

**Resolution 10**  
**Encouraging Consideration of the Model Asbestos Pre-Trial Case Management Order Adopted by the American Bar Association**

WHEREAS, the majority of asbestos-related cases have been filed in state courts; and

WHEREAS, it is anticipated that thousands of asbestos-related cases may be filed in state courts each year for at least the next decade; and

WHEREAS, the use of case management orders setting out detailed schedules and procedures for such matters as docketing, discovery, motions, case priorities, trial settings, settlement negotiations, and trial have facilitated the fair and efficient disposition of asbestos cases; and

WHEREAS, some jurisdictions in which asbestos cases are pending have no case management orders, or are using competing orders or case management orders that are not effective; and

WHEREAS, the American Bar Association, after careful and balanced study by the Asbestos Task Force of the Torts Trial and Insurance Practice Section (TIPS), adopted a Model Asbestos Pre-Trial Case Management Order in February 2005 that can promote the fair and efficient disposition of asbestos litigation;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices urges courts in which asbestos cases are pending to consider using the American Bar Association's Model Asbestos Pre-Trial Case Management Order.

*Adopted as proposed by the CCJ Civil Justice Committee at the 59th Annual Meeting on August 1, 2007.*