

Superior Court of California  
County of Orange County

HONORABLE GLENN R. SALTER

CLERK: Davon Velasquez

COURTROOM ATTENDANT: Jeronimo Salazar

**TRIAL PROCEDURES - DEPARTMENT N06**

NORTH JUSTICE CENTER  
1275 N. BERKELEY AVENUE  
Fullerton, CA 92838  
(657) 622-5606  
[www.occourts.org](http://www.occourts.org)

**Recognizing the severity of the coronavirus (COVID-19) outbreak nationally and internationally, the Orange County Superior Court is taking active steps to control its spread within our local community. For additional information on actions taken by Orange County Superior Court, please visit [www.occourts.org](http://www.occourts.org).**

Effective 07/16/2021: All proceedings will be conducted by **Remote appearance only via the Court's Zoom Pilot Program**, to the extent the Court does not address them by Minute Order prior to the appearance date:

- Ex Parte Applications (Monday – Friday at 11:45 a.m.)
- Law and Motion (Thursdays at 1:30 p.m.)
- Default Prove-Up Hearings / Small Claims Appeals / Case Management Conferences / Review Hearings (Thursdays at 8:30 a.m.)
- Trials (Monday 9:00 a.m.)
- MSCs (Friday 8:30 a.m.)

**Welcome to Department N06, where staff is here to assist you in any way, we are able. Please don't hesitate to contact the department with any questions or concerns you may have – it is the goal of this department to make your court appearance a pleasant and productive one.**

In order to facilitate the progress of your trial, please be mindful of the following policies and procedures:

### **CALENDAR**

- Trials are conducted on Mondays, Tuesdays, Wednesdays, and Fridays from 9:00am until 4:30pm.
- Trial dates are considered firm; therefore, continuances are disfavored. Continuances may be granted on written stipulation upon a showing of good cause. All other motions and applications for a continuance must comply with California Rules of Court, rule 3.1332.
- Please arrive on time for all matters; the Court starts promptly. Contact the Court Attendant as soon as practical if you anticipate you may be late.

### **PRE-TRIAL PROCEDURES:**

- **LOCAL RULE 317** – the parties must comply fully with Local Rule 317, including the timely filing of a Statement of Compliance (L-0081).
- **DOCUMENTS** – A courtesy copy of all trial documents referenced in the Statement of Compliance and Exhibit Binders shall be delivered to Department N06 no later than 12pm on the last court day before trial.

The joint set of proposed jury instructions shall be in jury-ready format. If the parties cannot agree on a particular jury instruction, each side may present the Court with a separate copy of the jury instruction it proposes.

- **EXHIBITS** – The Joint Exhibit List must list each exhibit by number, seriatim, and include a detailed description of the item, photograph or document. Photographs may not be grouped; each photograph, including computer-imaged or scanned photograph, must bear its own exhibit number and tag. One copy of the Joint Exhibit List shall be provided each to the Court, the Clerk, the Court Reporter, and counsel. A sample of a Joint Exhibit List, and a template for exhibit tags, are attached for reference.

Exhibits shall be placed (to the extent practical) in 3-ring binders with tabbed dividers and clear markings on the spine indicating the exhibits contained therein. Each Exhibit Tag must bear the correct exhibit number and must be attached to the upper right-hand corner of the first page of the exhibit, taking care not to staple in the date area of the tag.

Original exhibits shall be provided directly to the Clerk and shall be the only binder with the official GREEN exhibit tags. One set of exhibits, similarly tabbed but not tagged, shall be prepared each for the court and counsel.

**Copies of all impeachment evidence must be delivered to the clerk prior to trial in a sealed envelope marked “Impeachment Documents”. The outside of the envelope shall contain the name of the submitting party.**

### **STANDARD TRIAL PROCEDURES**

- **MOTIONS IN LIMINE** – Motions in limine must be in writing, comport with the purposes of such motions, and identify specifically the evidence to be excluded. (See *Kelly v. New West Federal Savings* (1996) 49 Cal.App.4th 659)
- **VOIR DIRE** – The Court uses the eight-pack method of jury selection. The Court conducts the initial voir dire. If any party want the Court to inquire into a particular area, the proposed question(s) must be submitted to the Court in writing.

Although the Court does not impose time limits on voir dire by counsel, it is expected that it will not exceed 30 minutes per side.

The Court assigns each juror a number. At all times jurors are to be referred to by their court-assigned number only, and not by their name. Challenges may only be addressed to the group of 12 potential jurors in the box. The parties may not stipulate to excuse a prospective juror.

- **TRIAL DECORUM** – Counsel shall at all times show proper respect to the jurors, witnesses, court staff, parties, opposing counsel, and the Court. They shall also instill in their clients and witnesses the same duty of respect. All counsel and witnesses (except children) are to be referred to by their last name.

Counsel shall wait to inquire of a witness until advised by the Court that they may proceed. They shall also request permission to approach a witness or diagram and must retreat after the purpose has been accomplished.

No exhibit may be published to the jury unless it has first been introduced into evidence.

### **LOCAL RULES – SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE**

#### **Rule 317. Issue Conference/Case Management Conference**

An issue conference is required in all cases at least 10 days prior to the date set for trial, at which time the parties are to meet and confer and execute necessary documents as listed below. Plaintiff or petitioner must arrange the issue conference at a mutually agreeable time and location.

At the issue conference the parties must:

- A. Exchange exhibits and inspect photos and diagrams (to be submitted on the date of trial), excluding those contemplated to be used for impeachment or rebuttal.

- B. Stipulate to all facts amenable to stipulation.
- C. Prepare a Joint Statement of the Case (Jury Trials only).
- D. Prepare a Joint Witness List, excluding impeachment or rebuttal witnesses.
- E. Prepare a Joint List of Controverted Issues. If all the parties fail to agree that an issue is uncontroverted, then the issue is controverted.
- F. Exchange all motions in limine.
- G. Prepare voir dire questions for the court to include in its voir dire (Jury Trials only).
- H. Execute a Statement of Compliance.

The parties must prepare courtesy copies for the Court of all trial briefs, exhibits, and voir dire questions. Trial exhibits (those which are or can be reduced to paper copies) must be contained in a separate notebook, together with an Exhibit List with columns for indicating whether the exhibits have been marked and entered.

Parties who file motions in limine are responsible for providing courtesy copies for the Court of all filings generated by their motions in limine. If a party files four or more such motions, these courtesy copies should be contained in three-ring binders with tables of contents and separately numbered tabs for each motion and all papers related to that motion, including opposition and reply papers.

The Plaintiff or Petitioner is responsible for providing courtesy copies of the Joint Statement of the Case, the Joint Witness List, and the Joint List of Controverted issues.

The above items, including the courtesy copies referenced above, and the Statement of Compliance signed by all counsel and self-represented parties, must be submitted to the courtroom clerk in the department of the judicial officer to whom the case has been assigned for trial no later than noon of the Friday before trial.

Failure to conduct the issue conference as required may result in sanctions pursuant to Rule 381.

At the discretion of the assigned judicial officer, a case management conference may be scheduled in lieu of or in addition to the issue conference.

*Rule 317 revised effective July 1, 2013; Rule 317 revised and renumbered effective July 1, 2009; revised as Rule 450 effective July 1, 1992, July 1, 1995, July 1, 1996.*



<b>EXHIBIT NO.</b>		
<input type="checkbox"/> ID only (Date)		
<input type="checkbox"/> <b>IN EVIDENCE</b> (Date)		
<input type="checkbox"/> Plaintiff/People	<input type="checkbox"/> Defendant	<input checked="" type="checkbox"/> Joint
<input type="checkbox"/> Petitioner	<input type="checkbox"/> Respondent	<input type="checkbox"/> Court
<input type="checkbox"/> (Other)		
Signature of Atty/Party Introducing Sensitive Exhibit		
<b>Case No.</b>		
Vs.		
David Yamasaki, Clerk of the Court		
By <u>        D. Velasquez        </u> , Deputy		
<b>NOTE: THIS ITEM IS A PERMANENT COURT RECORD. DO NOT REMOVE FROM THE COURTROOM</b>		
If found please contact: Superior Court of California, County of Orange (657) 622-5606		

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