

## PREPARATION OF A TRIAL STATEMENT

The preparation of a Trial Statement must conform to Rule 5 of the Second Judicial District Court Rules. You may look up the full text of all the Court Rules at the Law Library or on the Internet.

The following is the text of Rule 5 of the Second Judicial District Court Rules, covering preparation and filing of a Trial Statement. Some of the required information in this Rule may not be applicable in your case, such as 1(d), 1(g), 1(h), 1(i). If any of the requirements are not applicable in your particular case, print "Not Applicable" in the space for that requirement.

### **Rule 5. Trial statements.**

1. Five calendar days before the trial, each party shall serve and file a trial statement which shall set forth the following matters in the following order:

(a) A concise statement of the claimed facts supporting the party's claims or defenses. Such facts shall be organized by listing each essential element of the claim or defense and separately stating the facts in support of each such element.

(b) A statement of admitted or undisputed facts.

(c) A statement of issues of law supported by a memorandum of authorities.

(d) In non-jury cases, a list of summaries of schedules referring to attached, itemized exhibits concerning any subject matter which involves accounting, computation, chronology, or similar data reasonably calling for orderly itemization, e.g., wages, income, expenses, inventories, business operations, tax computations, disability periods, property losses, itemizations of claimed losses or injuries, and the data and reasons upon which an expert bases his opinion (not the opinion itself), which clearly reflect the claims, defenses, or evidence of the party, together with references to the records or other sources upon which such summaries or schedules are based.

(e) The names and addresses of all witnesses, except impeaching witnesses.

(f) Any other appropriate comment, suggestion, or information for the assistance of the court in the trial of the case.

(g) A list of special questions requested to be propounded to the prospective jurors.

(h) Certification by counsel that discovery has been completed, unless late discovery has been allowed by order of the court.

(i) Certification by counsel that, prior to the filing of the trial statement, they have personally met and conferred in good faith to resolve the case by settlement.

2. All motions in limine to exclude or admit evidence must be in writing and attached to the trial statement. The court may refuse to consider any oral motion in limine and any motion in limine which is not filed with the trial statement.

If you have any questions regarding any of the provisions, you are advised to seek the assistance of private counsel or you may bring your questions to the Self-Help Center located in the Courthouse at One South Sierra Street for possible guidance.

### FILLING OUT AND FILING THE TRIAL STATEMENT

Once the Statement has been filled out and signed, **make three** copies of the Statement and take the **original and the copies** to the filing clerk's office which is located on the first floor of the courthouse at 75 Court Street, Reno, NV. The filing clerk will keep the original and return the file stamped copies to you.

You then must take one copy to the third floor reception desk and give it to the clerk at the counter. The clerk will put it in the box for the Department to which your case has been assigned. One copy must be mailed or delivered to the opposing party or, if the opposing party is represented by an attorney, a copy must be delivered or mailed to the attorney.

### THE PROOF OF SERVICE FORM

Once the copy is mailed or delivered to the opposing party or the attorney for the opposing party, the Proof of Service must be filled out and filed with the filing clerk's office.