

DEPARTMENT L52 - TRIAL AND SPECIAL-SET CHECKLISTS

The Trial Readiness Conferences section shall not apply in all cases where the trial-setting conference was held prior to January 6, 2020, and trial was set at that trial-setting conference. The Court's Policies and Procedures effective March 18, 2019 shall apply in those cases.

TRIAL READINESS CONFERENCE

1. **PREPARE FOR THE TRIAL READINESS CONFERENCE.** At least 10 days before the trial readiness conference, the parties shall meet and do the following:
 - Exchange current Income and Expense Declarations (Form FL-150)
 - Exchange witness lists (See Family Code, § 217; Form FL-321)
 - Exchange exhibit lists
 - Exchange exhibits, including audio/video recordings and transcripts of the recordings
 - Exchange expert witness reports or reports prepared pursuant to Evidence Code sections 730 or 733
 - Discuss which exhibits or evidence the parties will stipulate are admissible
 - Discuss which material facts the parties will stipulate to and which are in dispute
 - Discuss what issues are to be decided at trial
 - Confirm that final declarations of disclosure and Local Rule 702 disclosures have been made in trials involving financial issues
 - Exchange information and prepare the Joint Statement of Issues (Local Form L-0966)

2. **FILE PRE-TRIAL DOCUMENTS.** At least 5 days before the trial readiness conference, the parties are required to file with the Court and serve on the other party:
 - Witness lists with a brief description of the subject-matter of the testimony and time estimates for direct examination (See FC § 217; Form FL-321)
 - Exhibit lists with notations of which exhibits have been stipulated to as admissible
 - Joint Statement of Issues (See Local Rule 709; Local Form L-0966) with the following attachments:
 - Joint list of material facts or issues over which there is no dispute
 - Joint list of critical disputed facts or issues, not to exceed 20 facts or issues; if the parties cannot agree then each party shall list 10 critical facts or issues
 - If Permanent (Postjudgment) Spousal Support is at issue, joint list of Family Code section 4320 factors and the parties' position as to each factor
 - If Property Division, Characterization and Division of Assets, Characterization and Division of Debts, or Retirement/Pensions are at issue, a joint list of all property, assets, and debts at issue; the information on each property, asset or debt contained in Attachment 2 to Local Form L-0966; each party's position as to the characterization and/or division of each property, asset or debt; and a brief explanation to support the party's position as to each property, asset, or debt.
 - Dissomaster™ or XSpouse™ printout (See Policy #5 above)

- Current Income and Expense Declarations (Form FL-150)
- Declaration Regarding Service of Final Declaration of Disclosure and Income and Expense Declaration (Form FL-141) or Stipulation and Waiver of Final Declaration of Disclosure (Form FL-144)
- Trial Brief of no more than 15 pages on pleading paper that conforms to Rules of Court Rule 5.394
- At the trial readiness conference, the parties shall provide the Court with courtesy copies of any expert witness reports, or any report prepared pursuant to Evidence Code section 730 or 733, including any child custody evaluation report and responsive report, any forensic accountant report and responsive report, and any vocational evaluator's report and responsive report

3. **TRIAL WILL NOT BE SET UNTIL ALL TRIAL READINESS REQUIREMENTS ARE COMPLETED.** The Court will set trial dates once all the requirements above have been met in full. The Court will not allow presentation at trial of any issue, witness, document, or evidence that is not reasonably disclosed or exchanged during the trial readiness process, unless a party shows good cause (for example, if a party did not have knowledge of and could not have, with reasonable diligence, obtained knowledge of the issue, witness, document, or evidence, or the witness, document, or evidence is used for impeachment purposes only).

SPECIALLY-SET HEARINGS

4. **TREAT SPECIAL-SET HEARINGS AS TRIALS.** The Trial section above shall apply to specially-set hearings (hearings that are set for times when no other matters will be scheduled, normally 1:30 p.m.).

5. **FILE PRE-HEARING DOCUMENTS.** At least ten days before the specially-set hearing, the parties are required to file with the Court and serve on the other party:

- Witness lists with a brief description of the subject-matter of the testimony and time estimates for direct examination (See FC § 217; Form FL-321)
- Exhibit lists with notations of which exhibits have been stipulated to as admissible
- Current Income and Expense Declarations (FL-150), if applicable
- Trial Brief of no more than 10 pages on pleading paper that conforms to Rules of Court Rule 5.394
- Any expert witness reports or any report prepared pursuant to Evidence Code section 730 or 733, including any child custody evaluation report and responsive report, any forensic accountant report and responsive report, and any vocational evaluator's report and responsive report