

Effective date of disclosure and discovery rules.

Question: Rule 1 provides that "these rules shall govern all actions brought after they take effect and all further proceedings in actions then pending." However, the advisory committee note states that the 2011 amendments are effective "only as to cases filed on or after the effective date, November 1, 2011, unless otherwise agreed to by the parties or ordered by the court." Which controls?

Answer: The Supreme Court order adopting the 2011 amendments makes the amendments effective only as to cases filed on or after November 1, 2011 unless otherwise agreed to by the parties or ordered by the court. This court order controls the effective date.