

**Honorable Joel R. Wohlfeil, Presiding**

**Phone Numbers**

Courtroom: 619-450-7073

Calendar: 619-450-7006- Phone hours: 8:00 a.m. to 3:00 p.m.

**1 Conformity with Local Rules.** Unless otherwise indicated herein, Department 73 adheres to the San Diego Superior Court Local Rules, Division II.

**2 Calendars**

**2.1 General.** Counsel are expected to appear timely for all scheduled hearings. If for any reason, you will be late for an appearance, please contact the Calendar Clerk in advance at 619-450-7006.

**2.2 Ex Parte.** Ex Parte appearances are by reservation only. Counsel may obtain reservations by contacting the Calendar Clerk at 619-450-7006. If you will not be appearing after reserving your date, please immediately contact the department to cancel. Parties must provide ex parte pleadings in compliance with the California Rules of Court with every ex parte application. Ex Parte papers are to be filed with the appropriate fee by 12:00 noon the day before the hearing.

Petitions for appointment of a Guardian Ad Litem and Applications for Orders for Publication of Summons may be made ex parte without the necessity of an appearance. The Court may set a hearing if such a hearing is deemed necessary.

**2.4 Telephonic Appearance.** The California Rules of Court shall govern telephonic appearances.

**2.5 Joint Trial Readiness Conferences.** Joint Trial Readiness Conferences are pursuant to the local rules; counsel shall bring the Joint Trial Readiness Conference Report to the hearing. A copy of the Advance Trial Review Order is available in Department 73. For any reason that you cannot appear in person you must seek permission from the Court to appear virtually.

**2.6 Trial Call.** Trials are called on Fridays at 8:30 a.m. and at such other times as the Court may designate. For any reason that you cannot appear in person you must seek permission from the Court to appear virtually.

**2.7 Trials.** Trial hours are Monday through Thursday, 9:00 a.m. until 12:00 p.m. and 1:30 p.m. until 4:30 p.m., unless otherwise ordered.

**2.8 MS Teams Appearances:** Please check in on Microsoft Teams 15 minutes prior to appearance time.

- 1) It allows the Courtroom Clerk to correctly document the appearances for the minutes. Checking in at the appearance time or thereafter is unacceptable.
- 2) Be prepared to have your name listed as your sign in, if not able, have name ready for Courtroom Clerk.
- 3) Please mute your device after you have identified yourself as it distracting to have background noise.
- 4) Please check your equipment before appearing virtually and make sure you only appear through one device. Appearing by more than one device creates feedback for all listening.

**3 Law and Motion**

**3.1 Reservations Required.** This department hears motions by reservations only. Counsel must reserve a date for each motion to be filed, by contacting the Calendar Clerk at 619-450-7006 or using the motion application on the court's website. Absent a Court Order, Department 73 hears Regular Motions no later than 60 calendar days after the motions are filed and hears Summary Judgment Motions no later and 120 calendar days after the Motions for Summary Judgment are filed.

**3.2 Tentative Rulings.** This department issues tentative rulings pursuant to the California Rules of Court. Counsel may obtain tentative rulings after 3:30 p.m. on the day immediately preceding the noticed hearing date, via the internet at: [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov).

If neither party appears on the date and at the time noticed for the hearing, the tentative ruling will be adopted as the final ruling of the Court. Parties wishing to argue before the Court must appear on the date and at the time noticed for the hearing. Failure to file timely motion and/or opposition papers may constitute a waiver of the right to orally argue.

**3.3 Motions/Applications for Good Faith Settlement.** A proposed order must accompany an application for Good Faith Settlement pursuant to the Code of Civil Procedures. The order should state "This determination bars any other joint tortfeasor or co-obligor from any further claims against the settling parties for equitable comparative contribution or partial or comparative indemnity based on comparative negligence or comparative fault." The application and order will be held the requisite 25 days, and if no motion in opposition to the application for good faith settlement is filed, the order will be signed and processed. The clerk will return a conformed copy of the application at the time of filing only if counsel provides two messenger-slips or self-addressed stamped envelopes. Otherwise, the clerk will return conformed copies of the application with the order signed by the judge after the 25-day period has elapsed.

**4 Orders** The Court's minute order is the final order of the Court. No further order need be prepared unless the Court directs counsel to prepare and submit an order.

## **5 Stipulations**

**5.1 Filing Required.** This Court adheres to the time limits as set forth in the Code of Civil Procedure regarding the time in which to answer, demur, cross-complaint, etc. Stipulations to extend statutory time to respond must be in writing and filed with this Court in order to be effective.

**5.2 Approval Required.** No procedure or deadline or date established by this Court may be modified, extended or avoided by stipulation or agreement of the parties or counsel, unless the stipulation is approved by this Court in advance of the date sought to be altered. Stipulations to extend discovery cut-off dates should contain the following language:

"This order shall not form the basis to extend any other cut-off dates, to add any new parties, causes of action or defenses, or to continue the trial date."

[Dept. 73 - Advance Trial Review Order](#)