

Department 68 Policies and Procedures - Honorable Judith F. Hayes

Central - Hall of Justice

Rev. March 29, 2013

Department 68 Staff: **Telephone Numbers:**

Court Clerk: (619) 450-7068

Calendar Clerks: (619) 450-7328- Phone hours: 8:00 a.m. to 3:00 p.m.

The following are a few reminders which we hope will make your appearance in this department relatively stress free:

1. Ex Parte Matters: Ex parte appearances are set by reservation for Tuesday, Wednesday, and Thursday at 8:45 a.m., or at such other time as the court may designate. Papers are due by 10:00 a.m. the day prior to the hearing, with the appropriate fee. No late filings can be accepted. All ex parte applications must comply with California Rules of Court.

2. Law and Motion Matters: All law and motion matters are heard by reservation. Call the calendar clerk at (619) 450-7328 to schedule a motion hearing.

Oral arguments on law and motion matters are heard at 10:30 a.m. on Fridays. Tentative rulings issued pursuant to California Rules of Court and San Diego County Superior Court Rules and may be accessed any time after 4:00 p.m. on the date before the hearing at . You will find the link to Tentative Rulings under "Online Services."

Moving papers shall be filed the day the motion hearing is reserved.

To ensure prompt resolution of disputed matters, the parties are requested to submit courtesy copies of all motions papers filed in Imaged Cases to Department 68.

3. Case Management Conferences: Case management conferences are held as scheduled on Fridays at 9:30 a.m. and 10:00 a.m. or as otherwise ordered by the Court.

4. Trial Readiness Conferences: Trial readiness conferences are heard as scheduled on Fridays at 9:15 a.m.

5. Trial Calls: Trial counsel and self-represented parties are to appear for trial calls on Friday, at 9:00 a.m., as scheduled, or at such other times as the court may designate.

At Trial Call, trial counsel and pro se litigants are to present their completed joint trial readiness conference report as well as their joint trial notebook, which must contain the following:

1. an agreed upon statement of the case;
2. a joint witness list;
3. a joint exhibit list with objections noted;
4. a joint set of jury instructions with instructions in the order in which they are requested to be given with objections noted; and,
5. a proposed verdict form.

5. Trials: Trials take place Monday through Thursday, from 9:30 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m. In limine motions must be filed at least **5 court days** prior to trial call. Opposition to in limine motions must be filed no later than **3 court days** prior to trial call. Jury fees must be posted according to Code.

7. Continuances: Continuances of all hearings, with or without an Order, require a \$20.00 fee.

Trial continuances will be considered upon ex parte application only. Ex parte hearings are scheduled by telephoning the Calendar Clerk.

Continuances of Trial Readiness and Mediation Cut-off dates, which do not require a trial continuance, may be obtained by submitting a stipulation and order with payment of a \$20.00 fee.

8. Court Call Appearances: Court Call Appearances are allowed without prior Court approval for all hearings EXCEPT: Trial Calls, Trial Readiness Conferences, and Order to Appear Hearings.

9. Stipulated Protective Orders Re: Confidential Information: The Court requires adherence with statutory procedures to file documents under seal. The Court will not seal any document not submitted in accordance with California Rules of Court, Rule Nos. 2.550 and 2.551. (See, *NBC Subsidiary (KNBC-TV), Inc. v. Superior Court* (1999) 20 Cal.4th 1178) Documents submitted "conditionally under seal" will not be sealed unless the submitting party complies with CRC Rule Nos. 2.550,

2.551, and 3.1302(b).

For determination of discovery and other motions, the Court prefers to accept confidential documents as “lodged documents.” All lodged documents returned to the submitting party upon the Court’s determination of the motion or application. (CRC Rule No. 3.1302(b).)

If a party desires to file supporting documents under seal, CRC Rule Nos. 2.550 and 2.551 apply and the discovery motion will not be determined until a notice motion to seal has been calendared and decided.

Proposed Stipulated Protective Orders for protection of confidential information will only be approved by the Court if the language in the proposed order is consistent with the Court’s stated policy discussed above.