

## CASE MANAGEMENT STATEMENT

# How to Fill Out a Case Management Statement in Sacramento

*This Guide includes instructions and sample forms. The Guide and related forms may be downloaded from:*

[saclaw.org/cms-guide](http://saclaw.org/cms-guide)

## BACKGROUND

The Sacramento County Superior Court's Case Management Program is designed to secure the fair, timely, and efficient disposition of civil cases in a fair, practical, and flexible manner. [Cal. Rules of Court 3.700](#). To that end, the parties in all unlimited civil cases (amount demanded exceeds \$25,000), whether represented by counsel or by themselves (in Pro Per), are required to file a *Case Management Statement* (CM-110) approximately six months after the complaint is filed.

Limited civil cases (amount demanded is \$25,000 or less) are excluded from the Sacramento County Superior Court's Civil Case Management program. [Sacramento County Local Rule 2.21](#). See our Step-by-Step Guide on How to File a [Limited Civil Case Status Memorandum](#) for more information on that process.

The Court serves a *Notice of Case Management Conference* on all parties approximately 120 days after the complaint is filed. You are required to file a *Case Management Statement* (CM-110) no later than 15 calendar days before your Case Management Conference.

The Court publishes tentative Case Management Orders **the court day before** the scheduled Case Management Conference. If the Case Management Statements show that the case is progressing normally, the judge usually cancels the in-person hearing in these tentative Orders.

You may access these Tentative Rulings on the Court's website at <https://services.saccourt.ca.gov/PublicCaseAccess/Civil/TentativeRulingSearchByCaseNumber> after 2:00 p.m. **the court day before** the Case Management Conference to determine if an appearance is required. The Court may call for more than one Case Management Conference during the course of a lawsuit.

### More like this . . .

#### Related Step by Step Guide on Similar Topic

- [Limited Civil Case Status Memorandum](#)

#### Free Video

- [Completing Your Case Management Statement](#)

Find all this information on our website at [saclaw.org](http://saclaw.org).

**Disclaimer:** This Guide is intended as general information only. Your case may have factors requiring different procedures or forms. The information and instructions are provided for use in the Sacramento County Superior Court. Please keep in mind that each court may have different requirements. If you need further assistance consult a lawyer.

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## STEP-BY-STEP INSTRUCTIONS

### Step 1: Complete the Necessary Forms

The Judicial Council and Local Sacramento County forms commonly used in this procedure are:

- [Case Management Statement \(CM-110\)](#)
- [Mediation Statement \(Sacramento County Local Form CV/E-MED-172\)](#)

Sample filled-in forms with instructions are available at the end of this Guide.

### Step 2: Completing Paragraph 10c of the Case Management Statement

You may find these definitions helpful in deciding which, if any, Alternative Dispute Resolution process you wish to participate in:

**Mediation:** A process in which people that are having a dispute are helped by a neutral third person (a Mediator) to communicate so they can reach a settlement acceptable to both. Mediation seeks a middle ground, and is often used when the parties will need to have contact in the future.

**Settlement Conference:** The parties and their attorneys meet with a settlement judge who hears both sides and tries to help them reach a compromise.

The judge cannot make any decisions regarding the outcome, but will listen to each side, giving his or her critique and advising what they would be likely to decide in court. In Sacramento County settlement conferences are mandatory two weeks before trial; however, parties may elect to have an earlier settlement conference in order to avail themselves of the judge's insight at an earlier stage of the process.

**Neutral Evaluation:** A neutral third party (an experienced individual, usually an attorney) issues an opinion on the issues he or she is asked to evaluate by the parties. An objective evaluation by a knowledgeable outsider can sometimes move parties away from unrealistic positions, or at least provide them with more insight into their cases' strengths and weaknesses. This opinion has no effect on the case except for providing information useful for negotiation.

**Non-binding Judicial Arbitration:** A neutral third party Arbitrator, provided by the court, renders an opinion on the case. The Arbitration Award can be rejected and if so, the case will continue on to trial.

**Binding Private Arbitration:** The parties agree to hire a third party Arbitrator, and for the Arbitrator's decision to be final, and enforceable in the courts.

### Step 3: Completing a Mediation Statement

[Sacramento County Local Rule 2.60](#) requires that you file a local form, [Mediation Statement \(Sacramento County Local Form CV/E-MED-172\)](#), with your [Case Management Statement \(CM-110\)](#).

A sample filled-in form with instructions is available at the end of this Guide.

For information and Step by Step Guides on Discovery, see:

- [Discovery 101](#)

Free Videos

- [Discovery Methods](#)
- [Trial Preparation for the Self-Represented Litigant](#)

Find all this information on our website at [saclaw.org](http://saclaw.org).

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#### Step 4: Service of Documents by Mail on All Parties

You must have a person over the age of 18 and not a party to your action (that is, **not you**) mail or “serve” copies of all these documents to the opposing parties, or their counsel of record, and have the server complete a [Proof of Service by Mail \(POS-030\)](#) to file with the Court. For instructions on how to fill out the Proof of Service by Mail, see our “Proof of Service by Mail” Step-by-Step guide at [saclaw.org/mail-service](http://saclaw.org/mail-service).

#### Step 5: Copying and Assembling

Make two copies of each:

- Case Management Statement (CM-110)
- Mediation Statement (Sacramento County Local Form CV\E-MED-172)
- Proof of Service by Mail (POS-030)

In the Sacramento County Superior Court, because documents are scanned into a computer, any multiple page original documents are left unstapled, while each copy is stapled. In courts that do not electronically scan, all are stapled, and the original is two-hole punched at the top of the page for insertion into a folder.

#### Step 6: Filing

In Sacramento, *Case Management Statements* are filed in the drop box in the first floor lobby at the Sacramento Superior Court at 720 Ninth Street. Fill out and attach the *Civil Document Drop-Off Sheet* ([www.saccourt.ca.gov/forms/docs/cv-drop-off-sheet.pdf](http://www.saccourt.ca.gov/forms/docs/cv-drop-off-sheet.pdf)), and date stamp the back of the original packet. A supply of *Civil Document Drop-Off Sheets* and a date stamp are located near the drop box. Following the instructions posted at the drop box, place the unstapled original document packet plus two copies of the packet in the drop box. Provide the court with a self-addressed stamped envelope with sufficient postage to facilitate the return of your documents to you. The court will process the paperwork, and return the two copies, stamped “Endorsed/Filed,” to you. The court will retain the original papers for its file. There is no fee for filing a Case Management Statement.

*IF YOU HAVE QUESTIONS ABOUT THIS GUIDE, OR IF YOU NEED HELP FINDING OR USING THE MATERIALS LISTED, DON'T HESITATE TO ASK A REFERENCE LIBRARIAN.*

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## ATTACHMENTS: FORMS AND INSTRUCTIONS

The Judicial Council form commonly used in this procedure is:

- [Case Management Statement \(CM-110\)](#)

Download the blank form from this link or [www.courts.ca.gov](http://www.courts.ca.gov).

The Sacramento County Local form commonly used in this procedure is:

- [Mediation Statement \(Sacramento County Local Form CVE-MED-172\)](#)

Download the blank form from this link or [www.saccourt.ca.gov/](http://www.saccourt.ca.gov/).

Sample filled-in forms with instructions are available at the end of this Guide.

CM-110

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):</p> <p><b>PAUL SAMPLE</b>          2036 DONNER DRIVE          SACRAMENTO, CA 95826          TELEPHONE NO: 916-123-4567          E-MAIL ADDRESS (OPTIONAL)</p> <p>ATTORNEY OR (Name): <b>IN PRO PER</b></p> <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>Sacramento</b></p> <p>STREET ADDRESS: 720 Ninth Street          MAILING ADDRESS: 720 Ninth Street          CITY AND ZIP CODE: Sacramento, CA 95814          BRANCH NAME: Civil</p> <p>PLAINTIFF/PETITIONER: <b>PAUL SAMPLE</b></p> <p>DEFENDANT/RESPONDENT: <b>PETER PERPETRATOR</b></p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;"><b>CASE MANAGEMENT STATEMENT</b></p> <p>(Check one) <input type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$25,000) <input checked="" type="checkbox"/> LIMITED CASE (Amount demanded is \$25,000 or less)</p> <p>CASE NUMBER: <b>34-2011-0001234</b></p>	
<p>A CASE MANAGEMENT CONFERENCE is scheduled as follows:          Date: 8/31/2011 Time: 8:30 am Dept.: 35 Div.:          Address of court (if different from the address above):</p> <p><input type="checkbox"/> Notice of Intent to Appear by Telephone, by (name):</p>	
<p style="text-align: center;">INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.</p> <p>1. Party or parties (answer one):          a. <input checked="" type="checkbox"/> This statement is submitted by party (name): <b>PAUL SAMPLE</b>          b. <input type="checkbox"/> This statement is submitted jointly by parties (names).</p>	
<p>2. Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only):          a. The complaint was filed on (date): <b>1/20/2011</b>          b. <input type="checkbox"/> The cross-complaint, if any, was filed on (date).</p>	
<p>3. Service (to be answered by plaintiffs and cross-complainants only):          a. <input type="checkbox"/> All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.          b. <input checked="" type="checkbox"/> The following parties named in the complaint or cross-complaint:              (1) <input type="checkbox"/> have not been served (specify names and explain why not).              (2) <input type="checkbox"/> have been served but have not appeared and have not been dismissed (specify names).              (3) <input checked="" type="checkbox"/> have had a default entered against them (specify names):                  <b>PETER PERPETRATOR</b>          c. <input type="checkbox"/> The following additional parties may be added (specify names, nature of involvement in case, and the date by which they may be served).</p>	
<p>4. Description of case:          a. Type of case in <input checked="" type="checkbox"/> complaint <input type="checkbox"/> cross-complaint (Describe, including cause(s) of action):              <b>Subrogation</b></p>	

Insert Court information

Your name, address, and (optional) phone number. "In Pro Per" means you are representing yourself.

The plaintiff's and the defendant's names as they appear on the complaint.

Check "Unlimited Case."

1) Case Number  
2) Hearing Date  
3) Time  
4) Assigned Department

Check if intend to appear by telephone.

Insert name of person completing CM-110

Only a Plaintiff or a Cross-Complainant needs to fill out sections 2 and 3

Check either "complaint" or "cross-complaint, and describe cause(s) of action.

The plaintiff's and the defendant's names as they appear on the complaint Case Number

PLAINTIFF/PETITIONER: PAUL SAMPLE DEFENDANT/RESPONDENT: PETER PERPETRATOR	CM-110 CASE NUMBER 34-2011-00012345
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4. b. Provide a brief statement of the case, including any damages. (If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)  
 Plaintiff's vehicle was parked in front of his residence when defendant's vehicle struck it. Defendant was underinsured and has failed and continues to fail to pay for the repairs to plaintiff's vehicle.

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**  
 The party or parties request  a jury trial  a nonjury trial. (If more than one party, provide the name of each party requesting a jury trial).

Give a brief description of dispute.

6. **Trial date**  
 a.  The trial has been set for (date).  
 b.  No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint (if not, explain).  
 c. Dates on which parties or attorneys will not be available for trial (specify dates and explain reasons for unavailability).

7. **Estimated length of trial**  
 The party or parties estimate that the trial will take (check one):  
 a.  days (specify number): 1-2  
 b.  hours (short causes) (specify).

Mark the appropriate boxes in 5 - 10 & provide specifics in space provided.

8. **Trial representation (to be answered for each party)**  
 The party or parties will be represented at trial  by the attorney or party listed in the caption  by the following:  
 a. Attorney:  
 b. Firm:  
 c. Address:  
 d. Telephone number:  
 e. E-mail address:  
 f. Fax number:  
 g. Party represented:  
 Additional representation is described in Attachment 8.

9. **Preference**  
 This case is entitled to preference (specify code section):

10. **Alternative dispute resolution (ADR)**  
 a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.  
 (1) For parties represented by counsel: Counsel  has  has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.  
 (2) For self-represented parties: Party  has  has not reviewed the ADR information package identified in rule 3.221.  
 b. **Referral to judicial arbitration or civil action mediation (if available).**  
 (1)  This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under of Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.  
 (2)  Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.  
 (3)  This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. (specify exemption).

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The plaintiff's and the defendant's name as they appear on the complaint

Case Number

PLAINTIFF/PETITIONER: PAUL SAMPLE	CASE NUMBER 34-2011-00012345
DEFENDANT/RESPONDENT: PETER PERPETRATOR	CM-110

10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (check all that apply and provide the specified information).

	The party or parties completing this form <b>are willing</b> to participate in the following ADR processes (check all that apply).	If the party or parties completing this form in the case <b>have agreed</b> to participate in or have already completed an ADR process or processes, indicate the status of the processes (attach a copy of the parties' ADR stipulation).
(1) Mediation	<input type="checkbox"/>	<input type="checkbox"/> Mediation session not yet scheduled. <input type="checkbox"/> Mediation session scheduled for (date): <input type="checkbox"/> Agreed to complete mediation by (date): <input type="checkbox"/> Mediation completed on (date):
(2) Settlement conference	<input type="checkbox"/>	<input type="checkbox"/> Settlement conference not yet scheduled. <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled. <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled. <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other (specify):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled. <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

Mark the appropriate boxes in 10c.  
Complete both columns if applicable.

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The plaintiff's and the defendant's name as they appear on the complaint

Case Number

PLAINTIFF/PETITIONER: PAUL SAMPLE DEFENDANT/RESPONDENT: PETER PERPETRATOR	CASE NUMBER: 34-2011-0001235
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CM-110

11. Insurance

a.  Insurance carrier, if any, for party filing this statement (*name*).

b. Reservation of rights:  Yes  No

c.  Coverage issues will significantly affect resolution of this case (*explain*).

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case, and describe the status.

Bankruptcy  Other (*specify*):  
 Status:

13. Related cases, consolidation, and coordination

a.  There are companion, underlying, or related cases.

(1) Name of case:  
 (2) Name of court:  
 (3) Case number:  
 (4) Status:

Additional cases are described in Attachment 1(a).

b.  A motion to  consolidate  coordinate will be filed by (*name party*).

14. Bifurcation

The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):

18. Discovery

a.  The party or parties have completed all discovery.

b.  The following discovery will be completed by the date specified (*describe all anticipated discovery*):

<u>Party</u>	<u>Description</u>	<u>Date</u>

c.  The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

Mark the appropriate boxes in 11-15.

If you are still in the process of sending out/answering discovery requests insert responding party, type of discovery, and estimated date of completion. If you are finished with discovery, mark the appropriate box.

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The plaintiff's and the defendant's name as they appear on the complaint

Case Number

DEFENDANT/RESPONDENT: PETER PERPETRATOR	Case Number: 34-2011-00012345
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17. Economic litigation

- a.  This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b.  This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

Mark the appropriate box. If you mark 17b, explain why in the space provided.

18. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify): Plaintiff is in the process of preparing paperwork to receive a default judgment by court as defendant has not answered the complaint to date.

If there any other issues you want the court to consider at the Case Management Conference describe them here.

19. Meet and confer

- a.  The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

Check if you have met with the other party. If not, explain why.

List the issues the parties agreed upon when they met and conferred.

20. Total number of pages attached (if any): \_\_\_\_\_

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: 8/9/2011

Date, type name, and Sign on line provided.

PAUL SAMPLE  
(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached.

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): PAUL SAMPLE 2036 DONNER DRIVE SACRAMENTO, CA 95826 TELEPHONE NO.: 916-123-4567 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): IN PRO PER		Your name, address, and (optional) phone number. "In Pro Per" means you are representing yourself.
Superior Court of California, County of Sacramento 720 Ninth Street, Room 101 Sacramento, CA 95814-1380 (916) 874-5522 - Website www.saccourt.ca.gov		
PLAINTIFF/PETITIONER: PAUL SAMPLE DEFENDANT/RESPONDENT: PETER PERPETRATOR		The plaintiff's and the defendant's name as they appear on the complaint
<b>MEDIATION STATEMENT</b>		CASE NUMBER: 34-2009-00012345 ASSIGNED DEPT:
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: 10/21/2011 Time: 8:30 am Dept: 39 Address of court (if different from the address above):		1) Case Number 2) Hearing Date 3) Time 4) Assigned Department
INSTRUCTIONS: All applicable boxes must be checked, and the specified		
All parties have considered Mediation as a means to resolving this case and have agreed:		
<input type="checkbox"/> Mediation is appropriate for this case. Parties have submitted a <i>Stipulation and Order for Mediation</i> form or will submit a <i>Stipulation</i> within 14 days following the Case Management Conference.		
<input checked="" type="checkbox"/> Mediation is not appropriate for this case for the following reasons: Discovery has not yet begun and there is not enough evidence known to allow a meaningful mediation.		
Insert check mark in appropriate box. If you check "Mediation is not appropriate for this case for the following reasons," explain why in the space provided.		
Date: 9/30/2011 PAUL SAMPLE (Type or Print Name)		Date, type name, and Sign on line provided.
_____ (Type or Print Name)		_____ (Signature of Party or Attorney)
<b>MEDIATION STATEMENT</b>		
CVE-MED-172 (Rev 02/13/00) Local Form Adopted for Mandatory Use 		