

# Superior Court of California County of Orange

**HONORABLE DAVID A. HOFFER**

**DEPARTMENT CX103**

CLERK: Michelle Nevarez  
COURT ATTENDANT: Matthew Brinegar

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Welcome to Department CX103. To facilitate the efficient progress of your case, please pay close attention to these procedures and guidelines.

## **HEARING SCHEDULE**

1. Trials – Tuesday-Thursday, 9:30 a.m. to 4:15 p.m.
2. Law and Motion – Monday, 1:30 p.m.
3. Case Management Conferences (which serve as the Initial Status Conference) – Monday *through* Thursday (i.e., Monday, Tuesday, Wednesday and Thursday), 9:00 a.m. CRC Rule 3.725 requires the filing of a Case Management Statement at least 15 days before the CMC, but this court requires the Statement only 7 days before the CMC. Counsel should use pleading paper rather than Judicial Council Form CM-110 and include in the Statement a discussion of the applicable subjects set forth in CRC Rule 3.727. The parties are encouraged to meet and confer and file a joint statement
4. Status Conferences – Monday *through* Thursday, 9:00 a.m. Status Reports must be filed at least a week before the Status Conference and should be on pleading paper rather than on Judicial Council Form CM-110. Please focus on the latest developments since your last Status Conference.
5. Order to Show Cause Hearings and Default Prove-Up Hearings – Monday *through* Thursday, 9:00 a.m.
6. Transition – During the transition to the current judge assigned to the CX-103 inventory, Case Management Conferences, Status Conferences, Orders to Show Cause, and Default Hearings previously scheduled for Friday are to remain as previously set.

## **TRIAL PROCEDURES**

The Court requires that parties comply fully with Local Rule 317. The Court will discuss further trial procedures and requirements with the parties at the pre-trial conference.

On the day set for trial, counsel should appear remotely to advise the court of readiness and discuss the court's trial schedule. Counsel should be prepared to appear the next day in person if the matter is proceeding to trial.

## **LAW AND MOTION PROCEDURES**

1. Law and Motion matters are heard every Monday at 01:30 p.m. Motion reservation dates must be made on the court's website. Hearing dates are not obtained from the department.
2. Tentative rulings usually will be available at least 24 hours before the hearing. They will be posted on the court's website at: <https://www.occourts.org/online-services/tentative-rulings/civil-tentative-rulings>.
3. If counsel intends to submit on the tentative ruling, counsel should telephone the court clerk and notify opposing counsel as soon as is feasible. If all parties do not submit on the tentative ruling, oral argument will be held. If all parties submit or do not appear for argument, the court may adopt the tentative ruling as the final ruling of the court.

## **EX PARTE PROCEDURES**

The court will usually decide ex-parte applications on the papers. If a hearing is required, the clerk will contact the parties and set a prompt hearing date and time.

## **INFORMAL DISCOVERY CONFERENCES**

If both parties involved in discovery agree, the court will hold an Informal Discovery Conference. To schedule such a conference, the parties may file a stipulation with the court or one party may call the department and advise the clerk of the parties' agreement. The clerk will set the date and time for the conference.

Three (3) court days before the conference, the parties must file IDC briefs of no more than six (6) pages. The brief should advise the court of the major issues in dispute, rather than recapitulate all the arguments of a motion to compel. Counsel should appear at the conference prepared to discuss the issues with the court and with opposing counsel. The court encourages, though does not require, that counsel appear in person.

## **COURTROOM DEMEANOR, CONDUCT AND ETIQUETTE**

Counsel are expected to adhere to the provisions of the California Attorney Guidelines of Civility and Professionalism (State Bar of the State of California, adopted July 20, 2007).