

## Instructions: Case Management Statement

These forms were prepared by the Justice & Diversity Center, a nonprofit organization, and are not official court forms.

### Checklist

---

This packet provides a general Case Management Statement form. **This packet is also available in a fillable pdf version on the Court's website at [www.cand.uscourts.gov/Legal-Help-Center-Templates](http://www.cand.uscourts.gov/Legal-Help-Center-Templates).** This packet includes the following forms:

- **Case Management Statement**
- **Certificate of Service**

### General Instructions

---

A. This packet contains forms for a Case Management Statement and a Certificate of Service which can be used in the Northern District Court of California. A Case Management Statement gives the court an overview of the case and confirms that the parties have discussed important issues, such as settlement. The Case Management Statement is typically filed one week before the Case Management Conference but **always** check the deadline the court has set in your particular case.

B. Before filling out the Case Management Statement, determine whether you will be filing the Case Management Statement jointly with the opposing party/parties or whether you will file it alone. The court strongly prefers that the parties file a **Joint** Case Management Statement but does not require it if one side does not have an attorney. It is best to ask the opposing party if they will file the Case Management Statement jointly with you. If the other side does not agree, then you will have to file one on your own behalf.

C. **Fill out each of the included forms completely.** Suggestions and instructions are provided [*in brackets and/or italics that look like this*] to help you. If a section does not apply to you, write "not applicable." **Be sure to sign and date the form.**

D. Make sure that **one copy of the Case Management Statement and the Certificate of Service is served on the opposing party** in one of the ways listed on the Certificate of Service. Then, mail or hand-deliver the **original plus two copies of the forms to the Clerk's Office** at the court you are assigned to. The Clerk will take the original and one copy. 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 back to you.

E. You must tell the Clerk right away if your mailing address changes. If the court is unable to contact you, you may miss important deadlines, causing you to lose your case.

## More Information

---

This packet does NOT tell you everything you need to know about a Case Management Statement. **Before you file** your Case Management Statement, we recommend that you:

- Seek free legal information and advice:
  - If your case is in the San Francisco/Oakland federal courthouse, make an appointment with the **Legal Help Center** by calling 415-782-8982, OR sign up at 450 Golden Gate Ave., S.F., 15<sup>th</sup> Floor, Room 2796 OR 1301 Clay Street, Oakland, 4<sup>th</sup> Floor, Room 470S
  - If your case is in San Jose, make an appointment with the **Federal Pro Se Program** by calling (408) 297-1480, OR by signing up at 280 South First Street, S.J., Room 2070.
  
- Read Chapter 14 of the **Handbook for Pro Se Litigants** for an explanation of Case Management Statements and Case Management Conferences. The Handbook is available at the Clerk's Office or [www.cand.uscourts.gov/prosehandbook](http://www.cand.uscourts.gov/prosehandbook).

1 Your Name: \_\_\_\_\_  
2 Address: \_\_\_\_\_  
3 Phone Number: \_\_\_\_\_  
4 Fax Number: \_\_\_\_\_  
5 E-mail Address: \_\_\_\_\_

6 Pro Se

7  
8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

10  
11 \_\_\_\_\_ ) Case Number: \_\_\_\_\_  
12 \_\_\_\_\_ )  
13 Plaintiff(s), ) *[Select: Plaintiff's / Defendant's / Joint]*  
14 vs. ) **CASE MANAGEMENT STATEMENT**  
15 \_\_\_\_\_ ) DATE: \_\_\_\_\_  
16 \_\_\_\_\_ ) TIME: \_\_\_\_\_  
17 \_\_\_\_\_ ) COURTROOM: \_\_\_\_\_  
18 \_\_\_\_\_ ) JUDGE: Hon. \_\_\_\_\_  
19 \_\_\_\_\_ )  
20 Defendant(s). )  
21 \_\_\_\_\_ )

22  
23 Pursuant to Federal Rule of Civil Procedure 26(f), Civil Local Rule 16-9, and the  
24 Standing Order for All Judges of the Northern District of California, *[list parties submitting*  
25 *statement]* \_\_\_\_\_

26  
27 \_\_\_\_\_ hereby submit(s) this Case Management Statement.

1 **1. JURISDICTION AND SERVICE**

2 *If the federal court has “subject matter jurisdiction” it means it is allowed to hear your*  
3 *case. The Court has subject matter jurisdiction in two types of cases. Mark the option that*  
4 *applies to your case, and identify the federal right involved. Then, complete the table below.*

4 This Court has subject matter jurisdiction in this action under:

5  Federal question jurisdiction because it is about federal laws or rights. [*Identify which*  
6 *laws or rights are involved*] \_\_\_\_\_

7 \_\_\_\_\_  
8  Diversity jurisdiction because none of the Plaintiff live in the same state as any of the  
9 Defendants AND the amount of damages is more than \$75,000.

10 Defendants were served with the Complaint on the following dates [*complete table*]:

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

15 [*If there are more defendants, add an additional page*]

16 **2. FACTS**

17 *Give a brief summary of what this case is about. If you and the other side disagree about*  
18 *important facts, make that clear.*

19 \_\_\_\_\_

20 \_\_\_\_\_

21 \_\_\_\_\_

22 \_\_\_\_\_

23 \_\_\_\_\_

24 \_\_\_\_\_

25 \_\_\_\_\_

26 \_\_\_\_\_

27 \_\_\_\_\_

28 \_\_\_\_\_

1 **3. LEGAL ISSUES**

2 *List the legal issues which are in dispute between you and the other side, and the relevant*  
3 *laws or cases. You can use this format: 1. Whether [defendant name] violated [plaintiff's]*  
4 *rights under [law] by [describe action by defendant].*

5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_

10 **4. MOTIONS**

11 *Complete the table to list any motions that have been filed, or that any party plans to file.*

<u>Party filing motion</u>	<u>Type of Motion</u>	<u>Date of Ruling</u> (or write "pending" or "to be filed")

17  
18 *[Add an additional page if needed]*

19 **5. AMENDMENT OF PLEADINGS**

20 *Mark one option for each party.*

21  Plaintiff does not plan to amend the Complaint.

22 *-and/or-*

23  Defendant(s) does/do not plan to amend the Answer/Counterclaim.

24 *-or-*

25  Plaintiff plans to amend the Complaint by *[date]* \_\_\_\_\_.

26 *-or-*

27  Defendant(s) *[name(s)]* \_\_\_\_\_

28 plan(s) to amend the *[Answer / Counterclaim]* on or by *[date]* \_\_\_\_\_.

1 **6. EVIDENCE PRESERVATION**

2 *Parties to a lawsuit are required to preserve evidence that may be relevant to the case.*  
3 *This statement confirms that the parties are preserving that evidence.*

4 The [parties / Plaintiff / Defendant] have taken positive steps to preserve evidence related  
5 to the issues presented in this case.

6 **7. DISCLOSURES**

7 *Initial Disclosures are lists of information. Each party writes its own list of the people*  
8 *and documents or other records that have information to support its case. Plaintiffs must also*  
9 *list their damages, and defendants must state whether they have insurance for the claims in the*  
10 *lawsuit. The Legal Help Center has an Initial Disclosure template you can use.*

11  Parties **have** exchanged Initial Disclosures in compliance with Federal Rule of  
12 Civil Procedure 26.

13 -or-

14  Parties **have not yet** exchanged Initial Disclosures in compliance with Federal  
15 Rule of Civil Procedure 26, but agree to exchange them by [date] \_\_\_\_\_.

16 **8. DISCOVERY**

17 *“Discovery” is the formal process used by the parties to collect information from each*  
18 *other, including requests for documents, information, admissions, depositions, and subpoenas.*  
19 *First, state whether the parties have sent each other any discovery. If they have, state what kind*  
20 *of discovery has been exchanged and when. Next, state the issues on which discovery is needed,*  
21 *whether it should be limited or done in phases, whether there are any concerns about the Initial*  
22 *Disclosures, preservation of evidence, the way in which discovery will be exchanged, or any*  
23 *other changes to the usual discovery rules.*

24 **9. CLASS ACTIONS**

25 *If the case is a class action, explain how the class will be certified. Most cases are not*  
26 *class actions. If this case is not a class action, write “Not Applicable.”*  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**10. RELATED CASES**

*State whether there are any cases pending before any court or administrative body that are related to this case. Refer to Civil Local Rule 3-12 for guidance on what kind of cases would be related. If there are cases related to this one, list the courts or administrative bodies where the cases are pending and the case numbers.*

To the [the parties' / Plaintiff's / Defendant's] knowledge, there **are not** related cases currently pending before any court or administrative body.

-or-

To [the parties' / Plaintiff's / Defendant's] knowledge, there **are** related cases currently pending before a court or administrative body: \_\_\_\_\_

**11. RELIEF SOUGHT**

*State what the plaintiff wants from the defendant, or what the plaintiff wants the court to do, including the amount of money sought and how that amount was calculated.*

**12. SETTLEMENT AND ADR**

*Alternative Dispute Resolution ("ADR") is term used to describe various procedures for resolving disputes without a court trial, such as settlement negotiations, mediation, or arbitration. State whether the parties have taken any steps to resolve the case and whether settlement of the case is possible. If the parties have agreed to a form of ADR, state that here, or state that whether one will be selected with the ADR department or at the case management conference. See ADR Local Rule 3-5. If there is information needed or a request you would like the Court to decide to make settlement possible, list that here.*

1 **13. CONSENT TO A MAGISTRATE**

2 *Identify which parties agree to have a magistrate judge hear the case, or state "None."*

3 The following consent to a magistrate judge for trial and entry of judgment: *the parties /*  
4 *Plaintiff / Defendant /* \_\_\_\_\_

5 **14. OTHER REFERENCES**

6 *In very unusual cases, the judge may refer the case to another decision-maker.*

7  *[The parties / Plaintiff / Defendant] believe(s) this case should be referred to*  
8 *[binding arbitration / special master / the Judicial Panel on Multidistrict Litigation]*

9 *-or-*

10  Not applicable.

11 **15. NARROWING OF ISSUES**

12 *Use this section to explain if issues in this case could be resolved by agreement or by*  
13 *motion. Suggestions can also be made here as to how to make evidence more easily presented at*  
14 *trial (through a summary or a statement of agreed facts) or to have some issues, claims, or*  
15 *defenses tried first. If none of these things apply to this case, write "Not Applicable."*

16  
17 **16. EXPEDITED TRIAL PROCEDURE**

18 *If the parties agree to the Court's Expedited Trial Procedure, their case will get to trial*  
19 *more quickly. There will be limited discovery and limited rights to appeal. Review the Court's*  
20 *General Order 64.*

21  *[The parties / Plaintiff / Defendant] believe(s) this case should be tried according*  
22 *to the Expedited Trial Procedure set out in General Order 64.*

23 *-or-*

24  Not applicable.

25 **17. SCHEDULING**

26 *List the dates by which the parties agree to have important documents filed or exchanged*  
27 *in the case. Be sure all parties are in town and able to meet the deadlines set forth in this section.*

28 Parties Exchange Initial Disclosures \_\_\_\_\_

Last Day to Amend Complaint, Answer, and/or Counterclaim \_\_\_\_\_

1 Last Day for Non-Expert Discovery \_\_\_\_\_  
2 Last Day to Designate Experts \_\_\_\_\_  
3 Expert Discovery Cut-Off \_\_\_\_\_  
4 Last Day to File Motion for Summary Judgment \_\_\_\_\_  
5 Proposed Month/Year for Trial \_\_\_\_\_

6 **18. TRIAL**

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

8 -or-

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

10 **19. DISCLOSURE OF NON-PARTY INTERESTED ENTITIES OR PERSONS**

11 *If other people, companies, or organizations would be affected by this lawsuit, list their*  
12 *names and addresses here, or write "None." Civil Local Rule 3-16 gives guidance as to when*  
13 *another might be affected by a lawsuit.*

14  
15 **20. OTHER MATTERS**

16 *Use this section to discuss other issues that would facilitate the just, speedy, and*  
17 *inexpensive resolution of this case. Also, check the Standing Orders for the judge assigned to*  
18 *your case for any additional requirements. Standing Orders are individual judges' special rules*  
19 *that apply to all cases assigned to them.*

20  
21  
22  
23 Date: \_\_\_\_\_ Sign Name: \_\_\_\_\_  
24 \_\_\_\_\_ Print Name: \_\_\_\_\_  
25 *Pro se*

26  
27 Date: \_\_\_\_\_ Sign Name: \_\_\_\_\_  
28 \_\_\_\_\_ Print Name: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

*\*Use this form to show that a document (other than a summons and complaint) was served (sent or delivered) to an opposing party, in accordance with Federal Rule of Civil Procedure 5.\**

**Case Name:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

**What document was served?** *[Write the full name or title of the document or documents, e.g., "Plaintiff's Opposition to Defendant's Motion for Summary Judgment."]*

**Title(s):** \_\_\_\_\_

**How was the document served?** *[check one]*

- Placed in U.S. Mail
- Hand-delivered
- Sent for delivery (e.g., FedEx, UPS)
- Sent by fax (if the other party has agreed to accept service by fax)

**To whom was the document sent?** *[For each person who was sent the document, write the full name and contact information used. Usually, this will be the lawyers for the opposing parties.]*

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

**When were the documents sent?** \_\_\_\_\_

**Who served the documents?** *[Whoever puts it into the mail, faxes, delivers or sends for delivery should print his/her name, address and sign. You can do this yourself.]*

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

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