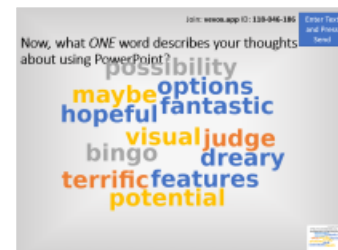


# Using PowerPoint More Effectively

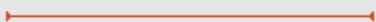
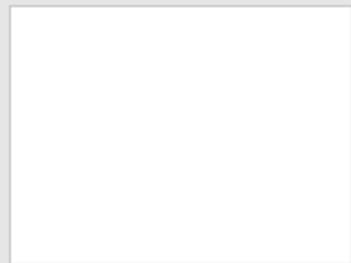
By Cynthia A. Norton  
U.S. Bankruptcy Judge  
W.D. Missouri

What one word describes your  
thoughts about using PowerPoint?

misused  
dense colorful  
okay wordy visual  
pictures tricky  
dull  
overdone death



1



Click to add title

- Click to add text



## Fed. R. Civ. Proc. 26(g)(1)

***Signature Required; Effect of Signature.*** Every disclosure under Rule 26(a)(1) or (a)(3) and every discovery request, response, or objection must be signed by at least one attorney of record in the attorney's one name – or by the party personally, if unrepresented – and must state the signer's address, e-mail address and telephone number. By signing, an attorney or party certifies that to the best of the person's knowledge, information and belief formed after a reasonable inquiry:

- (A) with respect to a disclosure, it is complete and correct as of the time it is made; and
- (B) with respect to a discovery request, response, or objection, it is:
  - (i) Consistent with these rules and warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law, or for establishing new law;
  - (ii) not interposed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and
  - (iii) neither unreasonable nor unduly burdensome or expensive, considering the needs of the case, prior discovery in the case, the amount in controversy, and the importance of the issues at stake in the action.

## Fed. R. Civ. Proc. 26(g)(3)

- ***Sanction for Improper Certification.*** If a certification violates this rule without substantial justification, the court, on motion or on its own, must impose an appropriate sanction on the signer, the party on whose behalf the signer was acting, or both. The sanction may include an order to pay the reasonable expenses, including attorney's fees, caused by the violation.

**(g) Signing Disclosures and Discovery Requests, Responses, and Objections.**

**(1) *Signature Required; Effect of Signature.*** Every disclosure under [Rule 26\(a\)\(1\)](#) or [\(a\)\(3\)](#) and every discovery request, response, or objection must be signed by at least one attorney of record in the attorney's own name--or by the party personally, if unrepresented--and must state the signer's address, e-mail address, and telephone number. By signing, an attorney or party certifies that to the best of the person's knowledge, information, and belief formed after a reasonable inquiry:

**(A)** with respect to a disclosure, it is complete and correct as of the time it is made; and

**(B)** with respect to a discovery request, response, or objection, it is:

**(i)** consistent with these rules and warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law, or for establishing new law;

**(ii)** not interposed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and

**(iii)** neither unreasonable nor unduly burdensome or expensive, considering the needs of the case, prior discovery in the case, the amount in controversy, and the importance of the issues at stake in the action.

**(2) *Failure to Sign.*** Other parties have no duty to act on an unsigned disclosure, request, response, or objection until it is signed, and the court must strike it unless a signature is promptly supplied after the omission is called to the attorney's or party's attention.

**(3) *Sanction for Improper Certification.*** If a certification violates this rule without substantial justification, the court, on motion or on its own, must impose an appropriate sanction on the signer, the party on whose behalf the signer was acting, or both. The sanction may include an order to pay the reasonable expenses, including attorney's fees, caused by the violation.

# Fed. R. Civ. Proc. 26(g)

- Disclosures
- Discovery Requests
- Discovery Responses
- Discovery Objections
- Subject to Rule 11 Standard
- R. 26(g)(3) – sanction of reasonable expenses, including attorney fees, caused by the violation

# Fed. R. Civ. Proc. 26(g)

1. Disclosures
  2. Discovery Requests
  3. Discovery Responses
  4. Discovery Objections
- Subject to Rule 11 Standard
  - R. 26(g)(3) – sanction of reasonable expenses, including attorney fees, caused by the violation

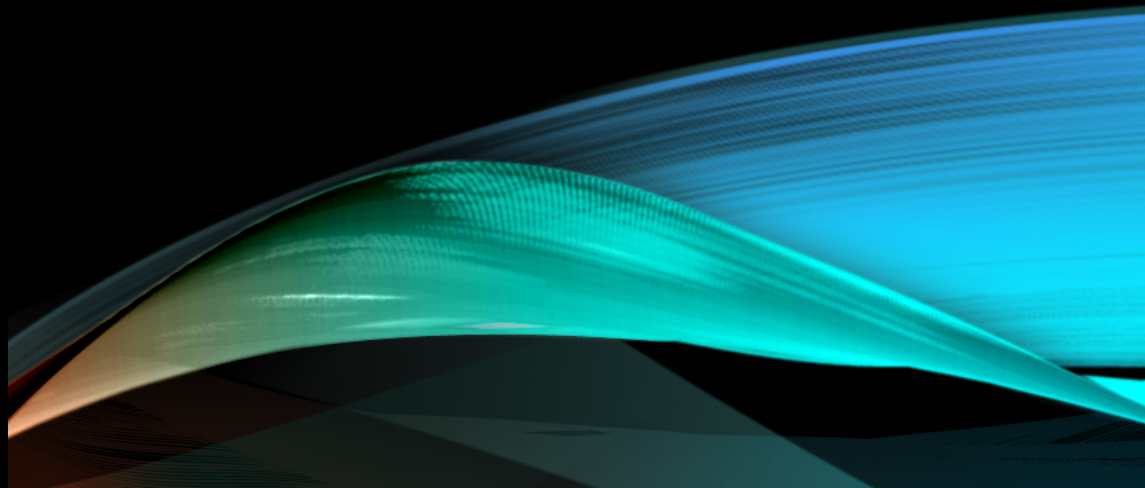


# Rule 26(g) Has Teeth





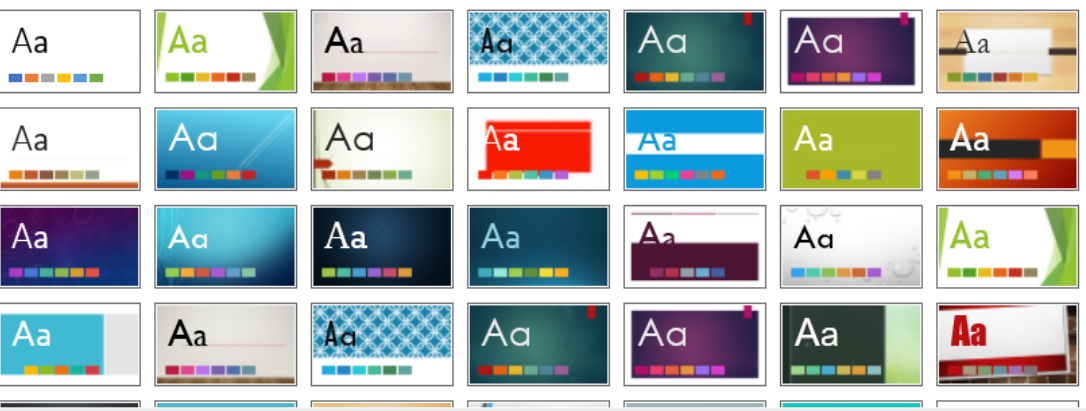
RULE 26(G)  
HAS TEETH



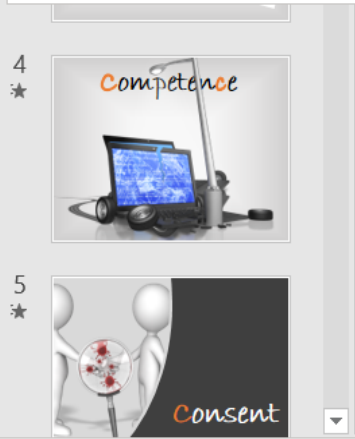
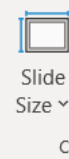
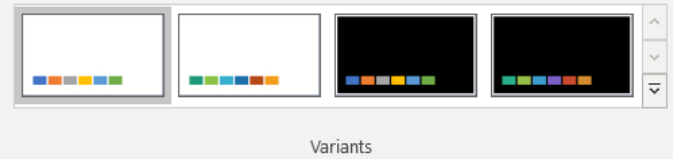
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resentation:  
ovid-19 Ethical ApoCalypse



By Judge Cynthia A. Norton  
KCMBA Nov. 13, 2020

Using PowerPoint More Effectively  
By Cynthia A. Norton  
11/13/2020  
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# *USING POWERPOINT MORE EFFECTIVELY*

By Cynthia A. Norton  
U.S. Bankruptcy Judge  
W.D. Missouri

Now, what *ONE* word describes your thoughts about using PowerPoint?

possibility  
maybe options  
hopeful fantastic  
visual judge  
bingo dreary  
terrific features  
potential

# Questions?

stay safe & healthy

