

**RULE 13
DUTY TO CONFER**

Unless otherwise ordered, the court will not entertain any motion to quash or modify a subpoena, any motion to order appearance or production only upon special conditions, or any motion under K.S.A. 60-226 or 237, unless counsel for the moving party has at least informally conferred or has made good faith effort to confer with opposing counsel concerning the matter in dispute prior to the filing of the motion. Counsel for the moving party shall file a certificate of compliance with this rule as a part of the motion describing the steps taken by all counsel to resolve the issues in dispute.

**RULE 14
RULES REGARDING EXPERT WITNESSES**

At the case management conference, or thereafter, the Court may limit the number of expert witnesses to be called by each party to avoid repetition and unnecessary expense. As set forth in these rules the Court shall determine the time that identification of experts will be made by the parties.

At the time of nomination the parties shall comply with the provisions of K.S.A. 60-226(b)(6) with respect to the disclosure of expert testimony. A written report signed by the witness shall be furnished to all parties of record which shall contain a complete statement of all opinions to be expressed and the bases and reasons therefore. The disclosure shall include a current curriculum vitae setting out the qualifications of the expert and identifying all published and unpublished writings of the expert pertaining to the expert's opinions in the case. The disclosure shall also identify all other data, writings or exhibits upon which the expert relies upon to support his or her opinions in the case. Published writings may be identified by citation. Copies of the expert's unpublished writings shall be furnished with the report.

At the status conference, or thereafter, the Court shall explore with counsel the possibility of using alternative means of discovery of the opinions of expert witnesses, however, the parties shall retain the right to depose opposing experts.

Treating physicians may be identified as experts without the necessity of a full disclosure as set forth in this rule. However, if counsel anticipated using them for opinions other than uncontested causation, the nature and extent of the injury, and the reasonableness and necessity of medical treatment and expenses, then full disclosure as an expert shall be made. Lawyers have a right to interview a treating physician after the physician-patient privilege is waived by the filing of a lawsuit, provided the physician is supplied with a written consent waiving the privilege by the person holding the privilege or by order of the Court. A treating physician may be interviewed outside the presence of parties or other counsel, provided the treating physician consents to the interview.

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THE DISTRICT

DISTRICT

NICHOLAS M. SMITH

Chief District Judge

GEORGE B. ...

District Judge

...

District Judge

DIANECA D. ...

District Judge