

## *The Sedona Conference Cooperation Proclamation: Resources for the Judiciary (December 2014 Ed.)*

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The Sedona Conference *Cooperation Proclamation* states that discovery in civil litigation is intended to be a non-adversarial, collaborative process, as does Rule 1 of the Federal (and most State) Rules of Civil Procedure. However, to realize this aspirational goal, judges often need to exercise their case management authority to create the appropriate incentives for the parties and their counsel to cooperation and move the case along.

The *Resources for the Judiciary* is intended to provide a framework for the effective management of discovery, particularly discovery of electronically stored information. It starts by articulating a clear judicial philosophy of case management and the resolution of discovery disputes. It then breaks the civil litigation process into 21 stages from initial filing to post-judgment motions, and for each stage:

- Identifies the issues that a judge is likely to face;
- Encourages proportionality, recognizing that not all civil actions are equal in the resources of the parties or the actual amount in issue;
- Suggests strategies for case management or dispute resolution that encourage the parties, when possible, to reach a cooperative resolution;
- Provides sample forms and orders contributed by experienced judges; and
- Recommends further readings on the issues presented.

The *Resources for the Judiciary* is an ongoing project, edited by and for state and federal judges. Comments and suggestions are encouraged, and all contributions are reviewed by a panel of judges for practicality, effectiveness, and outcome-neutrality. We not only welcome your readership, but your participation!

The full text of *The Sedona Conference Cooperation Proclamation: Resources for the Judiciary* is available free for individual download from The Sedona Conference website at [https://thesedonaconference.org/publication/Resources\\_for\\_the\\_Judiciary](https://thesedonaconference.org/publication/Resources_for_the_Judiciary).

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