

Superior Court of the State of California

County of Orange

GENERAL POLICIES AND PROCEDURES

JUDGE SHEILA FELL

DEPT C-25

Phone: (657) 622-5225

COURT CLERK: Rick Burns

COURT ATTENDANT: Corinne Mika

The following recommendations are designed to make life easier while navigating your case through Department C-25.

The Court assumes that counsel have read the Orange County Superior Court Rules pertaining to Civil cases [*the ones that have not been vacated*] and California Rules of Court [*very helpful*]. The answers to most procedural questions will be answered in the Local Rules - please read them before calling the Department clerk for assistance. In addition, the following will be helpful in ensuring the swift progress of your case.

1. The Court expects and requires professional courtesy, civility, and cooperation between counsel at all times [*This is a 'must'*].
2. The Court expects and requires professional courtesy, civility, and cooperation between counsel and courtroom staff at all times [*This is also a 'must'*].
3. The Court expects counsel for all parties to maintain communication with each other regarding hearing dates, progress of the case and settlement possibilities [*You might even settle the case*].
4. Liberal discovery is promoted in all cases; counsel should cooperate in all regards and should refrain from engaging in excessive and abusive discovery and discovery motions. [*Speaks for itself*].
5. Continuances of trial dates are discouraged, and under no circumstances will the Court grant trial continuances by telephone. For good cause, one continuance will probably be granted. Counsel MAY NOT stipulate to continuances without Court approval. [*The Court is necessarily involved in this decision.*] C-25.P&P.mem February 2015.

6. Tentative rulings for Law and Motion begin to be posted on the Internet the prior afternoon by 4 p.m. Counsel are requested to call the Court as soon as it becomes known that the motion will go Off Calendar [*Saves hours of reading*]. All Motion Continuance Requests *MUST* be made to the department by 4:30 p.m., the Friday before the hearing.
7. Mandatory Settlement Conferences: The Court requires presence of all parties with full settlement authority and appearances of trial counsel at the MSC. Based on the wasted time to other involved parties [*as well as the Court and others who couldn't get that date because the calendar was too full*], the absence of such authorized party without written permission of the Court will result in a fine. Counsel and parties must be prepared to participate in good faith settlement negotiations at the conference. (The Settlement Conference Statement form is available in the Clerk's office and on-line.)
8. At the Court's discretion, a fine of \$5.00 per minute may be imposed against an attorney who, by his or her tardiness, causes a delay in Court proceedings. [*We all are very mindful of the jurors who have given up their time to hear these cases.*]
9. Ex-Parte matters must be for legitimate emergencies only. [*Did I really have to say this?*]
10. In the event a case settles prior to the trial date, the parties may avoid being present at the calendar call if one of the following is completed:
 - A. Full dismissal timely filed electronically or with the Clerk's office;
 - B. Fully executed Stipulation for Entry of Judgment timely filed electronically or with the Clerk's office.
 - C. Stipulated Judgment, fully executed, & timely filed electronically or with the Clerk's office.
 - D. Settlement Agreement, fully executed by all parties and timely filed electronically or with the Clerk's office. If documents are not fully executed, counsel and parties must appear at trial and put the settlement, judgment or dismissal on the record.

11. Court Calendar:

- A. Trials are set for 9:00 a.m. on Mondays. Compliance with Local Rule 317 is required; the Statement of Compliance form is available at the Clerk's office or on-line. *[You can get more info from our 'Trials' handout.]* C-25.P&P.mem February 2015.
- B. Law and Motion matters are heard on Wednesday mornings [and sometimes on Friday mornings] at 10:00 a.m. The Court will make every effort to post Tentative Rulings on the Internet at <http://www.occourts.org> as early as possible the day before the calendar. Counsel without Internet availability may call the Court for rulings beginning late in the afternoon the day before the hearing *[as late as you can comfortably wait]*. Parties may appear by phone with prior Court approval.
- C. Defaults and Default prove-ups are set by the Clerk's office when a Memo to set is filed. OSCs and Review Hearings are set by the Court as needed.
- D. Ex-Parte matters are heard Monday through Friday at 8:30 a.m. *[All the specific information is on our Ex-Parte handout.]*
- E. Case Management Conferences are heard as scheduled or as set by the Court Attendant. One request to continue the Case Management Conference (for a short period) will be granted without appearance. Request must be sufficiently timely to avoid an appearance by the other side. *[If you don't notice the other party and another party appears, you may have to compensate those appearing unnecessarily.]*

If parties have not timely filed a Case Management Statement, the case may be put at the end of the calendar. *[It's a courtesy thing.]*

- F. MSCs and VSCs are held on Fridays at 9:00 a.m. Counsel and parties are required to appear unless an appearance of a party is excused in writing by the Court. *[Depending on the number of settings, you may be assigned to a pro-tem.]*

The use of pre-printed Court Forms should be employed whenever available.