

Sunsets 1/1/2017

78B-3-903 Agreement.

- (1) An agreement to participate in an expedited jury trial under this part may be entered into only after a dispute has arisen and an action has been filed.
- (2) Any party to an action may file a motion with the court for an expedited jury trial.
- (3) Notice of the motion shall be served on all other parties.
- (4) All parties agreeing to participate in an expedited jury trial and, if represented, their counsel shall sign the agreement filed with the court.
- (5) The agreement to participate in the expedited jury trial process is binding upon the parties.
- (6) The conditions of the agreement shall include:
 - (a) waiver of the right to appeal the verdict;
 - (b) waiver of the right to move for a directed verdict;
 - (c) waiver of the right to file post trial motions, except as permitted by rule and Section 78B-3-906; and
 - (d) an agreed-upon range of monetary damages that will be awarded, regardless of the verdict.
- (7) The Judicial Council may by rule impose additional reasonable conditions.
- (8) If the jury verdict is within the agreed range of monetary damages, the court shall enter the verdict as rendered. If the jury verdict is outside the agreed range of monetary damages the court shall, as appropriate, increase or decrease the damages to the minimum or maximum agreed amount.