DIVISION 3

CIVIL RULES

Rule		Effective
Chapter 1. Civil Cases over $25,000		
300.	Renumbered as Rule 359	07/01/09
301.	Classification	07/01/09
302.	Renumbered as Rule 361	07/01/09
303.	All-Purpose Assignment to Judge	07/01/09
304.	Vacated	01/01/04
305.	Peremptory Challenges – Repealed	07/01/09
306.	Vacated	07/01/00
307.	Renumbered as Rule 373	07/01/09
308.	Electronic Filing Program	07/01/09
309.	Improper Re-filing of Cases	07/01/09
310.	Renumbered as Rule 384	07/01/09
311.	Special Master	07/01/09
312.	Renumbered as Rule 365	07/01/09
313.	Collection Cases	07/01/09
314.	Designation – Subsequent Documents	07/01/09
315.	Meet and Confer Statement	07/01/09
316.	Mandatory Settlement Conference	07/01/09
317.	Issue Conference/Case Management Conference	07/01/09
318.	Uninsured Motorist/Construction Defect/Toxic Pollution Case	07/01/09
319.	Execution on Installment Judgments	07/01/09
Chapter 2. Civil Cases $25,000 and Under		
320.	Renumbered as Rule 341	07/01/09
321.	Case Management Conference – Appearance	07/01/09
322.	Renumbered as Rule 345	07/01/09
324.	Renumbered as Rule 363	07/01/09
326.	Vacated	07/01/01
328.	Vacated	07/01/99
330.	Vacated	07/01/00
332.	Pretrial Conference	07/01/09
334.	Vacated	01/01/07
336.	Renumbered as Rule 386	07/01/09
338.	Vacated	07/01/00
339.	Civil Cases at Issue	01/01/06

Chapter 3. Small Claims

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344.	Renumbered as Rule 356	07/01/09
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346.	Renumbered as Rule 371	07/01/09
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Chapter 4. All Civil Cases

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351.	General	07/01/09
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358.	Delay Reduction – Continuance of Settlement Conference	07/01/09
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360.	Alternative Dispute Resolution (ADR)	07/01/09
361.	Jury Venire for Superior Court Sessions Held Outside the County Seat	07/01/09
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365.	Location of Filing for All Papers Not Otherwise Specified	07/01/09
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372.	Petitioning for Compromise of Claims	01/01/04
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380.	Facsimile Transmission of Civil Filings	07/01/09
381.	Sanctions	07/01/09
382.	Tentative Rulings Procedure	07/01/09
384.	Default Judgments	07/01/09
386.	Examination of Judgment Debtors and Third Persons	07/01/09
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392.	Settlement, Federal Removal, Binding Arbitration	07/01/09

Appendix

A. Summary of Required Filings 07/01/09

Chapter 1

Civil Cases over $25,000

Rule 300. Renumbered effective July 1, 2009

Rule 300 renumbered as Rule 359

Rule 301. Classification

All cases described as personal injury, eminent domain, and other civil actions are subject to civil case management. Abandonment, adoption, mental health, conservatorship, family law and related matters are excluded from civil case management.

All actions involving the California Environmental Quality Act (CEQA) and Toxic Waste must be provisionally designated as complex litigation on the Civil Case Cover Sheet (Judicial Council Form CM-010) in addition to any of the actions which may be provisionally designated as complex litigation under the provisions of California Rules of Court, rule 3.400. Any action of the court to designate an action as complex litigation pursuant to California Rules of Court, rule 3.403, must be made by the Supervising Judge of the Civil Panel.

Misrepresentation by any party regarding case classification may lead to improper classification of the case. In those instances where that occurs and the misclassification has been discovered the case, if eligible, must be placed in the random selection and assignment processes used in civil case management. Counsel and/or the parties may be subject to sanctions according to law.

(Rule 301 revised and renumbered effective July 1, 2009; revised as Rule 431 effective May 1, 1994; revised effective July 1, 1995, July 1, 2003, January 1, 2007, January 1, 2008)

Rule 302. Renumbered effective July 1, 2009

Rule 302 renumbered as Rule 361

Rule 303. All-Purpose Assignment to Judge

Cases which are subject to civil case management will be randomly assigned to a judicial officer for all purposes, who will thereafter handle all proceedings in the case, including but not limited to, law and motion, pretrial (settlement) conferences, in limine motions and the trial. Nothing herein should be construed to interfere with the power of the presiding judge to assign or reassign cases.

(Rule 303 revised and renumbered effective July 1, 2009; revised as Rule 432 effective July 1, 1992, July 1, 1993, May 1, 1994, January 1, 2007, January 1, 2008)

Rule 304. (Vacated effective January 1, 2004)

(Adopted effective March 1, 1985; renumbered effective July 1, 1998; revised effective September 1, 1998; vacated effective January 1, 2004)

Rule 305. Peremptory Challenges – *Repealed*

Rule 433 renumbered and repealed effective July 1, 2009

(Rule 433 revised effective July 1, 1992, May 1, 1994, January 1, 1995, July 1, 1998)

Rule 306. Vacated effective July 1, 2000

(Adopted effective January 1, 1989; revised effective July 1, 1994, January 1, 1995, renumbered effective July 1, 1998; vacated effective July 1, 2000)

Rule 307. Renumbered effective July 1, 2009

Rule 307 renumbered as Rule 373

Rule 308. Electronic Filing Program

The Superior Court of California, County of Orange, has established a system for the electronic filing of documents in complex civil actions in accordance with Code of Civil Procedure section 1010.6 and California Rules of Court, rule 2.250, et seq. All papers in complex civil actions must be electronically filed with the court unless the party has been specifically excused from doing so by the Court. An application to be excused from the requirements of this rule must be in writing and may be made by ex parte motion. Payment of any mandatory fee must be made by using any court-approved credit card.

All electronically filed papers must be in Portable Document Format (PDF). All papers initially captured as a scanned image from a hard-copy format will be scanned at a resolution of between 200 and 400 dpi (dots per inch) and converted to PDF format. Documents must be clearly legible. A party seeking to electronically file papers in a format other than PDF will have its papers rejected for filing as defective.

Hard copies of oversized documents may be filed with the court provided a Notice of Filing Oversized Document is filed. An oversized document means a document which include at least one page that is too large to scan and be depicted on a single 8½ inch by 11 inch sheet, or a document that exceeds the maximum file size of 50 megabytes. Documents exceeding 50 megabytes may be broken down and transmitted over multiple electronic submissions.

(Adopted effective January 1, 1998; renumbered effective July 1, 1998; revised effective January 1, 2004, January 1, 2007, January 1, 2008, July 1, 2009)

Rule 309. Improper Re-filing of Cases

A party may not dismiss and thereafter re-file a case for the purpose of having such case assigned to a different judicial officer.

Whenever a case is dismissed and thereafter another case is filed involving the same, or essentially the same, parties, facts, or causes of action as the prior case, the plaintiff in any such subsequently filed case must disclose such facts on the face page of the new complaint. The subsequently filed case will be assigned to the same judicial officer for all purposes as the prior case.

(Rule 309 revised and renumbered effective July 1, 2009; revised as Rule 436 effective July 1, 1992, July 1, 1994)

Rule 310. Renumbered effective July 1, 2009

Rule 310 renumbered as Rule 384

Rule 311. Special Master

If it is determined the matter should be referred to a special master for an accounting or other designated proceedings, the court on its own motion or upon stipulation of the parties will make the referral. The work of the special master must be completed before the mandatory settlement conference (Rule 316).

(Rule 311 revised and renumbered effective July 1, 2009; revised as Rule 447 effective July 1, 1992)

Rule 312. Renumbered effective July 1, 2009

Rule 312 renumbered as Rule 365

Rule 313. Collection Cases

A matter is a collection case if the complaint is for the recovery of damages that are easily computable from the documentation filed with the complaint and will be subject to the following special rules:

A. Disputes regarding whether or not a matter is a collection case may be resolved by the trial judge on the motion of any party, filed not later than 30 days after service has been completed on the first defendant, if the motion is by the plaintiff, or on the moving party if the motion is by a defendant. If the court determines the matter is a collection case at the motion hearing, the court may then proceed to set a trial date. The court will, if the matter has not been determined earlier, resolve whether or not the matter is a collection case at the case management conference.

B. A collection case may be dismissed on the court's own motion 90 days after it is determined to be a collection case unless:

1. A default judgment has been entered;

2. A Certificate of Due Diligence has been filed stating why the defendant has not been served;

3. A stipulated judgment payable in full or in installments or an agreement for periodic payments has been entered into and a copy of said agreement received by the court clearly setting forth the date certain of the last installment payment. (The copy of said agreement, at the request of the parties, may be confidential.) A judgment or agreement to pay in installments must set forth the date certain of the last payment. If an agreement, it must provide for the entry of judgment in the event of a default in payments which is not cured within a reasonable time.

C. The time within which a stipulated judgment or agreement for periodic payments is required to be completed may be extended for good cause upon noticed motion.

D. If the defendant has neither been served nor an agreement for periodic payments has been entered into, a Certificate of Due Diligence must be re-filed every 90 days unless there is an Application for Order for Publication pending.

E. Upon completion of the periodic payments, the plaintiff must dismiss the action.

In those cases where liability is denied, every effort must be made to have the matter concluded within 90 days after it is determined that the matter is a collection case. To that end, the case management conference may also serve as the trial setting conference.

(Rule 313 revised and renumbered effective July 1, 2009; revised as Rule 451 effective July 1, 1992, January 1, 2007)

Rule 314. Designation – Subsequent Documents

All documents filed in cases subject to civil case management, with the exception of the original summons and original civil complaint, must have clearly typed on the face page of each document, under the case number, the following:

ASSIGNED FOR ALL PURPOSES TO:
JUDICIAL OFFICER (insert name)
DEPARTMENT (insert no.)

In addition, the face page of any subsequent document must also designate the nature of the document, the hearing date, department, the date action was filed and the trial date, if any, which must be below the case and judicial officer designation.

Any petition for coordination brought pursuant to Code of Civil Procedure, section 404, et seq., or California Rules of Court, rule 3.501, et seq., and rule 3.521, et seq., which involves a case subject to civil case management, must indicate the name of the judicial officer assigned for all purposes in the caption of the document.

(Rule 314 revised and renumbered effective July 1, 2009; revised as Rule 435 effective July 1, 1994, January 1, 2007)

Rule 315. Meet and Confer Statement

Within 20 days after service of the responsive pleading by the first responding defendant, and thereafter as each defendant responds, the parties must meet and confer for the following purposes:

A. To discuss facts which are presently available to support the allegations of the pleadings filed by each party.

B. To discuss possible settlement of the action including possible arbitration.

C. To exchange preliminary schedules of discovery.

Where necessary in multi-defendant cases, and upon a showing of good cause, the parties may apply for one extension of time within which to hold said meeting.

The parties must file a joint Meet and Confer Statement within 30 days after service of the responsive pleading. It will be the responsibility of the plaintiff to arrange the conference and to prepare the joint statement, including areas of disagreement.

Failure to comply with the requirements of this rule may result in sanctions pursuant to Rule 381.

(Rule 315 revised and renumbered effective July 1, 2009; adopted as Rule 441 effective April 22, 1991; revised effective July 1, 1991, July 1, 1992, July 1, 2000)

Rule 316. Mandatory Settlement Conference

A. All trial counsel and parties must attend a mandatory settlement conference set by the assigned judge. Absent any objection, the settlement conference may be held by the assigned judge. When an objection has been filed, the case will be referred to the supervising judge of the panel for assignment to one of the other judicial officers on the same panel for purposes of settlement conference only.

Any objection to the assigned judge conducting the mandatory settlement conference must be filed together with the Settlement Conference Statement. If no such objection is filed, any further right to object will be deemed waived.

B. The parties must execute a Settlement Conference Statement in the form adopted by the court, and must lodge it with the Clerk's Office, no later than five court days prior to the mandatory settlement conference. The statement will be confidential, must be sealed at the conclusion of the conference, and may be opened only by stipulation of the parties or subsequent court order.

C. The purposes of the mandatory settlement conference will include:

1. Settlement discussions;

2. Setting of a trial date, if not already set;

3. Such other matters which may be necessary to assure a just and expeditious disposition of the case.

D. At the conference, the attorney who will try the case must be present or represented by someone completely familiar with the case and who has full authority to enter into stipulations and settlement. If the court finds plaintiff or cross-complainant has not proceeded with due diligence in preparing the case for trial, that party's pleading may be dismissed pursuant to sections 583.410 et seq. or 581(d) of the Code of Civil Procedure and/or sanctions imposed pursuant to Rule 381. If the court finds that any defendant or cross-defendant has failed to comply with these rules, the court may impose sanctions pursuant to Rule 381.

E. The failure of any person to prepare reasonably for, appear at, or participate in good faith in a settlement conference as required by this rule, unless good cause is shown for that failure, is an unlawful interference with the proceedings of the court, and the court may order the person at fault to pay the opposing party's reasonable expenses and attorneys' fees.

F. Duties of Counsel or Self-Represented Party

1. Duties of Plaintiff's and Cross-Complainant's Counsel

a. Counsel must notify their client(s) in writing of the date, time, and department of the mandatory settlement conference and of the court's requirement that they be personally present. A copy of such written notification or, a declaration attesting that such written notification was given must be brought to the hearing and submitted to the court upon request.

b. At least 5 days prior to the hearing, counsel or self-represented party must serve a settlement demand on all defendants and cross-defendants. The demand, with proof of service attached, is to be brought to the hearing, **not** filed in advance.

2. Duties of Defendant's and Cross-Defendant's Counsel

a. Counsel must notify their client(s) in writing of the date, time, and department of the mandatory settlement conference and of the court's requirement that they be personally present. A copy of such written notification or, a declaration attesting that such written notification was given must be brought to the hearing and submitted to the court upon request.

b. Counsel or self-represented party must notify all insurance carriers which may provide coverage to the client in connection with the matter in litigation in writing of the date, time, and department of the mandatory settlement conference and of the court's requirement that they have present a representative with full and unconditional authority to settle. A copy of such written notification or, a declaration attesting that such written notification was given must be brought to the hearing and submitted to the court upon request.

c. No more than five days after receipt of the settlement demand described in section 1.b. hereof, the defendant or cross-defendant must serve a response to the settlement demand on plaintiff and cross-complainant. The response, with proof of service attached must be brought to the hearing, **not** filed in advance.

G. Duties of Parties and Insurance Carriers

1. Duties of Plaintiffs and Cross-Complainants

a. All plaintiffs and cross-complainants must be personally present. An appearance by an attorney claiming to have settlement authority does not satisfy this requirement.

b. If a plaintiff and/or cross-complainant is an entity other than a natural person, **all persons whose consent to a settlement is necessary must be present**, unless the representative present has written authorization, signed by all persons whose consent is required, extending unlimited and unconditional authorization to that representative to enter into a settlement.

2. Duties of Defendants and Cross-Defendants

a. All defendants and cross-defendants must be personally present, unless an insurance carrier acknowledges an unqualified and unlimited duty to indemnify in connection with the matter in litigation and the consent of the client to the settlement is not required. An appearance by an attorney claiming to have settlement authority does not satisfy this requirement.

b. If the defendant and/or cross-defendant is an entity other than a natural person, **all persons whose consent to a settlement is necessary must be present**, unless the representative present has written authorization, signed by all persons whose consent is required, extending unlimited and unconditional authorization to that representative to enter into a settlement.

3. Duties of Insurance Carriers

Each insurance carrier which acknowledges a duty to indemnify the defendant(s) and cross-defendant(s) and each insurance carrier as to which any party contends there is a duty to indemnify the defendant(s) and cross-defendant(s), whether such contention is disputed or not, must have a representative present. **Such representative must be a person who has the unlimited and unconditional authority to enter into a settlement**. All persons whose consent to the settlement is necessary must attend the settlement conference.

4. Duty of All Parties and Insurance Carriers

All parties and insurance carriers must be prepared to make good faith offers of settlement.

5. Waiver of Requirement of Personal Presence

Whenever this rule requires a party or representative to be personally present, the court may waive such requirement provided (a) good cause is shown and (b) the application for waiver is made prior to the date scheduled for the mandatory settlement conference. In granting such application, the court may impose appropriate conditions.

(Rule 316 revised and renumbered effective July 1, 2009; adopted as Rule 448 effective April 22, 1991, July 1, 1991, July 1, 1992, July 1, 2000)

Rule 317. Issue Conference/Case Management Conference

An issue conference will be required in all cases at least 10 days prior to trial, at which time the parties are to meet and confer and execute necessary documents as listed below. Plaintiff 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 to an issue as controverted or 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 above items, including opposition to motions in limine, trial briefs 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.

NOTE: 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 and renumbered effective July 1, 2009; revised as Rule 450 effective July 1, 1992, July 1, 1995, July 1, 1996)

Rule 318. Uninsured Motorist/Construction Defect/Toxic Pollution Cases

Those cases in which an action is filed against a defendant who is an uninsured motorist, and where the plaintiff's claim is subject to an arbitration provision, must be identified as "Uninsured Motorist" on the face of the complaint at the time of filing, or as soon thereafter as it becomes known. Uninsured motorist cases will not be assigned to a judicial officer for all purposes.

Those cases which involve causes of action for construction defect or toxic pollution should be identified accordingly on the face of the complaint at the time of filing so that such cases may immediately be assigned to a judicial officer on the civil complex panel.

(Rule 318 revised and renumbered effective July 1, 2009; revised as Rule 456 effective July 1, 1994)

Rule 319. Execution on Installment Judgments

Application for issuance of a writ of execution on orders or judgments payable in installments must be by declaration or affidavit of the party in whose favor the judgment was rendered, setting forth: (1) the pertinent provisions of such order or judgment, (2) the total principal matured, (3) the total principal paid, (4) the total principal unpaid, (5) if interest is claimed, the date of maturity of each installment on which interest is claimed, (6) the amount of interest claimed and (7) that no change of condition affecting the monetary amount due under the order or judgment, or any installment thereof, has occurred. If there has been any such change, the circumstances thereof must be fully disclosed.

(Rule 319 revised and renumbered effective July 1, 2009; renumbered as Rule 416 effective March 15, 1984; revised effective July 1, 1998)

Chapter 2

Civil Cases $25,000 and Under

Rule 320. Renumbered effective July 1, 2009

Rule 320 renumbered as Rule 341

Rule 321. Case Management Conference – Appearance

Appearance at the case management conference is required by all counsel and self-represented parties unless one of the following occurred not less than five court days prior:

A. An At-Issue Memorandum for Trial Setting has been filed;

B. A disposition of the case has been achieved by the parties. A voluntary dismissal, judgment or transfer constitutes a disposition of the case.

C. A Notice of Settlement has been filed.

D. An Alternative Dispute Resolution stipulation has been filed.

Failure to comply with this rule may result in dismissal of the case and/or sanctions.

(Rule 321 revised and renumbered effective July 1, 2009; renumbered as Rule 348 effective July 1, 1998; revised effective January 1, 2002, July 1, 2003)

Rule 322. Renumbered effective July 1, 2009

Rule 322 renumbered as Rule 345

Rule 324. Renumbered effective July 1, 2009

Rule 324 renumbered as Rule 363

Rule 326. Vacated effective July 1, 2001

(Renumbered effective July 1, 1998; vacated effective July 1, 2001)

Rule 328. Vacated effective July 1, 1999

(Renumbered effective July 1, 1998; vacated effective July 1, 1999)

Rule 330. Vacated effective July 1, 2000

(Renumbered effective July 1, 1998; vacated effective July 1, 2000)

Rule 332. Pretrial Conference

A. When any party to a civil action, other than unlawful detainer, requests a jury trial or requests a court trial with an estimated time for trial of one day or more, a pretrial conference may be set to ascertain whether the matter can be disposed of by way of settlement, or whether the case is ready for trial.

B. All parties are to be personally present unless counsel has unlimited authority to act, or if good cause exists, available for telephone contact with counsel during the conference.

C. All parties must bring to the conference a Pretrial Conference Brief/Statement which must contain the material facts and damages.

(Renumbered effective July 1, 1998; revised effective July 1, 2009)

Rule 334. Vacated effective July 1, 2007

(Renumbered effective July 1, 1998; repealed effective January 1, 2007)

Rule 336. Renumbered effective July 1, 2009

Rule 336 renumbered as Rule 386

Rule 338. Vacated effective July 1, 2000

(Renumbered effective July 1, 1998; revised effective July 1, 1999; vacated effective July 1, 2000)

Rule 339. Civil Cases at Issue

An At-Issue Memorandum for Trial Setting (Local form #L-31) may be filed when the case is at issue any time before the case management conference.

A. The memorandum may be filed jointly or individually by any party.

B. A party not in agreement with the information or estimates given in the memorandum may serve and file a counter-memorandum within 10 days after service of the memorandum.

C. Local form #L-31, At-Issue Memorandum for Trial Setting, is a mandatory form for trial setting for any limited civil matter other than an Unlawful Detainer action.

(Adopted effective July 1, 2003; revised effective January 1, 2006)

Chapter 3

Small Claims

Rule 340. Renumbered effective July 1, 2009

Rule 340 renumbered as Rule 353

Rule 341. Small Claims – Return of Service

A small claims case is commenced by the filing of a Plaintiff's Claim and ORDER to Go to Small Claims Court and the scheduling by the clerk of a hearing date. Plaintiff must file proof of service on the defendant in the Clerk's Office at least five calendar days before the hearing or the case may be dismissed.

(Rule 341 revised and renumbered effective July 1, 2009; renumbered as Rule 320 effective July 1, 1998)

Rule 342. Renumbered effective July 1, 2009

Rule 342 renumbered as Rule 355

Rule 343. Delay Reduction – Small Claims

A. Plaintiff's failure to appear at the scheduled hearing may result in the case being dismissed.

B. If the defendant is not served, the Clerk's Office will reset the case once. Any request for resetting must be done at least three court days before the original hearing date.

(Rule 343 revised and renumbered effective July 1, 2009; renumbered as Rule 354 effective July 1, 1998; revised effective July 1, 1999, July 1, 2003)

Rule 344. Renumbered effective July 1, 2009

Rule 344 renumbered as Rule 356

Rule 345. Small Claims – Exhibits

Exhibits in small claims cases will be returned to the proffering party at the hearing unless the court finds good cause and orders that the exhibit(s) be retained by the court.

(Rule 345 revised and renumbered effective July 1, 2009; renumbered as Rule 322 effective July 1, 1998)

Rule 346. Renumbered effective July 1, 2009

Rule 346 renumbered as Rule 371

Rule 348. Renumbered effective July 1, 2009

Rule 348 renumbered as Rule 321

Chapter 4

All Civil Cases

Rule 350. Renumbered effective July 1, 2009

Rule 350 renumbered as Rule 357

Rule 351. General

In addition to these Civil Rules, attorneys and self-represented parties must comply with the provisions of the California Rules of Court and the Local Rules – Superior Court of California, County of Orange.

(Rule 351 revised and renumbered effective July 1, 2009; adopted effective July 1, 1991; re-numbered as Rule 430 effective January 1, 1992)

Rule 352. Renumbered effective July 1, 2009

Rule 352 renumbered as Rule 358

Rule 353. Delay Reduction

Trial court case disposition time goals as recommended by the Judicial Council of the State of California and listed in the Standards of Judicial Administration are hereby adopted. It is the policy of the Superior Court of California, County of Orange, to comply as consistently as possible with those standards to encourage prompt disposition of all matters coming before the court, and to thereby improve the administration of justice.

(Rule 353 revised and renumbered effective July 1, 2009; renumbered as Rule 340 effective July 1, 1998)

Rule 354. Renumbered effective July 1, 2009

Rule 354 renumbered as Rule 343

Rule 355. Delay Reduction – General Civil

All civil cases other than unlawful detainer and cases exempted under the California Rules of Court will be set for a case management conference approximately 150 days after the complaint is filed.

(Rule 355 revised and renumbered effective July 1, 2009; renumbered as Rule 342 effective July 1, 1998)

Rule 356. Delay Reduction – Unlawful Detainer

If any of the following has not occurred within 30 days of the filing of a complaint for unlawful detainer, consistent with the policy set forth in Rule 353, the court will notice a hearing on an order to show cause why the complaint should not be dismissed:

A. A request to set case for trial has been filed;

B. The case has been designated as a general civil matter;

C. A disposition of the case has been entered. (A dismissal, judgment or transfer constitutes a disposition of the case); or,

D. A notice of settlement has been filed.

There will be no case management conference in an unlawful detainer case, unless the action is either re-designated as a general civil matter or specifically set by order of the court.

(Rule 356 renumbered effective July 1, 2009; renumbered as Rule 342 effective July 1, 1998; revised effective July 1, 2003)

Rule 357. Delay Reduction – Notice of Settlement

An order to show cause hearing regarding dismissal will be set or continued approximately 46 days from the filing of a Notice of Settlement on an unconditional settlement; or 46 days after the dismissal date specified in the Notice of Settlement on a conditional settlement. The timely filing of a Request for Dismissal will vacate the hearing.

(Rule 357 revised and renumbered effective July 1, 2009; renumbered as Rule 350 effective July 1, 1998)

Rule 358. Delay Reduction – Continuance of Settlement Conference

Status conferences may only be continued by motion to the court.

(Rule 358 renumbered effective July 1, 2009; renumbered as Rule 352 effective July 1, 1998)

Rule 359. Assignment of Other Matters

Motions for new trial, motions to tax costs, and other matters in reference to trials must be heard by the judicial officer who presided over the trial at a time designated by the judicial officer.

All ex parte applications will be heard by the judicial officer to whom the case is assigned or by a judicial officer designated by the supervising judge.

(Rule 359 revised and renumbered effective July 1, 2009; renumbered as Rule 300 effective March 15, 1984)

Rule 360. Alternative Dispute Resolution (ADR)

A. Available ADR Programs

The Superior Court of California, County of Orange, encourages and supports the use of Alternative Dispute Resolution (ADR) in all civil cases. The Court recognizes the value of early case management intervention and the use of alternative dispute resolution options for amenable and eligible cases. It is the Court's expectation that litigants will utilize the Court's mediation, arbitration, and early neutral evaluation programs as a means of case settlement before trial.

B. ADR Administrator

An Administrative Civil Manager will serve as the Alternative Dispute Resolution (ADR) Administrator, supervise the selection of arbitrators, mediators, and neutral evaluators for the Court's panels, generally supervise the operation of the ADR programs, and employ such staff as are necessary to fulfill this responsibility.

C. Arbitration and Mediation Committee

The Arbitration and Mediation Committee of the Court will have the duties and responsibilities of an ADR Committee as specified by California Rules of Court, rule 10.783.

D. Judicial Arbitration

1. Authority

a. The Superior Court is authorized to refer civil actions, except those heard in the Small Claims Court, to judicial arbitration pursuant to Code of Civil Procedure section 1141.11(a).

b. Any at-issue limited civil case may be referred to judicial arbitration if the Court determines arbitration to be in the interest of justice.

2. Referral to Arbitration

a. Any case will be submitted to arbitration pursuant to this rule upon the order of the Court where, in the opinion of the Court, the amount in controversy does not exceed fifty thousand dollars ($50,000) for each plaintiff, which order will not be appealable. The provisions of this rule do not apply to any action exempt from arbitration pursuant to California Rules of Court, rule 3.811.

b. Any at-issue limited or unlimited civil case may be referred to judicial arbitration, regardless of the amount in controversy, upon:

1) Stipulation of the parties. Counsel may stipulate, at any time after the filing of the complaint, to a waiver of Government Code section 68616(g) for the purpose of allowing the court to order the case into arbitration, pursuant to Code of Civil Procedure sections 1141.10, et seq. or 1280, et seq., at an earlier date; or

2) Filing of an election by all plaintiffs in which each plaintiff agrees that the arbitration award will not exceed $50,000 as to that plaintiff.

3. Determination of Amount in Controversy

The amount in controversy in each case will be determined by the Court and the case referred to arbitration upon receipt of stipulation by counsel or by order of the Court at any conference at which all parties have been ordered or noticed to appear. The determination of the amount in controversy will be without prejudice to any finding on the value of the case by an arbitrator or in a subsequent trial de novo. The determination must be based on the total amount of damages; questions of liability or comparative negligence or other defenses may not be considered.

4. Administration of Program

Any case referred to arbitration must be submitted to the Superior Court Judicial Arbitration Program and is subject to all rules set forth herein.

5. Panel of Arbitrators

a. The ADR Administrator will maintain a current list of arbitrators composed of active members of the California State Bar who have qualified to act as such.

b. The Court will have a list of arbitrators for personal injury cases and such additional panels as the Presiding Judge may determine are needed.

6. Appointment of Arbitrators

The appointment of arbitrators by the ADR Administrator will be at random and will be governed by the following procedures:

a. The parties may stipulate to an arbitrator within 10 days after the case is ordered to arbitration by submitting a written stipulation for the arbitrator of their choice to the ADR Administrator.

b. If no stipulation for an arbitrator is received within 10 days after the case is ordered to arbitration, the ADR Administrator will appoint an arbitrator at random from the panel of arbitrators.

7. Arbitrator's Duties and Responsibilities

a. Disqualification

It is the duty of the arbitrator to determine whether any cause exists for his/her disqualification in the case upon any of the grounds set forth in Code of Civil Procedure section 170.l governing the disqualification of judges. If any member of the arbitrator's law firm would be disqualified under subdivision (a)(2) of section 170.l, the arbitrator is disqualified. The arbitrator must promptly notify the ADR Administrator of any grounds for disqualification known to him/her, and another arbitrator will be appointed as provided in these rules.

b. Hearings, Notice, When and Where Held

Within 15 days after the appointment of the arbitrator, the arbitrator must set the time, date, and place of the arbitration

hearing and notify each party and the ADR Administrator in writing of the time, date, and place set. The arbitrator must serve a "Notice of Alternative Dispute Resolution (ADR) Session" upon all counsel of record and self-represented parties at least 30 days prior to the hearing date. The original notice must be filed with the ADR Administrator. The hearings must be scheduled to take place not sooner than 35 days and not later than 90 days from the date of the assignment of the case to the arbitrator, including any time due to continuances; provided, however, for good cause shown the Court may extend the time for arbitration.

The arbitrator must set the hearing at a convenient date, time and place in the County of Orange. The hearing may not be set on Saturdays, Sundays, or legal holidays without a stipulation of all parties and the arbitrator. The hearing may be held in a location outside Orange County upon stipulation of all parties and the arbitrator.

If the arbitrator cannot hold a hearing within the time limitations set forth supra, a notification must be submitted to the ADR Administrator who will return the case to the list of cases pending appointment of an arbitrator and will appoint a new arbitrator pursuant to section D.6 of this Rule.

8. Continuances

An Arbitration Hearing date may be continued:

a. By written stipulation, signed by all parties, with the consent of the assigned arbitrator. The original copy of the stipulation must be filed with the ADR Administrator. The new hearing date must be set within 90 days from the date the arbitrator was appointed.

b. By noticed motion, if the desired hearing date exceeds 90 days from the date the arbitrator was appointed. A written declaration must be submitted concurrently with the motion stating the reason for the extended setting. Such motions must be set for hearing before the judicial officer who signed the Arbitration Referral order.

c. By written stipulation of all parties, and approval by the Court, if the hearing date exceeds 90 days from the date the arbitrator was appointed. A written declaration must be submitted concurrently with the stipulation, stating the reason for the delayed setting. The stipulation must be filed with the ADR Administrator.

The stipulation must be titled "Stipulation and Order for Continuance of Arbitration" and include, below the attorney signatures, the language "IT IS SO ORDERED", followed by a date and signature line for the judge who signed the Arbitration Referral Order.

9. Communication with the Arbitrator

Disclosure of any offers of settlement made by any party may not be made to the arbitrator prior to the filing of the award. There may not be any ex parte communication by counsel or the parties with the arbitrator except for the purposes of scheduling the arbitration hearing or requesting a continuance.

10. Discovery

The parties to the arbitration have the right to conduct discovery, and to that end may exercise all of the same rights, remedies and procedures, and will be subject to all of the same duties, liabilities, and obligations as provided in Part 4, Title 3, Chapter 3 of the Code of Civil Procedure for unlimited civil cases, and as provided in Part 1, Title 1, Chapter 5.1 of the Code of Civil Procedure for limited cases, except that all arbitration discovery must be completed no later than 15 days prior to the date set for the arbitration hearing unless the Court, upon a showing of good cause, makes an order granting an extension of the time within which discovery must be completed. The parties may also stipulate to an extension of time.

11. Rules of Evidence at Hearing, Conduct of Hearing; The Award; Attorneys Fees; Entry of Judgment; Motion to Vacate; Arbitrator Fees

California Rules of Court, rules 3.810 et seq. are applicable to this Judicial Arbitration Program in its entirety.

12. Trial de Novo

a. Within 30 days after the arbitration award is filed, any party may request a trial de novo by filing with the ADR Administrator a request for trial, with proof of service of a copy upon all other parties appearing in the case. The 30 day period within which to request trial may not be extended.

b. Upon filing a request for trial de novo after arbitration the case will be returned to the judicial officer who signed the original Arbitration Referral order.

c. The case will be tried as though no arbitration proceedings had occurred. No reference may be made during the trial to the

arbitration award, to the fact that there had been arbitration proceedings, to the evidence adduced at the arbitration hearing, or to any other aspect of the arbitration proceedings, and none of the foregoing may be used for any purpose at the trial.

d. If a party has requested a trial de novo after arbitration, the request may not be withdrawn except by a written stipulation, signed by all parties appearing in the case, expressly agreeing that a non-appealable judgment may be entered on the arbitration award.

E. Civil Mediation Program

The Superior Court of California, County of Orange, offers a voluntary civil mediation program for all civil cases.

1. Initiation of Mediation

Mediation is available on a voluntary basis only. The parties may file an Alternative Dispute Resolution (ADR) Stipulation form, and complete and submit an Alternative Dispute Resolution (ADR) Neutral Selection and Party List form. The Superior Court maintains a panel of court-approved mediators who have satisfied training and experience requirements established by the Court and who must adhere to minimum standards of practice pursuant to California Rules of Court, rule 3.850 et seq., and other program policies, guidelines and procedures. The parties may choose from the Court's Civil Mediation Panel an available mediator and an alternate mediator with no apparent conflict of interest. The parties must make the selection of a mediator on the Alternative Dispute Resolution (ADR) Neutral Selection and Party List form.

2. Attendance at Case Management Conference

If the parties file the Alternative Dispute Resolution (ADR) Stipulation form with the Clerk's Office at least 10 days before the Case Management Conference, then no appearance will be necessary at that hearing. In such case, the parties must request that the Case Management Conference be taken off calendar.

3. Payment of Mediators

a. Mediators must be compensated directly by the parties. The fees and expenses of mediators must be shared equally between the parties, unless otherwise agreed by all the parties.

b. Mediators on the Superior Court's Panel have agreed to charge $300 for up to the first two hours and their individual rate per hour thereafter. Mediators may not charge the parties for preparation or

administrative time, but may require that fees be deposited in advance of the mediation session.

c. The Superior Court will establish a pro bono/modest means procedure that will be available to qualified parties.

4. Timing of Mediation and Trial Dates

The parties must complete the mediation process within 90 days of the date of referral. If the parties request an extension of time for mediation, they must file a stipulation showing good cause and indicating the date of the future mediation session, which stipulation must be approved by the Court.

5. Attendance at Mediation

All parties, their counsel, and persons with full authority to settle the case must personally attend the mediation, unless excused by the mediator for good cause. If any consent to settle is required for any reason, the person with consent authority must be personally present at the mediation.

F. Early Neutral Evaluation

The Superior Court of California, County of Orange, offers a voluntary Early Neutral Evaluation (ENE) program for all civil cases.

1. Initiation of ENE

ENE is available on a voluntary basis only. The parties may file an Alternative Dispute Resolution (ADR) Stipulation form, and complete and submit an Alternative Dispute Resolution (ADR) Neutral Selection and Party List form. The Superior Court maintains a panel of court-approved evaluators who have satisfied training and experience requirements established by the Court and who must adhere to minimum standards of practice pursuant to program policies, guidelines and procedures. The parties may choose from the Court's Neutral Evaluation Panel an available evaluator and an alternate evaluator with no apparent conflict of interest. The parties must make the selection of an evaluator on the Alternative Dispute Resolution (ADR) Neutral Selection and Party List form.

2. Attendance at Case Management Conference

If the parties stipulate and file the Alternative Dispute Resolution (ADR) Stipulation form with the Clerk's Office at least 10 days before the Case Management Conference, then no appearance will be necessary at that hearing. In such case, the parties must request that the Case Management Conference be taken off calendar.

3. Payment of Evaluators

   a. Evaluators must be compensated directly by the parties. The fees and expenses of evaluators must be shared equally between the parties, unless otherwise agreed.

   b. Evaluators on the Superior Court's Panel have agreed to charge $300 for up to the first three hours and their individual rate per hour thereafter. Evaluators may not charge the parties for preparation or administrative time, including the time required to prepare the written evaluation, but may require that fees be deposited in advance of the evaluation session.

   c. The Superior Court will establish a pro bono/modest means procedure that will be available to qualified parties.

4. Timing of ENE and Trial Dates

   The parties must complete the ENE process within 90 days of the date of referral. If the parties request an extension of time for the ENE, they must file a stipulation showing good cause and indicating the date of the future ENE session, which stipulation must be approved by the Court.

5. Attendance at ENE Session

   All parties, their counsel, and persons with full authority to settle the case must personally attend the ENE session, unless excused by the evaluator for good cause. If any consent to settle is required for any reason, the person with the consent authority must be personally present at the ENE session.

(Adopted effective May 1, 1997; renumbered effective July 1, 1998; revised effective July 1, 1999, January 1, 2007, January 1, 2008, July 1, 2008, July 1, 2009)

Rule 361. Jury Venire for Superior Court Sessions Held Outside the County Seat

When sessions of the Superior Court are held in a location outside the County Seat the names of persons for master jury lists and the names of jurors summoned to serve during such sessions will be selected from the area served by the court in which such sessions are located. This rule will not preclude a judicial officer presiding over such sessions from ordering the use of a county-wide venire for good cause.

(Rule 361 revised and renumbered effective July 1, 2009; adopted effective March 15, 1984; revised effective January 1, 1988; renumbered as Rule 302 effective July 1, 1998; revised effective July 1, 1999)

Rule 362. Instructions to Jury – *Repealed*

(Rule 362 repealed effective July 1, 2009; renumbered effective March 15, 1984; revised effective January 1, 1986; renumbered effective July 1, 1998; revised effective July 1, 2006, January 1, 2008)

Rule 363. Verbatim Record

In all civil cases the parties who desire a verbatim record must make arrangements and provide for their own official reporting services at their own expense.

(Rule 363 revised and renumbered effective July 1, 2009; renumbered as Rule 324 effective July 1, 1998)

Rule 364. Vacated effective July 1, 2000

(Renumbered effective March 15, 1984; renumbered effective July 1, 1998; vacated effective July 1, 2000)

Rule 365. Location of Filing for All Papers Not Otherwise Specified

All papers subsequent to the complaint must be filed directly with the Clerk's Office in the Justice Center where the case is assigned, unless otherwise ordered by the judicial officer assigned or hearing the affected case.

(Rule 365 revised and renumbered effective July 1, 2009; adopted as Rule 312 effective January 1, 2001)

Rule 366. Attorney Fees on Judgment by Default

When a promissory note or contract provides for the recovery of, or a statute, authorizes the clerk or Court to enter a reasonable attorney fee the following schedule will be applied to the amount of the default judgment exclusive of costs:

- $5,000.00 or less, 10% with a minimum of $400.00;
- $5,000.01 to $25,000.00, $500.00 plus 6% of the excess over $5,000.00;
- $25,000.01 to $60,000.00, $1,700.00 plus 3% of the excess over $25,000.00;
- $60,000.01 to $100,000.00, $2,750.00 plus 2% of the excess over $60,000;
- $100,000.01 or more, $3,550.00 plus 1% of the excess over $100,000.00.

In any case where an attorney claims to be entitled to a fee in excess of any of the above amounts, the attorney may apply to the Court and present proof to support a higher award. The Court will determine the reasonable fee amount according to proof.

(Re-numbered effective March 15, 1984, January 1, 1988; revised and re-numbered effective July 1, 1998; revised effective July 1, 1999, January 1, 2006, January 1, 2008, July 1, 2008)

Rule 368. Attorney Fees in Minors and Incompetent Cases (CCP Section 372; Probate Code Section 3600, et seq.)

On any application for approval of a compromise of a claim under the provisions of Section 3600 of the Probate Code, except for good cause shown, attorney's fees shall not exceed an amount equal to 25 percent of the gross proceeds of the settlement, less costs of litigation.

(Renumbered effective March 15, 1984; revised effective January 1, 1986; renumbered effective July 1, 1998)

Rule 369. Case Management Statement and Conference

No later than 15 calendar days prior to the case management conference, each party must file a case management statement as detailed in California Rules of Court, rule 3.725. The statement may be filed jointly. Appearance by counsel and self-represented parties at the case management conference, in person or telephonically, is mandatory.

Failure to file the Case Management Statement or to appear may result in an order to show cause why sanctions should not be imposed, both monetary or evidentiary, pursuant to California Rules of Court, rule 2.30 and Code of Civil Procedure section 177.5.

(Rule 369 revised and renumbered effective July 1 2009; revised as Rule 445 effective July 1, 1992, January 1, 2007, January 1, 2008)

Rule 370. Vacated effective July 1, 2000

(Renumbered effective July 1, 1998; vacated effective July 1, 2000)

Rule 371. Case Management Conference

At the case management conference, the court will consider the present status of the case and how to achieve compliance with the Time Standards as adopted by the Judicial Council of the State of California. The court may make other orders as appropriate.

(Rule 371 revised and renumbered effective July 1, 2009; renumbered as Rule 346 effective July 1, 1998, July 1, 2003, January 1, 2008)

Rule 372. Petitioning for Compromise of Claims (CCP Section 372; Probate Code Section 3500)

All petitions for compromise of claims of minors, or incompetent persons, must comply with the following rules:

A. The petition must contain a full disclosure of all information which has any bearing upon the reasonableness of the compromise or settlement, such as the sums, if any, to be paid to the other claimants in the same case.

B. In computing attorney's fees based upon any contingent fee contract, parents who claim reimbursement for medical expenses, etc., will be required to pay their proportionate share of the attorney's fees, unless it would result in a hardship to require them to do so.

C. When the Court orders the sum to be received for the benefit of the minor to be deposited pursuant to Probate Code Section 3600, the order approving the compromise must contain the further order "that a certified copy of this order be delivered to the manager of the depository, together with the sum to be deposited".

(Renumbered effective March 15, 1984; revised effective January 1, 1986, January 1, 1988; renumbered effective July 1, 1998; revised effective January 1, 2004)

Rule 373. Telephonic Appearances

Notification that a party will appear telephonically must be made in accordance with rule 3.670, California Rules of Court.

Individual departments will advise the parties whether telephone calls are to be placed directly to the department or through a private telephone vendor. Instructions for making telephonic appearances and using a private telephone vendor are available in the individual departments and through the Court's website at www.occourts.org.

(Rule 373 renumbered effective July 1, 2009; adopted as Rule 307 effective January 1, 2008)

Rule 374. Vacated effective July 1, 2000

(Renumbered effective July 1, 1998; vacated effective July 1, 2000)

Rule 376. Request for Returned Documents by Mail

Any party requesting documents be returned by mail must include a self-addressed, stamped envelope at the time the request is made.

(Adopted effective July 1, 1998; revised effective July 1, 2009)

Rule 378. Vacated effective July 1, 2000

(Adopted effective April 1, 1984; revised effective August 1, 1989, July 1, 1992, July 1, 1994; renumbered eff. July 1, 1998; vacated effective July 1, 2000)

Rule 380. Facsimile Transmission of Civil Filings

A. General

The Superior Court of California, County of Orange, has adopted Direct Facsimile Filing in accordance with California Rules of Court, rule 2.304.

B. Procedure

1. A fee per page will be charged regardless of acceptance of filing. Court approved credit cards may be used to charge fees on facsimile filings. The first page transmitted must be the Judicial Council Facsimile Transmission Cover sheet.

2. Where a party is represented by an attorney, the attorney must also include his or her facsimile machine telephone number, designated as a "fax" number. Conformed copies will not be returned by facsimile; however, a face page document may be included along with instructions for pick-up.

3. Filings received after regular court hours will be deemed filed on the next court day. If the document is rejected for filing, it will be returned by mail.

4. The facsimile filing will not shorten the time for any law and motion matter.

5. Filings must be directed to the Justice Center where the case is filed to the telephone numbers listed below.

JUSTICE CENTERS - FACSIMILE TELEPHONE NUMBERS:

Central Justice Center……714-834-5589
Civil Complex Center……714-568-5180
West Justice Center……...714-647-4843
Harbor Justice Center, Laguna Hills Facility……714-647-4851
Harbor Justice Center, Newport Beach Facility……714-647-4850
North Justice Center……..714-773-4574

(Adopted effective July 1, 1999; revised effective July 1, 2003, January 1, 2004, January 1, 2007, January 1, 2008, July 1, 2009)

Rule 381. Sanctions

Upon notice and after hearing, if the court finds any counsel, a party represented by counsel, or a self-represented party has failed to comply with these local court rules or has not proceeded with due diligence in preparing the case for trial, the court, on motion of a party or on its own motion, may:

A. Strike all or any part of any pleading of that party;

B. Dismiss the action or proceeding or any part thereof;

C. Enter a judgment by default against that party;

D. Impose other penalties of a lesser nature as provided by law, and/or;

E. Order that party or his or her counsel to pay the moving party the reasonable expenses incurred in making, and/or appearing at the hearing of, the motion, including reasonable attorney fees.

(Rule 381 revised and renumbered effective July 1, 2009; revised as Rule 454 effective July 1, 1996)

Rule 382. Tentative Rulings Procedure

Those tentative rulings which are posted on the Internet may be viewed at www.occourts.org. In addition, tentative rulings on unlimited civil cases may be obtained by calling the clerk of the courtroom where the case is assigned, or the Clerk's Office if the case is a limited civil action, after 3:00 p.m. on the court day before the scheduled hearing.

(Adopted effective January 1, 2002; revised effective January 1, 2007, July 1, 2009)

Rule 384. Default Judgments

All Requests for Entry of Default, declarations for entry of default judgment, supporting evidence, and judgments must be submitted together as a single packet. Each exhibit must be separated by a hard 8 ½ x 11 sheet with hard paper or plastic tabs extending below the bottom of the page, bearing the exhibit designation. Any provision for attorney fees must be highlighted within the written contract with a light-colored highlighter pen. Parties should file such default packets in the Clerk's Office within five court days prior to any scheduled hearing date.

(Rule 384 revised and renumbered effective July 1, 2009; renumbered effective December 1, 1984; renumbered as Rule 310 effective July 1, 1998)

Rule 386. Examination of Judgment Debtors and Third Persons

After a party has been served pursuant to Section 708.110 et seq. of the Code of Civil Procedure, the proof of service must be filed with the Clerk of the Court no later than three court days immediately preceding the hearing date, unless otherwise ordered by the court. If there is a failure to comply with this rule, the examination may be vacated without costs being awarded to the party who secured the order and no further hearing will be scheduled earlier than 120 days from the date of the originally scheduled hearing, except for good cause shown in writing.

If the party or attorney who procured the order fails to appear, but the person, firm or corporation named in the order appears, the examination may be vacated without costs being awarded to the party who secured the order and no further hearing will be scheduled earlier than 120 days from the date of such vacated date unless good cause shown in writing.

(Rule 386 revised and renumbered effective July 1, 2009; renumbered as Rule 336 effective July 1, 1998)

Rule 388. No Extensions without Court Approval

Except as specifically allowed by these rules, no hearing date or deadline specified by the rules of this division may be modified, extended, or continued by stipulation of the parties, without the written approval of the judicial officer.

(Rule 388 revised and renumbered effective July 1, 2009; adopted effective July 1, 1991; re-numbered as Rule 453 effective January 1, 1992)

Rule 392. Settlement, Federal Removal, Binding Arbitration

Upon the settlement of a case with terms not to be performed within 45 days of the settlement, or removal of a case to Federal Court or submission of a case to binding arbitration, the Court may order monitoring of the case suspended. The Court may set a Review Hearing for a future date to evaluate the status of the case.

The parties are ordered to comply with California Rules of Court, rule 3.1385, by filing a dismissal upon completion of settlement terms or by notifying the department of the assigned judicial officer if the stay is vacated or upon dismissal or judgment following binding arbitration.

(Rule 392 revised and renumbered effective July 1, 2009; revised as Rule 455 effective July 1, 1992, January 1, 2007, January 1, 2008)

Division 3

Appendix A

Summary of Required Filings

Document Required	Local Rule	Time Frame	Format of Form
Meet and Confer Statement	315	Signed by attorneys and filed within 30 days after service of the first responsive pleading	Pre-printed form "Meet and Confer Statement" available in Clerk's Office
Settlement Conference Statement	316	Prepared by attorneys and lodged with court five court days prior to mandatory settlement conference	Pre-print form "Settlement Conference Statement" available in Clerk's Office
Statement of Compliance	317	Prepared by attorneys and submitted to court by noon of Friday before trial date	Pre-printed form "Statement of Compliance available in Clerk's Office

(Moved to Division 3 and revised effective July 1, 2009; Division 4 Appendix A adopted effective July 1, 1992; revised effective July 1, 1994, January 1, 2008)