

Courtroom Staff:

Courtroom Clerk..... (619) 450-7064
Calendar Clerk..... (619) 450-7303 (Phone hours: 8:00 am to 3:00 pm)

The following rules and procedures will be followed in Department 64.

Ex Parte Hearings: Ex parte hearings are by reservation only on Tuesday, Wednesday, and Thursday at 8:30 a.m. All ex parte applications must comply with California Rules of Court, rule 3.1200 et seq. Ex parte matters will not be heard unless supporting papers are filed by 12:00 p.m. the day before the hearing. Ex parte applications to advance hearings are discouraged and should be based on an affirmative showing of good cause for an earlier date. No appearance is required if the parties stipulate to the requested relief.

Petitions for Minor's Compromise: Petitions to compromise minors' claims are heard during ex parte hours. Guardian ad litem must appear at the time of the hearing.

Remote Appearances: Remote appearances are governed by Code of Civil Procedure section 367.75, California Rules of Court, rule 3.672, and local rule 2.5.8. Instructions on how to appear remotely are available [here](#). Absent good cause, parties are expected to personally appear at settlement conferences, trial readiness conferences, and trial calls.

Parties appearing remotely should ensure they have a reliable phone/internet connection and a quiet environment. Witnesses appearing by video should have a plain or blurred background. If testifying remotely, witnesses must be alone in the room and have physical copies of any exhibits that will be referenced during testimony.

Orders to Serve by Publication: Applications requesting an order to serve by publication may be submitted for review without an appearance. Affidavits will be scrutinized to determine whether the applicant has been reasonably diligent in attempting service in another manner, as required by Code of Civil Procedure section 415.50, subdivision (a).

Guardians Ad Litem: Applications for appointment of a guardian ad litem are governed by local rule 2.4.6. Applications may be submitted for review without an appearance.

Applications for Determination of Good Faith Settlement: The proposed order shall be submitted concurrently with the notice and application for determination of good faith settlement pursuant to Code of Civil Procedure section 877.6, subdivision (a)(2). The proposed order will be held the requisite statutory period (20 days if personally served, 25 days if served by mail). If no motion to contest is filed within the statutory period, the application will be reviewed and the order may be signed.

Stipulated Protective Orders / Motions to Seal: Proposed stipulated protective orders for protection of confidential information will only be approved if the language in the proposed order is consistent with California Rules of Court, rules 2.550 and 2.551. Motions and applications to seal must comply with rules 2.550 and 2.551. Records will not be sealed based solely on the agreement or stipulation of the parties. If documents have been

lodged conditionally under seal in support of/opposition to a motion, the substantive motion will not be decided until after the hearing on the motion or application to seal. Parties may appear ex parte to request a hearing on a motion to seal in advance of a pending substantive motion, or alternatively to continue the substantive motion.

Law and Motion: Noticed motion hearings are by reservation only and are set on Fridays at 10:30 a.m. Counsel may obtain reservations by contacting the calendar clerk at (619) 450-7303 or by using the [Motion and Reservation System](#) on the court website. Tentative rulings will be made available [here](#) by 4:00 p.m. the day prior to the scheduled hearing. No notice of intent to appear is required to appear for oral argument. The tentative ruling will not become the final ruling until the hearing. Unless it states otherwise, the minute order is the final order.

Parties are expected to adhere to the page limitations set forth in California Rules of Court, rule 3.1113(d). Parties should not manipulate the font size or line spacing to circumvent the page limitations. If there is good cause to file an oversized brief, parties must obtain leave in advance.

If documents or other materials are lodged in support of/opposition to a motion, California Rules of Court, rule 3.1302(b) requires the lodgment be accompanied by an addressed envelope with sufficient postage for mailing the material back to the lodging party. Lodged material without a return envelope will be held 30 days, during which time the lodging party may physically retrieve the material from the clerk. After 30 days, the lodged material will be discarded.

Informal Discovery Conferences: Parties are encouraged to appear during ex parte hours for an informal discovery conference (IDC) before filing a motion to compel. On occasion, the parties may be ordered to attend an IDC to discuss a discovery dispute that is the subject of a pending motion to compel.

The party requesting an IDC should first meet and confer with the opposing party to discuss scheduling. If the parties are unable to agree on a date, the hearing should be scheduled with at least five days' notice to the opposing party. In advance of the IDC, each party should submit a concise statement (no more than three pages) of the party's position regarding the dispute.

The purpose of an IDC is to facilitate a meaningful discussion and help the parties reach an agreement regarding the dispute. No orders will be made at the hearing. Court reporters are not permitted, except to the extent both sides reach an agreement and desire to stipulate on the record. Parties should not refer to any discussions in any subsequent papers.

An IDC does not toll the statutory deadline to file a motion to compel. However, the parties may stipulate to extend deadlines to help facilitate a resolution of a discovery dispute without the need for a motion.

Discovery Motions: Motions to compel initial responses should be reserved and filed as a single motion, regardless of the number of sets of discovery at issue. Motions to compel further responses, and motions to deem facts admitted, should be reserved and filed as separate motions for each set of discovery at issue.

In lieu of submitting a separate statement with a motion to compel further responses, the moving party may submit a concise outline of the discovery request and each response in dispute. In accordance with local rule 2.1.21, a prior order permitting the concise outline is not required. However, in the event the moving party elects to submit a concise outline, copies of the actual requests and responses shall be submitted as exhibits to the motion.

Pro Hac Vice Applications: Applications for admission pro hac vice must comply with California Rules of Court, rule 9.40. Applications must include proof of service on the State Bar of California, proof of payment of the required fee, and a proposed order. Parties are not required to reserve a hearing date for the application. If a party opposes an application, that party may appear ex parte within five days to request a briefing schedule.

Case Management Conferences: Case management conferences are held at staggered times on Friday starting at 9:30 a.m. At case management conferences, no matters will be set for mediation unless requested by both parties.

Trial Readiness Conferences: Trial readiness conferences are held at 8:30 a.m. on Friday. Parties are reminded to review local rule 2.1.15. A completed joint trial readiness conference report shall be filed in advance of the hearing pursuant to local rule 2.1.15.

Trial Calls: Trial calls are held on Friday at 9:00 a.m. At trial call, counsel must bring a joint trial notebook, which should be comprised of the following:

1. Table of Contents
2. Copy of Joint Trial Readiness Report
3. Copies of Motion in Limine and Oppositions (in order)
4. Joint Witness List (with description of witnesses' expected testimony)
5. Joint Exhibit List
6. Copies of Trial Briefs (if any)
7. Joint Statement of the Case
8. Proposed Voir Dire Questions (if any)
9. Jury Instructions (packet agreed upon and packet of those not agreed upon, with indication of who is offering and objecting)
10. Special Verdict Form (either an agreed upon form or each side's proposed forms). If the parties fail to make a genuine effort to limit disputes on the form of the special verdict, a general verdict form will be utilized.

All exhibits must be pre-marked in an up-to-date exhibit book. All exhibits, demonstrative aids, or other material to be used in opening statements must be shared with opposing counsel in advance. All motions in limine must be filed per local rule 2.1.18. Trial briefs must be filed five court days prior to trial call.

Default Judgment by Court: Papers must comply strictly with California Rules of Court, rule 3.1800. Non-complying papers will be returned with a notation of defects. If personal testimony is required, counsel will be contacted by the courtroom clerk to schedule a default prove-up hearing. Proposed default judgments claiming punitive damages and/or non-economic damages will usually require a hearing. Default prove-up hearings are calendared for Friday at 1:30 p.m.

Courtesy Copies: Courtesy copies of the following documents should be placed in the Department 64 drop box, located outside the Business Office on the second floor of the Hall of Justice:

- Ex parte applications (delivered no later than 12:00 p.m. the day before the hearing)
- Pro hac vice applications
- Noticed motions, oppositions, and replies

- Motions in limine
- Joint trial readiness conference reports
- Trial briefs

[Dept 64. Advanced Trial Review Order](#)