

## **Middle District of Florida Implements the Inexpensive Determination, Efficient, and Abbreviated Litigation (IDEAL) Pilot Program**

Effective February 1, 2024, the Middle District of Florida will implement the Inexpensive Determination, Efficient, and Abbreviated Litigation (IDEAL) Program. The IDEAL Program is a 24-month pilot program created to reduce the costs and length of civil litigation in appropriate cases. Nationwide, the average length of time for a civil case to proceed to trial is over 30 months. The purpose of this program is to offer parties an alternative, abbreviated, efficient, and cost-effective litigation with a date-certain trial before a United States Magistrate Judge.

When a case is identified as one that may benefit from the IDEAL Program, the case will be referred to the assigned Magistrate Judge for consideration. With the exception of an answer or response pursuant to Federal Rule of Civil Procedure 12, all deadlines, including discovery, will be stayed pending further Court Order.

Within seven (7) days of the appearance of the first Defendant in the case, the parties will file a motion requesting a Case Management Conference, which will be held before the assigned Magistrate Judge. At the Case Management Conference, the parties and the Magistrate Judge will discuss the general framework for the IDEAL Program as set forth in the Program Procedures. After considering the parties' input, the Magistrate Judge will modify the Program Procedures to fit the particular needs of the individual case. Within seven (7) days of completion of the Case Management Conference, the parties shall either stipulate their consent to participate in the IDEAL Program and consent to Magistrate Judge Authority, or submit a standard Case Management Report.

While parties are strongly encouraged to consider the IDEAL Program, participation is voluntary. With active case management specifically tailored to the needs of each individual case, the Court believes participating parties will benefit from the timely and cost-efficient resolution of their cases.

## **Inexpensive Determination, Efficient, and Abbreviated Litigation (IDEAL) Program Procedures**

### **I. Agreement**

To participate in the IDEAL Program, all parties must voluntarily agree,<sup>1</sup> consent, and stipulate to limited discovery, an expedited trial, and for a United States Magistrate Judge to conduct all further proceedings, including trial and the entry of an order of final judgment.

### **II. Case Management Conference**

The parties shall review these IDEAL Program Policies with the United States Magistrate Judge and discuss any proposed modifications, including any pending or anticipated motions brought pursuant to Rule 12, Federal Rules of Civil Procedure. Within seven days of the completion of the Case Management Conference, the parties shall either: (1) elect to participate in the IDEAL Program by jointly filing the Stipulated Consent to IDEAL Program and Magistrate Judge Authority; or (2) elect not to participate in the IDEAL Program by instead jointly filing the standard Case Management Report. This deadline may be extended for good cause shown.

### **III. Case Management Order**

Upon the filing of the Stipulated Consent to IDEAL Program and Magistrate Judge Authority, the United States Magistrate Judge shall enter a Case Management Order. The parties stipulate and agree that the IDEAL Program Policies, as may be modified by a Case Management Order (and may be subsequently amended), shall supersede and govern over any inconsistencies or conflicts with the Federal Rules of Civil Procedure or the Local Rules

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<sup>1</sup> Participation in the IDEAL Program is voluntary. A party's decision not to participate in the program will not adversely impact the party in any manner.

of this Court. In all other situations, the Federal Rules of Civil Procedure, Rules of Evidence, and Local Rules of this Court shall apply.

#### **IV. Discovery**

The following procedures are designed to achieve the goals of the IDEAL Program. However, the procedures may be modified upon request of the parties and order of the court to accommodate the circumstances of each case. Thus, unless otherwise ordered, discovery shall be limited and conducted in the following 3 phases to be completed within 150 days after entry of the Case Management Order.

##### **a. Phase I- Written Discovery (60 days)**

Initial Disclosures: the parties shall exchange the disclosures required by Fed. R. Civ. P. 26(a)(1)(A) within seven days after entry of the Case Management Order.

Requests for Production, Interrogatories, and Requests for Admission: Within 14 days after entry of the Case Management Order, the parties may serve no more than 10 requests for production (including requests in the form of subpoenas to non-parties), 5 interrogatories, and 5 requests for admission. Search protocols for email shall be limited to 5 custodians and 5 search terms.

Objections: Within 7 days of service of a request for production or interrogatory, a party may file a Notice of Objection to Discovery and Request for a Hearing. The Court will promptly set a hearing. Prior to the hearing, the parties shall confer in a good faith effort to resolve the objections. All unresolved objections will be ruled upon at the hearing.

Deficient Discovery Responses: No party shall file a motion to compel. Within 7 days after the date a discovery response is due, a party may file a Notice of Deficient Discovery Response and Request for a Hearing. The Court will promptly set a hearing. Prior to the

hearing, the parties shall confer in a good faith effort to resolve the asserted deficiencies. All unresolved alleged deficiencies will be ruled upon at the hearing.

**b. Phase II- Fact Depositions (30 days)**

Fact depositions shall be limited to 18 hours of depositions per side.

**c. Phase III- Supplemental Discovery and Expert Discovery (60 days)**

Supplemental Discovery: At the close of Phase II discovery, any party may file a two-page notice identifying with specificity any supplemental discovery the party wishes to take. The Court will authorize supplemental discovery only upon a showing of substantial justification.

Expert Discovery: Absent leave of Court, no party shall disclose more than two expert witnesses to testify. Expert depositions shall be limited to 8 hours per side. The parties may agree to submit expert reports in lieu of testimony.

**V. Non-Dispositive Motions**

If a party desires to file a non-dispositive motion, it shall first file a notice, not to exceed two pages, identifying the issues to be addressed by the proposed motion. Upon consideration, the Court will either grant leave to file the motion or set the matter for a hearing.

**VI. Motion for Summary Judgment**

If a party desires to file a dispositive motion, it shall first file a notice, not to exceed two pages, identifying the issues to be addressed by the proposed motion for summary judgment. The Court will then establish an expedited briefing schedule, set page limits, and reset the trial date as appropriate. Reasonable attorney's fees and costs shall be awarded to the prevailing party on the motion for summary judgment unless the Court finds such an award to be unjust.

## **VII. Trial**

Unless otherwise ordered, trial shall be held no later than 6 months following the entry of the Case Management Order. Each side shall be granted 12 hours of trial time for opening statements, direct examinations of its witnesses, cross examinations of other witnesses, and final argument. In multi-party trials, plaintiffs shall divide the 12 hours among themselves, and defendants shall divide the 12 hours among themselves. If the parties cannot agree to a division of trial time, the Court shall order a division. If appropriate, the Court may increase the amount of trial time available per side. In bench trials, written witness statements may be offered in lieu of direct testimony.

## **VIII. Post-trial Motions**

Post-trial motions shall be limited to determination of costs and attorney's fees, correcting a judgment for clerical error, conforming the verdict to the agreement, enforcement of judgment and motions for a new trial.

Within ten (10) court days after notice of entry of a jury verdict, a party may file with the clerk and serve on each adverse party a notice of intention to move for a new trial on any of the grounds specified herein. The notice shall be deemed to be a motion for a new trial. Grounds for motions for a new trial shall be limited to: (1) judicial misconduct that materially affected the substantial rights of a party; (2) misconduct of the jury; (3) corruption, fraud, or other undue means employed in the proceedings of the court or jury.

## **IX. Withdrawal from IDEAL Program**

A party may seek leave of Court to withdraw from the IDEAL Program and its rules. Such motions will be granted only upon a showing of good cause, including consideration of necessary, unanticipated discovery.