

FILED
Superior Court of California
County of Los Angeles

APR 19 2018

Sherri R. Carter, Executive Officer/Clerk
By Stephanie Chung Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

In re Los Angeles Superior Court Cases) SECOND AMENDED STANDING ORDER
Second Amended Standing Order – Limited) (Effective as of April 23, 2018)
Jurisdiction Unlawful Detainer (Eviction) Cases)
Assigned to Stanley Mosk Courthouse)
_____)

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY: PLEASE TAKE NOTICE that pursuant to the California Code of Civil Procedure [CCP], the California Rules of Court [CRC], and the Los Angeles County Court Rules [LASC], the Court **HEREBY AMENDS AND SUPERSEDES THE FIRST AMENDED STANDING ORDER FILED MARCH 2, 2018, AND ORDERS AS FOLLOWS:**

SERVICE OF THIS ORDER

- 1. Each plaintiff is ordered to serve a copy of this Standing Order on each defendant along with copies of the summons and complaint, and to file proof of this service as mandated in this order. [CCP § 594(b)]

EARLY SETTLEMENT MEETING

- 2. Each plaintiff is ordered to contact each defendant within 10 days of service in good faith to initiate settlement of the action. Such contact shall be made orally

1 or in writing with the objective of having the case resolved within 60 days of its
2 filing.

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4 It is the Court's intent that, where possible, every effort should be made to keep
5 settled cases from becoming public as provided in CCP § 1161.2(a)(1)(F) and
6 (a)(1)(G). If the parties agree, the Court will retain jurisdiction to enforce any
7 settlement after dismissal. [CCP § 664.6]

8 **SERVICE BY POSTING AND MAILING**

- 9 3. Service of the summons and complaint on a named party by posting and mailing
10 may only be done after an order is obtained, based upon an affidavit of due
11 diligence. [CCP § 415.45(a)] Such an order will not extend to unnamed or
12 unknown occupants.

13 **ADDRESSES AND TELEPHONE NUMBERS**

- 14 4. Absent good cause, each party must have an address and telephone number listed
15 on each document filed with the Court. [CRC, Rules 2.111 and 2.118]

16 **LAW AND MOTION**

- 17 5. All regularly noticed motions and demurrers will be heard each court day at 1:30
18 p.m. Hearing dates must be reserved by calling the calendar clerk in the
19 department the case is assigned (Department 91 at (213) 633-1091 or in Department
20 97 at (213) 633-1097. All motions, oppositions to the motions, and reply papers
21 should be filed at the UD filing window on the first floor of the Stanley Mosk
22 Courthouse.
- 23 6. If not served by personal delivery, the moving party must comply with the time
24 extensions for notice required by CCP § 1013. The motion will not be heard
25 otherwise.
- 26 7. Absent good cause, motions set on five days' notice should not be personally
27 served on the last day of the week preceding the hearing. [LASC Rule 3.26 and
28 Appendix 3.A(b)(1-4)]

- 1 8. A separate statement of undisputed or disputed facts is not required for summary
2 judgment motions. [CCP § 437c(s) and § 1170.7; CRC, Rules 3.1350(c) and
3 3.1351]. However, in cases with multiple parties or complicated evidentiary or
4 legal issues, the Court may continue the hearing and order the parties to file such
5 statements.

6 **EX PARTE APPLICATIONS**

- 7 9. Ex parte applications should be noticed for 1:30 p.m. in the department the case is
8 assigned (either Department 91 or Department 97). Ex parte applications with fee
9 waivers are processed at the UD Filing Window on the first floor of the Stanley
10 Mosk Courthouse. All applications must be filed by 11:00 a.m. at the UD Filing
11 Window on the first floor of the Stanley Mosk Courthouse. LASC Rule 3.5(a)(2)]
12 Ex parte applications shall have a separate application, a separate declaration of ex
13 parte notice and a proposed order. Absent good cause, notice must be given by
14 10:00 a.m. the court day before the hearing as required by CRC, Rule 3.1204.

15 **JURY TRIAL DEMANDS AND FEES**

- 16 10. The right to a jury trial may be deemed waived unless it is timely requested. [CCP
17 § 631(f)(4)] If one or more of the parties have demanded a jury trial, jury fees shall
18 be deposited no later than five days before trial. [CCP § 631(b) and (c)(1)]
19 Failure to pay the required fee as required by law may result in a waiver of jury
20 trial. Jury demands must be filed separately from all other pleadings.
- 21 11. With a timely qualifying fee waiver, the Court may waive juror fees and expenses
22 for those parties. Parties must complete and submit an official Fee Waiver Request
23 form and order [Judicial Council Forms FW-001 and FW-003] for consideration to
24 receive these services at no charge.

25 **STIPULATIONS TO CONTINUE TRIAL**

- 26 12. A trial will be postponed if all attorneys of record and/or the parties who have
27 appeared in the action stipulate in writing to the postponement. Stipulated trial
28 court continuances may continue the trial date for an indefinite period of time and

1 will not be limited to 30 days. The stipulation and order should be filed at the UD
2 Filing Window on the first floor of the Stanley Mosk Courthouse with the required
3 filing fees. [California Govt. Code § 70617(c)(2)] Stipulations to continue trial
4 must be filed five days in advance or an appearance by at least one party will be
5 necessary to continue the trial.

6 **INTERPRETERS AND COURT REPORTERS**

7 13. The Court will provide an interpreter for parties and witnesses at no charge.

8 14. Proceedings in court will not be transcribed by a court reporter unless supplied by a
9 party to the action as permitted by LASC Rule 2.21.

10 **JURY AND COURT TRIALS**

11 15. Parties to an unlawful detainer action must be ready to go to trial on the day of trial.
12 Trial Readiness—within the meaning of this Standing Order—is the ability to
13 begin trying a case forthwith or as directed by the Court. Accordingly, parties who
14 appear on the day of trial and are not ready to try their case or parties who
15 announce “trial-ready” but are not prepared to immediately try a case are not acting
16 in compliance with this Standing Order, regardless of whether the parties’ attorneys
17 are appearing on behalf of other litigants in different actions on the same day.
18 Misrepresentations of a case’s trial readiness on the day of trial is a violation of this
19 Standing Order and may subject the offending party to the imposition of monetary
20 sanctions.

21 16. On the day of trial, parties shall have a three-ring binder with a table of contents
22 containing conformed copies of each of the following behind a separate tab:

- 23 i. Copies of the Current Operative Pleadings (including operative complaint
24 and answer);
- 25 ii. Joint Statement of the Case (if a jury trial);
- 26 iii. Motions in Limine, if any, which must be drafted in accordance with
27 LASC Rule 3.57 and served and filed;
- 28 iv. Joint Witness List disclosing the witnesses who will be called, what they

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will testify to, whether an interpreter is needed, and how long their testimony will take;

- v. Joint Exhibits in exhibit books, numbered appropriately, and a Joint Exhibit List; [See LASC Rules 3.52 and 3.53]
- vi. Edited Joint Proposed Jury Instructions printed out for the Court (if a jury trial), and
- vii. Edited Joint Proposed Verdict Form(s) printed out for the Court (if a jury trial).

To assist the parties, a UD Jury Trial Readiness packet (LACIV244) is available on the Court’s website, at: www.lacourt.org/forms/unlawfuldetainer

- 17. If a party fails or refuses to meet and confer, the other party or parties shall prepare and bring to trial the foregoing matters labeled as “[Proposed] Joint Documents.”
- 18. Failure to provide any of the aforementioned documents in this Standing Order on the trial date may cause a delay in the case being assigned to a trial court. Failure to comply with any provisions of this Standing Order without substantial justification may result in monetary sanctions.

IT IS SO ORDERED.

Dated: April 19, 2018


 DEBRA K. WENTRAUB
 Supervising Judge, Civil
 Los Angeles Superior Court