

RULE 38. DEMAND FOR JURY

(b) (1) Non-arbitration cases. Except for cases submitted for arbitration, failure to demand a jury (and pay the required fee) in the types of cases described in LR 40(b)(2) within 30 days of the filing of the Notice to Set for Trial or the Response will be deemed a waiver of the right to a jury trial. For all other cases not submitted to arbitration, or upon request for the trial de novo, failure to demand a jury (and pay the required fee) by the date of the Scheduling Conference will be deemed a waiver of the right to a jury trial. The time period hereunder may be extended only by prior court order upon good cause shown. [Amended effective January 1, 2017]

(b) (2) Arbitration cases. In the event a trial de novo is requested under MAR 7.1, the parties must file a Notice to Set for Trial or a Citation for Scheduling Conference with the request for trial de novo and demand jury pursuant to (b)(1) above. [Amended effective September 1, 1996]