

☐ GENERAL PROCEDURES

- § To help us process your case and paperwork faster, please limit telephone calls to the court. Most questions can be answered by referring to the relevant California Codes, California Rules of Court, Orange County Superior Court Local Rules, and the Court's website (www.occourts.org). If you do have to call the court, however, please have your case name and number available.
- % **Ex Parte Matters** – Fee and filing information are available on the court's website. Moving party shall file the moving papers by 2 pm the day before the application. Notice to opposing parties is to be given pursuant to California Rules of Court 3.1200 to 3.1207. Ex Parte matters must comply with the applicable standards required by law.
- C. **Law and Motion** – Tentative rulings and information regarding Law and Motion are generally available on the court's website at: <http://occourts.org/tentativerulings/fslaughterrulings.htm>. Tentative rulings begin to be posted on the internet the prior afternoon by 4:30 pm. Counsel are requested to call the Court as soon as it becomes known that they are submitting to the tentative ruling. All motion continuances should be made to the department by 3:00 pm the Friday prior to the hearing date.
- D. **Continuances** – Law and motion matters may be continued notice by both parties contacting the clerk for further instruction. Continuances of trial dates are discouraged and can not be done by telephone. Counsel may continue trials by submitting a stipulation and order prior to the hearing date.

One 30-day trial continuance will be permitted by written stipulation, as set forth in Code of Civil Procedure section 595.2. Thereafter, trials may be continued only by ex parte application or a motion to continue. Motions to continue trial will be set on the department's regular law and motion calendar. Trial dates are firm. (Cal. Rules of Court, rule 3.1332(a).)

One 30-day trial continuance will be permitted by written stipulation, as set forth in Code of Civil Procedure section 595.2. Thereafter, trials may be continued only by ex parte application or a motion to continue. Motions to continue trial will be set on the department's regular law and motion calendar. Trial dates are firm. (Cal. Rules of Court, rule 3.1332(a).)

- E. **Cooperation, Civility, and Courtesy** – The Court expects and requires professional courtesy, civility and cooperation between counsel and courtroom staff. The Court expects counsel for all parties to maintain communication with each other regarding hearing dates, progress of the case and settlement possibilities.

III. TRIAL PROCEDURES

- A. On the date scheduled for the Pretrial Conference, counsel/self-represented parties will appear through the Zoom platform. Counsel/self-represented parties should be prepared to announce whether they are ready for trial and whether they would like to proceed with a jury trial (if jury fees have been posted pursuant to Code of Civil Procedure section 631) or court trial.

1. For jury trials, please refer to the “Process to Commence Civil Jury Trial” and "Civil Jury Trial COVID 19 Protocols" on the Court's website (by clicking the COVID-19 box at the top of the home page, and then proceeding to “Civil,” then “Policies, Procedures & General Information for Civil Limited, Unlimited, Complex” and then “Process to Commence Civil Jury Trial” and "Civil Jury Trial COVID-19 Protocols").

2. Pursuant to California Judicial Council Emergency Rule 3 and Orange County Superior Court Administrative Order No. 20/22, court trials, as ordered by the court, may be conducted by video via a remote videoconferencing platform. Consistent with Administrative Order No. 20/22, a judicial officer may grant a request for an in-court session or proceeding based on a showing of good cause.

- B. Counsel shall jointly conduct an Issues Conference at least 14 days before trial, in compliance with Orange County Superior Court Local Rule 317. The statement of compliance with Local Rule 317 must be filed by noon on the Wednesday before the Monday trial date. The Joint Trial Notebook, need to be not delivered to the clerk the clerk in Department N15 until the start of trial.
- C. Court Reporting Services – The Orange County Superior Court will no longer provide the services of an official court reporter in this Department. Parties should supply a court certified reporter for trial proceeding or product a settled statement of each days trial proceedings each following day of trial. If the services of a certified shorthand reporter are desired, the parties can follow the steps outlined in the Court’s Availability and Unavailability of Official Court Reporters Policy on the court’s website at:
http://www.occourts.org/media/pdf/Availability_and_Unavailability_of_Official_Court_Reporters0501.pdf
Exhibits
- D. 1. Pursuant to Local Rule 317, counsel must jointly prepare an exhibit list. Counsel shall avoid duplicates. Each exhibit should be listed by exhibit number. The exhibit list should set forth each number along with a very brief description which includes the date of the document or a notation that the document is undated. Copies of the exhibit list should be made for the court, the clerk, the court reporter, and each counsel.
2. Only numbers should be used. It is not appropriate to designate plaintiff’s or defendant’s exhibits.
3. Page numbers shall be placed on all pages of multiple-page documents.
4. Counsel must prepare exhibit notebooks pursuant to Local Rule 317. Exhibits should be placed in three-ring binders, not to exceed 3”, with tabbed dividers. Each tab should bear the corresponding exhibit number. All original exhibits must have the court exhibit tags filled out and printed on green paper, and attached to the exhibit. Exhibit tags are available on the court’s website.
5. Counsel should be prepared to give the clerk all original exhibits and a copy at the start of trial.

6. Enlargements of exhibits and transparencies for use with an overhead projector shall not be used as original exhibits. Instead, a normal-size paper version of the exhibit should be marked and treated as the official exhibit. Blowups and transparencies are informally marked with the same exhibit number and referred to by the same exhibit number during trial.

7. If you plan to use a video exhibit or videotaped depositions, it is counsel's responsibility to supply the necessary equipment.

- E. Voir Dire - The court will conduct the initial questioning. When the court has completed its questioning, each counsel will be permitted to do a mini-opening statement of no more than five minutes early in voir dire in order to give the jurors a short "road map" of the evidence and give them a frame of reference for answering your questions. Counsel will question potential jurors for cause, subject to the following limitations: (1) the attorneys must not engage in questioning that violates Standards of Judicial Administration 3.25(f) or Code of Civil Procedure section 222.5; (2) no repetitive questioning; (3) no pre-conditioning of the jury; and (4) no questions regarding pleadings, law, or juror comfort without prior permission of the court.

Witnesses – It is counsel's responsibility to arrange the appearance of witnesses in such a manner as to avoid delay of the trial. Counsel are to confer with each other regarding the witnesses' order of appearance and advise the court of any anticipated witness problems before trial commences.

F. Trial Settlement

1. 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 is 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 and 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.
- E. The court grants a continuance requested by parties.

2. If documents are not fully executed, counsel and parties must appear at trial and put the settlement, judgment and / or dismissal on record.

G. Courtroom decorum

1. Counsel shall instruct their clients and witnesses:
 - a. As to proper behavior around jurors;
 - b. Warn them not to discuss the case in the presence of jurors; and
 - c. Against engaging in conversation with a juror until after the case has been concluded.

2. All witnesses, except children, are to be addressed only by their last name. Counsel must request permission to approach a witness or diagram near the witness, but must retreat after the purpose has been accomplished.

3. Counsel should refrain from making speaking objections in front of the jury. Opposing counsel should not speak before the court rules unless the court requests input or unless counsel requests to respond and is granted permission. Any substantial discussion regarding objections will be had outside the presence of the jury at a side bar.
 1. Objections, statements, and arguments are to be addressed to the court rather than to opposing counsel or to the witness.