

### **Rule 16-I. Informal Discovery**

The defense attorney has a duty to consult with the attorney for the government assigned to the case in order to seek informal discovery. This consultation must take place before the time for filing pretrial motions under Rule 12. No motion for a bill of particulars under Rule 7(f) or for discovery under Rule 16 will be accepted for filing unless defense counsel certifies, in writing, that counsel has made a good faith attempt to secure the requested relief voluntarily from the attorney for the government, and that the attorney for the government has not complied.

#### **COMMENT TO 2016 AMENDMENTS**

This rule, retained from the former version of these rules, has no federal counterpart. It has been renumbered from 16-II to 16-I, since former Rule 16-I was deleted as part of an earlier revision. In addition, in keeping with general stylistic changes made to the federal rules, the rule has been redrafted to make it more easily understood and to maintain consistency throughout the rules