

TRIAL SCHEDULING ORDER

CASE (caption and number): _____

ORDER OF REFERENCE (file date) _____ (Disputed foreclosure case)

ATTORNEYS/PARTIES PRESENT (at status conference):

_____ (P) _____ (D)

CONFLICT NOTICE: I worked for Dooley Law Firm for 20+ years. Attorney Randy Davis of (Davis/Frawley) represented my parent(s) in real estate and related probate matters. Please review with your clients any possible conflicts. I ask that you discuss any possible conflict with (1) attorneys (2) parties (3) witnesses that need to be brought to everyone's attention by letter to court and parties prior to moving forward in this case.

SRL/ SELF REPRESENTED LITIGANT NOTICE. Please note that while a person can represent themselves in a court action, a person is prohibited from representing a corporation or other business entity and from testifying on behalf of any other person or entity through a power of attorney.

You are bound by the same rules of Law, Procedure, Evidence and Civility that a lawyer is.

The South Carolina Judicial Department Website has several relevant SELF-HELP links:

1. GENERAL PUBLIC TAB 2. Welcome to SC COURTS- A list of things Court Staff can and cannot do. 3. FAQ SECTION REVIEW (a) General Questions (b) Circuit Court (c) Master-in-Equity Court. 4. Your Day in Circuit Court Self-Help Video.

You can find additional information on the Lexington County Master-in-Equity web page.

SCHEDULING ORDER:

1. Written Discovery completed on or before _____.

2. All motions filed on or before _____.

3. Any outstanding motions heard **date to be provided by Equity Court.** *Moving Party to provide court reporter.*

4. Mediation held **TBD.**

5. Trial set for **date to be provided by Equity Court 10:00 a.m.** *Plaintiff to provide court reporter.* Attorneys to meet 9:00 for pre-trial conference and attorneys shall present court with following signed stipulations:

(a) Disputed factual issues to be decided by Court (b) Respective legal claims/defenses with applicable authority (c) names of witnesses (d) Exhibits to be marked, stipulated or grounds for objections.

6. Proposed Order in WORD format due twenty-one (21) days from notice from court reporter that Transcript is available. Proposed Order shall be in that format discussed post trial and as contained in the MIE link to the County of Lexington Website where there is review information and filed un -appealed Order. Remember I have no law clerk. Your proposed Orders should be formatted the same with the same order of (a) stipulated facts (b)disputed facts, issues, legal arguments so that I can review them side by side on computer, cutting and pasting where necessary to draft an Order that more accurately (and hopefully, timely) represents the arguments of both parties.

I further note that there are several Order Writing Tip articles both on the MIE website and contained in various yearly MIE Bench-Bar seminars. You can find the articles in the topical index.

7. While WORD has a grammar and spell- check function, legal writing speakers uniformly urge concise writing. Attorney Bill Latham kindly shared the following article about a legal editing program that was contained in a 2014 Richland Bar Newsletter. If interested, you might contact Mr. Latham.

“The Lawyer's Toolbox: WordRake-- Your Computerized Proofreader and Writing Coach

Many of us are guilty of the same offense – we write like lawyers. To be precise, we often make word choices that hinder our ability to convey the point at hand in a concise and intelligible fashion. My prose is often wordy, and when I'm under the gun, it is not unusual for more than a few typos to find their way into my final draft. If time permits, I will often have a colleague proofread my work. However, this is not always possible with short deadlines, or if I am working late at night on a blog post that must go out quickly to be timely.

Since I profess to be the " hytech lawyer" [my blog is <http://hytechlawyer.com>], it was only natural for me to seek a technology solution to my proofreading needs. I have always used the grammar features of Microsoft Word and Apple's Pages to catch basic mistakes. While these programs catch basic spelling, tense and punctuation errors, they do not address word choice issues—one of the most important functions of a good proofreader. I tried several automated proofreaders, but found them to be of marginal usefulness until I located a Windows based program called WordRake [<http://www.wordrake.com/>].

Created by Gary Kinder, lawyer, New York Times bestselling author, and writing expert for the American Bar Association, WordRake does not replace your spell /grammar checker, but supplements it. It is designed to "declutter" and streamline your writing-- just what I needed. It gives you a report in "blue-line" format, allowing the user to accept or reject the proposed changes. The program recommends deletion of unnecessary legalese and the substitution of simpler word choices. While some of the suggestions are just plain wrong or I prefer my original word choice, many of the suggested changes are significant improvements.

After using WordRake for over 18 months, my writing has improved because I am learning from the corrections not to make as many mistakes on the front-end. WordRake integrates with Microsoft Word, but not Microsoft Office (reportedly coming soon). Therefore, if you want to grammar check your emails, you must "cut and paste" the text to Word and run it through the program—a small inconvenience.

I was so impressed with WordRake I convinced the management of my Firm to provide it to all of our attorneys. WordRake is sold on a subscription basis. The cost is \$99.00 per year for an individual subscription with other pricing plans available based upon subscription length and number of licenses. WordRake offers a free 3-day Trial- no credit card required, so you can try it for yourself without risk. Highly recommended!"

8. SHEPARDIZE CASES AND ENSURE CORRECT CITATIONS.

Lisa Smith-Butler, Associate Dean for Information and Technology at Charleston School of Law notes that there are a number of services available:

"I'm familiar with the Lexis auto cite service

@ https://web.lexis.com/help/research/gh_checkcitation.asp but it is fee based as is Westlaw's West Check which is available

@ <http://lscontent.westlaw.com/images/banner/survivalguide/pdf08/08usingwestcheck.pdf>. They might try the Bluebook Citation Machine @ <http://www.citationmachine.net/bluebook-law-review/cite-a-book>.

I don't know anything about it but it is worth a look and appears to be free.

As to shepardizing, I think Lexis' Shepard's or Westlaw's Keycite are the most thorough. You could try the citations feature on Google Scholar @ <https://scholar.google.com/> for a more limited citation function.

South Carolina bar members also have access through their bar membership to Fastcase, an online legal research tool, which has a Bad Law Bot which does a partial updating.

See <http://www.fastcase.com/faq/>.

I would think that they could get an Internet connection by visiting any public library in their area. If they are in Charleston, they can walk in and use our library. We have 3 Lexis terminals w/Shepard's access for practicing attorneys but you have to walk in our building to use. I would think USC's law library in Columbia would also provide either print or electronic access to Shepard's."

IT IS SO ORDERED.

Date: _____

James O. Spence
Lexington County
Master-in-Equity/Special Circuit Court Judge