

## Honorable Ronald F. Frazier, Presiding

Effective 7/22/21 The Court requires in person appearances on the following hearings: Judgment Debtor Exams, Trial Calls, Trials, Trial Readiness Conferences and Settlement Conferences. The Court **strongly** encourages personal appearances on Ex Parte and Informal Discovery Conferences. Effective 10/1/21 the Court will require personal appearances on all Informal Discovery Conferences. Personal appearances are as stated above unless good cause exists not to appear in person. Prior approval to appear remotely by the court will be required the day prior to the hearing. All other hearings may be made by remote video or audio appearance.

### Phone Numbers:

Courtroom: (619) 450-7065

Calendar: (619) 450-7303 (Phone hours: 8:00 a.m. - 3:00 p.m.)

1. **Ex Parte** – Ex Parte appearances are by reservation only on Monday and Thursday at 8:30 or 8:45 a.m. and at any other times the Court may designate. Reservations are to be made by contacting the Calendar Clerk at (619) 450-7303. All Ex-Parte papers and fees are due by 10:00 a.m. the day before the hearing in the Department 65 drop box on the second floor of the Business Office. If you find that you will not be appearing after reserving your date, please contact the Calendar Clerk to cancel the Ex-Parte. Please note ex parte appearances for order shortening time (OST) are strongly discouraged. **The Court requires courtesy copies for all E-filed documents delivered directly to the courtroom on all ex parte hearings prior to the hearing.**
2. **Guardian Ad Litem / Publication of Summons** – Petitions for appointment of Guardian Ad Litem and applications for orders for publication of summons may be made ex parte without the necessity of an appearance. The moving papers shall be submitted for review by the Court and the Court may set a hearing if such hearing is deemed necessary. Guardian Ad Litem applications will not be granted ex parte unless the moving party submits a declaration showing: a) the minor is not the subject of a juvenile dependency; b) the minor is not the subject of a probate guardianship, and c) if the parents are not living together, attaching a copy of the current child custody order.
3. **Law and Motion** – Noticed motion hearings are by reservation only. To reserve a date, contact the calendar clerk at the number provided above. Motions may also be reserved online via the Court's website. Motions are set on Fridays at 8:30 a.m. Tentative rulings are normally available after 4:00 p.m. on Thursday, one day prior to the hearing. **The Court requires courtesy copies for all E-filed documents delivered directly to the courtroom on all motion hearings.**
4. **Mandatory Informal Discovery Conferences** – Counsel are requested to carefully review these rules. A noticed pre-motion Informal Discovery Conference (IDC) is required in all cases in Department 65 for the following discovery motions:

- Motion to Compel **Further** Written Discovery Responses (requests for admission, interrogatories, requests for production);
- Motion to Compel Deposition/Deposition Testimony;
- Motion to Compel Physical Examination;
- Motion to Compel Compliance with Court Discovery Order;
- Motion to Quash Subpoena (**if movant is a party to the case**);
- Motion for Protective Order;
- Motion to Augment/Amend Expert Witness Information; and
- Motion to Submit Tardy Expert Witness Information.

**IDCs are by reservation only.** The Court makes itself available for IDCs on Tuesday and Wednesday mornings in thirty-minute time slots. To reserve a date, contact the Calendar Clerk at the number provided above.

**Confer with opposing counsel before reserving a date.** The moving party is required to meet and confer with the opposing party to select a mutually agreeable date for the IDC. If the parties are unable to agree on a date for the IDC, the moving party is required to obtain a date sufficiently in advance to provide the opposing party with at least ten days' notice.

**A concise one-page summary is due the Friday before the IDC and must be exchanged with opposing counsel on that date.** (Code Civ. Proc. § 2016.040.) Brevity is appreciated. Please avoid lengthy attachments as the Court generally does not have the time to review them. The parties are required to exchange their summaries with each other and file and deliver a courtesy copy directly with Department 65 no later than the Friday prior to the conference. If this deadline is not met, the Court is unlikely to be able to review your summary of the issues in dispute prior to the IDC.

**Motion deadlines are tolled.** This Court orders the deadline to file a discovery motion is tolled from the date of service of the notice of the IDC (as long as the deadline has not yet expired) through five court days after the date of completion of the IDC. (Code Civ. Proc. § 2016.080.) Please note, no motion to compel discovery may be reserved for hearing or filed until after completion of a conference as to the discovery in dispute.

**An IDC is an informal forum, not a court hearing.** The IDC is intended to encourage resolution of discovery disputes by engaging in meaningful discussion with the benefit of the Court's input before any motion papers are filed. Court reporters are not permitted, except to the extent both sides reach an agreement during the IDC and would like to put a stipulation on the record together. Parties are not to refer to discussions had during an IDC in any subsequent papers filed with the Court.

**An IDC is not required in Department 65 for the following motions:** Motion to Compel **Initial** Written Discovery Responses; Motion to Compel Mental Examination; Motion to Compel Compliance with Subpoena; Motion to Quash Subpoena (**if movant is NOT a party to the case**); Motion for Discovery Sanctions; Motion to Appoint a Discovery Referee; Motion to Object

to Reference/Appointment of a Discovery Referee. However, a voluntary IDC is both permitted and encouraged on any discovery dispute if all parties agree to do so.

5. **Case Management Conference** – Case Management Conferences are heard on Friday mornings, or at such other times as the Court may designate.
6. **Continuances** - Stipulated requests to continue any applicable dates and deadlines may be made by written stipulation. Please provide a proposed order with any stipulation. Disputed requests for continuances should be made by way of a noticed motion or an ex parte application. Please review Rules 3.1200 through 3.1207 in connection with any ex parte application. Request to continue Trial, Trial Readiness Conference and Motion Cut-off dates may be requested by stipulation and proposed order. The Court will review the stipulation and proposed order and may schedule an ex parte hearing if necessary.
7. **Trial Readiness Conference** – Trial Readiness Conferences are heard on Fridays at 10:00 a.m. unless otherwise designated by the Court. A Joint Trial Readiness Report is to be filed at the time of the hearing. Trial counsel are to be personally present. **The exhibit list is to have objections noted.**
8. **Trial Calls** – Trials calls are set on Fridays at 9:45 a.m. unless otherwise designated by the Court. Trial counsel are to be personally present. At the trial call for jury trials, the parties are expected to provide the following materials: A Trial Binder with the following included: 1. Table of contents 2. Joint Trial Readiness Report 3. Limine motions and oppositions and index of Limine motions 4. Copy of Joint Witness List. Listing the witness as either percipient or expert. 5. Copy of Joint Exhibit List (follow grids format – see attachment to ADR, **with objections noted**) 6. Copy of Trial Briefs 7. Joint Statement of the Case 8. Voir Dire questions counsel requests Court to ask 9. Jury Instructions – packet of agreed upon instructions and packet of not agreed upon instructions with a post-it note indicating who opposes the instruction 10. Special Verdict Form – either an agreed upon form or each side's proposed Special Verdict Form 10. Copy of the operative pleading, i.e.: complaints and answers. Counsel are to email the clerk in Word format the final joint exhibit and witness list and the motion in limine index prior to commencement of trial. The email address will be provided to counsel at trial call. Each counsel is ordered to telephone the Court Clerk (619) 450-7065, prior to 10:00 am on the day before the initial trial call date to report: 1) their readiness for trial, 2) the estimated trial length and 3) whether a jury will be required.
9. **Telephonic Appearances** – The California Rules of Court shall govern telephonic appearances. The Court requires personal appearances for Trial Readiness Conferences and Trial Calls.

**[Dept. 65 - Advance Trial Review Order](#)**