each document. On one copy of the documents, write “Chambers” (for the judge) on the top in pen. (If there is more than one plaintiff or defendant, you will also need one additional copy for each of them.) ECF users do not need to include a chambers copy, unless otherwise required by the assigned judge. See Civil Local Rule 5-1(d)(7) and Standing Order for judge assigned to your case.
2. **File the Statement** – Deliver or mail the *original plus two copies* of the Statement and Certificate to the Clerk’s Office at the courthouse where the Judge hearing your case is located. The Clerk will take the original and the copy marked “Chambers” of each document. The other copy is for you to keep after it is stamped by the Clerk. If you file by mail, include a self-addressed, stamped envelope so that the Clerk can send a copy of each document back to you. If you are an electronic filer, follow the instructions for electronic filing, which can be found here: <https://www.cand.uscourts.gov/cases-e-filing/cm-ecf/> . The registration information to become an e-filer can be found here: <https://www.cand.uscourts.gov/e-file/>
3. **Serve the Statement** – Be sure that the Statement and Certificate are served on each other party. If you are filing electronically, your document is deemed served when filed. See Civil Local Rule 5-1(h)(1).
4. **File the Statement** – Deliver or mail the original plus two copies of the Statement and Certificate to the Clerk’s Office at the federal courthouse where the Judge hearing your case is located. The Clerk will take the original and the copy marked “Chambers” of each document. The other copy is for you to keep after it is stamped by the Clerk.
  - a. **File by mail** – If you file by mail, include a self-addressed, stamped envelope so that the Clerk can send a copy of each document back to you.
  - b. **File electronically** – If you are an electronic filer, follow the instructions for electronic filing, which can be found here: <https://www.cand.uscourts.gov/cases-e-filing/cm-ecf/> .
  - c. **Register to become an e-filer** – The registration information to become an e-filer can be found here: <https://www.cand.uscourts.gov/e-file/>

## ★ WHAT'S NEXT?

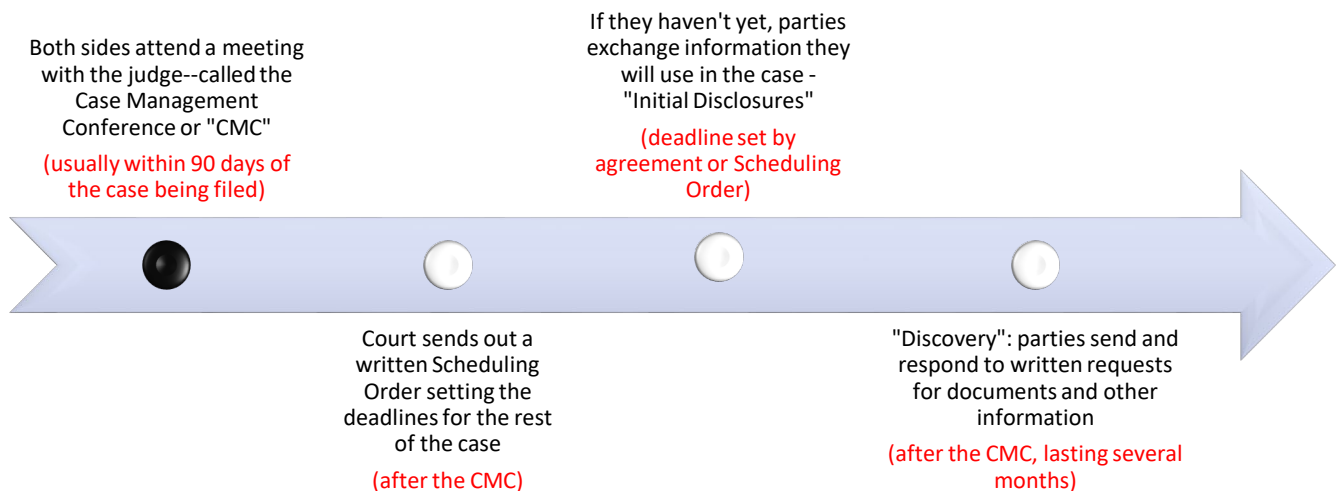
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The Case Management Conference, which is a meeting with the parties and the judge, takes place a week after the Case Management Conference Statement is due to be filed. If you would like assistance preparing for your appearance at the Case Management Conference, make an appointment for free legal information and advice at one of the Legal Help Centers.

## ★ STAY UP TO DATE

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1. **Communications** – Check your mail and tell the Court if you move. You must file a notice with the Clerk right away if your mailing address, email, or phone number changes or you may miss important deadlines, causing you to lose your case.
2. **Tracking** – Keep track of your case. A list of the documents that have been filed, and (usually) the documents themselves can be viewed online. Review the Pro Se Handbook Chapter 7 and contact the Legal Help Center to learn to access documents.
3. **Guidance** – Visit the Legal Help Center for more information about what happens next.



1 Your Name: \_\_\_\_\_

2 Address: \_\_\_\_\_

3 \_\_\_\_\_

4 Phone: \_\_\_\_\_

5 Email: \_\_\_\_\_

6 Pro Se

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**UNITED STATES DISTRICT COURT**

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**NORTHERN DISTRICT OF CALIFORNIA**

10 Division [check one]:  San Francisco  Oakland  San Jose  Eureka-McKinleyville

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12 \_\_\_\_\_ ) Case Number: \_\_\_\_\_

13 \_\_\_\_\_ ) [Check box for party submitting statement]:

14 **Plaintiff,** )  **Plaintiff's**  **Defendant's**

15 v. ) **CASE MANAGEMENT STATEMENT**

16 \_\_\_\_\_ ) **DATE:** \_\_\_\_\_

17 \_\_\_\_\_ ) **TIME:** \_\_\_\_\_

18 \_\_\_\_\_ ) **JUDGE: Hon.** \_\_\_\_\_

19 \_\_\_\_\_ )

20 \_\_\_\_\_ )

21 **Defendant(s).** )

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28 [See the Instructions for more detailed information about how to complete this template.]

1 **1. JURISDICTION & SERVICE**

2 (a) This Court has subject matter jurisdiction in this case under:  
3 [Mark the option that applies to your case.]

4  Federal question jurisdiction because it is about federal laws or rights. [List the laws  
5 or rights involved] \_\_\_\_\_  
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7  Diversity jurisdiction because none of the Plaintiffs live in the same state as any of the  
8 Defendants AND the amount of damages is more than \$75,000.

9 (b) Service  has  has not been completed, as follows:  
10 [Complete the table to show when each defendant was served with the Complaint and whether  
11 any defendant will argue that this Court is not the correct one to decide this case.]

Defendant's Name	Date Served or Expected to Serve	Does Defendant dispute that the Court has personal jurisdiction?	Does Defendant dispute that this is the correct venue?
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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17  Check the box if there are more defendants and provide the above information for each  
18 defendant on an additional page at the end of this document.

19 **2. FACTS**

20 Give a short description of the important facts in this case including facts that you and the  
21 other side disagree about. Add an additional page if needed.  
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1 **3. LEGAL ISSUES**

2 Briefly explain the laws the Plaintiff says the Defendant violated.

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12 **4. MOTIONS**

13 Complete the table to list any motions that have been filed or might be filed.

Party filing motion	Type of Motion	Date of Ruling (or "pending" or "to be filed")

14  Check the box if there are more motions and add a page at the end with additional information.

15 **5. AMENDMENT OF PLEADINGS**

16 Mark one option to tell the Court whether you plan to change your claims or defenses.

17 • The submitting party [name] \_\_\_\_\_

18  does not plan to amend the Complaint.  plans to amend the Complaint by \_\_\_\_\_

19  does not plan to amend the Answer.  plans to amend the Answer by \_\_\_\_\_

20  Check the box if you need to list more parties and then provide the above information for each party on an additional page at the end of this document.

21 **6. EVIDENCE PRESERVATION**

22 Parties to a lawsuit must make sure that they are protecting and not destroying evidence that might be used in the case. Check the correct box or boxes.

23 • The submitting party [name] \_\_\_\_\_ has

1  reviewed the Guidelines for the Discovery of Electronically Stored Information  
2 [See <https://www.cand.uscourts.gov/forms/e-discovery-esi-guidelines/>]

3  spoken with the opposing parties about preserving evidence relevant to the issues  
4 one could reasonably understand to be part of this case  
5 [See Checklist for Rule 26(f) Meet and Confer at:  
6 <https://www.cand.uscourts.gov/forms/e-discovery-esi-guidelines/>]

7  plans to do the above by [date] \_\_\_\_\_

8  Check the box if you need to list more parties and then provide the above information for  
9 each party on an additional page at the end of this document.

### 7. DISCLOSURES

10 Initial Disclosures are lists of information that the parties must send each other at the  
11 beginning of a case. Check the box that applies and then fill in the agreed date if needed.

12  Parties have sent each other Initial Disclosures.

13  Parties have not yet sent each other Initial Disclosures, but agree to exchange  
14 them by [date] \_\_\_\_\_

### 8. DISCOVERY

15 Give a short description of what you plan to investigate during discovery and if there are  
16 currently any discovery issues. Give a brief report about any agreements (stipulations) the parties  
17 have made about electronic discovery.

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### 9. CLASS ACTIONS

25 Not applicable.

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**10. RELATED CASES**

Check the correct box to explain whether you are aware of any cases related to this one. If you check the second box, list the case number and the court, government agency, or other administrative body that will decide that case.

The party submitting this statement

- is not aware of any related cases.
- is aware of related cases [list cases]: \_\_\_\_\_

**11. RELIEF**

State what the Plaintiff wants from the Defendant, or wants the Court to do, including any amount of money sought and how that amount was calculated. If a Defendant filed a counter or crossclaim, state the same information for the Defendant. Insert a page if needed.

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**12. SETTLEMENT AND ADR**

Check at least one box in each column. Suggest a date for a settlement conference. If you need information to help you decide how to resolve the case, explain what that information is.

The parties are to have complied with ADR Local Rule 3-5.

The parties:

Form of Alternative Dispute Resolution (“ADR”):

- |   |  |
|---|--|
| <input type="checkbox"/> have tried to settle the case.     | <input type="checkbox"/> Settlement conference with a magistrate judge |
| <input type="checkbox"/> have not tried to settle the case. | <input type="checkbox"/> Mediation                                     |
|   | <input type="checkbox"/> Other _____                                   |

Suggested deadline: \_\_\_\_\_

Information needed (such as key discovery or motions):

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**13. OTHER REFERENCES**

In unusual cases, the judge may refer a case to another decision-maker. If this is one of those cases, cross out "Not Applicable," and write in who should hear this case.

Not applicable.

**14. NARROWING OF ISSUES**

Use this section to explain if issues in this case could be resolved by agreement or by written papers submitted by the parties ("motion"). Check the box that applies and then explain.

Not applicable.  
 Issues that can be resolved by agreement: \_\_\_\_\_

Issues that can be resolved by motion: \_\_\_\_\_

Consequential issues and plan for quick resolution: \_\_\_\_\_

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**15. SCHEDULING**

The Court usually sets the case deadlines. If you want to propose a schedule for designation of experts, discovery cutoff, hearing of dispositive motions, pretrial conference and/or trial, you can do so below. Be sure you will be in town and able to meet any deadlines proposed.

Agree to have the Court set deadlines.

Proposed deadlines:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1 **16. TRIAL**

2 Check the box that applies and estimate how long the trial will last.

3  This case will be tried by a jury. The trial is expected to last \_\_\_\_ days.

4  This case will be tried by a judge. The trial is expected to last \_\_\_\_ days.

5 **17. DISCLOSURE OF NON-PARTY INTERESTED ENTITIES OR PERSONS**

6 This Section tells the Court if anyone who is not named as a party in the case will be affected by  
7 the outcome. Usually, if you are representing yourself, the answer is "None." If there is an  
8 "interested party," cross out "None" and write in their names.

9 None.

10 **18. PROFESSIONAL CONDUCT**

11 Not applicable as the submitting party is self-represented and proceeding *pro se*.

12 **19. OTHER**

13 Use this section to discuss other issues that would assist with the just, speedy, and  
14 inexpensive resolution of this case.

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22 NOTE: This document should not be longer than 10 pages, including any pages you add at the  
23 end. Each party submitting this statement must sign and date below.

24 Date: \_\_\_\_\_

25 Sign Name: \_\_\_\_\_

26 Print Name: \_\_\_\_\_

27 Pro Se

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1 Use this page if you need additional space for any Section. Be sure to write the Section number.

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