

FOR IMMEDIATE RELEASE
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**COURT OF CHANCERY ANNOUNCES NEW
PRACTITIONERS' GUIDELINES TO HELP LAWYERS MORE
EFFICIENTLY LITIGATE CASES**

The Court of Chancery has today posted on its website guidelines to help parties litigate their cases more efficiently and smoothly.¹ The guidelines are not binding rules, but are suggested best practices for handling common procedural issues that arise in litigation before the Court of Chancery. The guidelines are the product of a joint effort between the judges of the Court of Chancery and the Court's Rules Committee, which is comprised of practitioners who regularly appear before the Court.

The goal of the guidelines is to help litigants deal with each other and the Court in a more constructive, less contentious, and therefore more efficient and just manner. The idea is to aid litigants in moving cases forward sensibly. All the members of the Court recognize the guidelines as sound and members of the Court will endeavor to avoid the chambers-specific approach that results in litigants having to address the idiosyncratic preferences of multiple members of the same court. "All of us on Chancery recognize how challenging it is for lawyers to address complex cases especially in view of evolving issues such as electronic discovery," said Chancellor Leo E. Strine, Jr. "By developing these practice guidelines with the invaluable help of our Rules Committee, we hope to make our Bar's life a little easier and to enable all of us to concentrate more on the merits, rather than procedural jousting. This will get cases resolved less expensively and faster."

To help serve their purpose, the guidelines contain a number of sample forms that provide guidance to lawyers about how to structure orders addressing subjects such as the briefing of common motions (such as motions to dismiss and motions for summary judgment), the handling of confidential information in discovery, the treatment of materials relied on by experts, and comprehensive case scheduling for specific types of proceedings. These samples can be adapted to meet case-specific situations.

Gregory P. Williams, Chairman of the Court of Chancery Rules Committee observed "The Chancery Court Rules Committee welcomed the opportunity to work so closely with the Court in promulgating the Guidelines. The Guidelines are literally full of helpful information for all Chancery practitioners, but I think they will be most valuable to those younger lawyers who practice in the Court. The hallmarks of Chancery practice are effective advocacy, respect for the Court and civility to opposing counsel. The Guidelines embody those principles."

¹ <http://courts.delaware.gov/chancery/>

Along with the guidelines, the Court is proposing a rule to eliminate an outdated requirement to provide the Court with a paper copy of all unpublished decisions, replacing it with an encouragement to lawyers to use their professional judgment and give the Court a compendium of the authorities, published or unpublished, the lawyers believe are crucial to a fair determination of the motion before the Court. This will reduce the environmental burden of unnecessary paper while providing the judges with a more useful record on which to decide cases. Norman Monhait, another member of the Rules Committee, noted that “This change is particularly welcome to practitioners. It will eliminate attorney and staff efforts that, in many instances, seemed to be of limited utility to the Court. It will also help lawyers refine written submissions by encouraging more focus on the perspective of a judicial reader.”

**FOR FURTHER INFORMATION, PLEASE CONTACT
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