

COURTROOM INFORMATION

Department 19

Stanley Mosk Courthouse
111 N. Hill Street, 3rd Floor, Room 311
Los Angeles, CA 90012

Judge: Doreen B. Boxer

Judicial Assistant: Jose R. Cruz

Courtroom Assistant: Jennipher Turriaga

Telephone Number: (213) 633 – 0519

Courtroom Hours: 8:30 a.m. – 12:00 p.m. and 1:30 p.m. – 4:30 p.m.

1. INTRODUCTION

Welcome to Department 19. These policies and procedures apply to all individuals involved in cases heard in this department, including all parties and attorneys. Compliance with these policies and procedures helps to ensure an orderly and efficient judicial process in Department 19.

This document provides an overview of key policies and procedures. It does not replace applicable statutes, rules, or qualified legal advice.

Department 19 has issued the Trial Preparation Order with Exhibits 1 – 7, which is attached below, and fully incorporated into this statement of policies and procedures by reference.

The Court appreciates parties and attorneys taking the time to read and comply with the policies and procedures set forth below.

2. CIVILITY AND PROFESSIONALISM

All individuals appearing before the court must:

- Conduct themselves with respect, courtesy, and professionalism.
- Address all remarks directly to the court, not to other parties, during proceedings.
- Adhere to the Los Angeles County Bar Association’s Guidelines for Civility in Litigation (Los Angeles Superior Court Local Rules, rule 3.26).

3. SELF-REPRESENTED LITIGANTS

The Court's commitment to fairness and justice extends to all litigants, including those who represent themselves. To ensure equal access to justice, all litigants, including self-represented and attorney-represented litigants, are expected to comply with the rules of civil procedure, evidence, and courtroom decorum.

4. REMOTE APPEARANCES

Remote appearances are permitted in all matters except jury or non-jury trials, unless otherwise directed by the Court.

LACourtConnect provides video and audio services for remote appearances in Los Angeles Superior Court. It is also where you schedule remote appearances. For more information, visit: <https://my.lacourt.org/laccwelcome>.

Counsel and litigants making remote appearances are expected to follow the same rules and decorum as if appearing in person. Remote appearances are not permitted from locations with excessive background noise or from moving vehicles.

5. INTERPRETERS

An interpreter may be provided if arranged in advance. Request an interpreter through the Court's Interpreter Request Portal: <https://www.lacourt.org/irud/UI/index.aspx>.

The Court will attempt to locate an interpreter for your hearing date and time but cannot guarantee availability. On the hearing day, notify the Judicial Assistant if interpreter services are still needed, even if previously requested.

6. COURT REPORTERS

A party who has not received a fee waiver pursuant to California Rules of Court, rule 3.55(7) seeking a verbatim record must do so by arranging for a certified shorthand reporter to serve as an official pro tempore reporter.

A party who has received a fee waiver may request an official court reporter pursuant to California Rules of Court, rule 2.956(c)(2). The request must be made by using the local form, Request for Court Reporting Services by a Party with Fee Waiver (LACIV 269), or Judicial Council form FW-020, and should be filed at least ten calendar days before the hearing or trial for which the reporter is requested. If the requesting party received less than

ten days' notice of the hearing or trial, the requesting party must file the request as soon as practicable. If a request is submitted timely, the clerk will notify the requestor as soon as possible if no official court reporter will be available. Given the limited availability of official court reporters, notice of the availability of a court reporter may not be given until the day of the trial or hearing. (Los Angeles Superior Court Local Rule 2.21 (a), (e).)

The party securing the court reporter must provide the Judicial Assistant with the required, completed form prior to the commencement of the proceedings.

For trials without court reporters, parties are Ordered to jointly prepare a settled statement of the testimony and list of evidence admitted each day of the trial. This settled statement must be lodged no later than the next court session.

7. ACCESSIBILITY AND ACCOMMODATION

Requests for accommodation should be filed early using form MC-410 or any written format. For details, visit: www.lacourt.org/ada/adahome.aspx.

8. SETTLEMENT

The Court encourages early settlement to reduce costs, save time, and minimize stress.

SETTLEMENT PROGRAMS

The Los Angeles Superior Court has a variety of settlement programs. Litigants should closely review the requirements for each program and the types of cases served.

CIVIL MEDIATION VENDOR RESOURCE LIST

Litigants may use the Civil Mediation Vendor Resource List to arrange voluntary mediations without Court referral or involvement. The Resource List includes organizations that have been selected through a formal process that have agreed to provide a limited number of low-cost or no-cost mediation sessions with attorney mediators or retired judges. Organizations may accept or decline cases at their discretion. Mediations are scheduled directly with these organizations and are most often conducted through videoconferencing. The organizations on the Resource List target active civil cases valued between \$50,000-\$250,000, though cases outside this range may be considered. For more information and to view the list of vendors, download the Resource List Flyer and FAQ Sheet at www.lacourt.org/ADR/programs.html.

MEDIATION VOLUNTEER PANEL (MVP)

Cases referred to the Court's Mediation Volunteer Panel (MVP) are eligible for three hours of virtual mediation at no cost with a qualified mediator from the MVP. Through this program, mediators volunteer preparation time and three hours of mediation at no charge. If the parties agree to continue the mediation after three hours, the mediator may charge their market hourly rate. When a case is referred to the MVP, the Court's ADR Office will provide information and instructions to the parties. The Notice directs parties to meet and confer to select a mediator from the MVP or they may request that the ADR Office assign them a mediator. The assigned MVP mediator will coordinate the mediation with the parties. For more information or to view MVP mediator profiles, visit the Court's ADR webpage at www.lacourt.org/ADR or email ADRCivil@lacourt.org.

MEDIATION CENTER OF LOS ANGELES (MCLA) REFERRAL PROGRAM

The Court may refer cases to low-cost mediation through a formal contract with the Mediation Center of Los Angeles (MCLA), a nonprofit organization that manages a panel of highly qualified mediators. The Court's ADR Office will provide the parties with information for submitting the case intake form for this program. MCLA will assign a mediator based on the type of case presented and the availability of the mediator to complete the mediation in an appropriate time frame. MCLA has a designated fee schedule for this program. For more information, contact the Court's ADR Office at ADRCivil@lacourt.org.

RESOLVE LAW LA (RLLA) VIRTUAL MANDATORY SETTLEMENT CONFERENCES

Resolve Law LA provides three-hour virtual Mandatory Settlement Conferences at no cost for personal injury and non-complex employment cases. Cases must be ordered into the program by a judge pursuant to applicable Standing Orders issued by the Court and must complete the program's online registration process. The program leverages the talent of attorney mediators with at least 10 years of litigation experience who volunteer as settlement officers. Each MSC includes two settlement officers, one each from the plaintiff and defense bars. For more information, visit <https://resolvelawla.com>.

9. CASE MANAGEMENT CONFERENCE

The Court's goal is to help the parties obtain a fair, timely, and efficient resolution of their cases. To achieve this goal, counsel and self-represented parties are required to communicate with each other and the Court, and to work together cooperatively to advance the case.

The Court applies the case management rules set forth in California Rules of Court, rules 3.700 et seq. and Los Angeles Superior Court Local Rules, rules 3.24 – 3.25.

Trial counsel are required to meet and confer by videoconference, telephone or in person no later than 15 calendar days before the date set for the initial and any succeeding Case Management Conference to consider each of the issues identified in California Rules of Court, rules 3.724 and 3.727.

Case Management Statements must be filed at least 15 calendar days before the date scheduled for the conference.

Counsel and Self-Represented Parties must appear in person or remotely as provided in California Rule of Court, rule 3.672. Those appearing at the Case Management Conference (including appearance counsel) must be knowledgeable about the case and prepared to discuss all the issues set forth in California Rules of Court, rule 3.727, and must be prepared to discuss and commit to the party's position on the issues listed in California Rules of Court, rules 3.724 and 3.727. (California Rules of Court, rule 3.722.)

10. LAW AND MOTION

Parties must reserve a date for all law and motion hearings through the Court Reservation System ("CRS"). Parties must use CRS to continue or withdraw motions; please also email the courtroom so we are aware of the change.

The Court requests that all electronically filed documents be bookmarked and searchable. (Local Rule 3.4.)

The Court does not require courtesy copies.

The Court prepares tentative rulings in most law and motion matters. Tentative rulings may be posted online in the afternoon before the hearing and are available in the courtroom on the day of the hearing. If the parties wish to submit on the tentative, please email the courtroom with notice to opposing counsel (or self-represented party) before 8:30 am on the day of the hearing.

Motions *in Limine* may be heard at the Final Status Conference unless the Court orders otherwise. (Local Rule 3.25(f).)

Unless the Court orders otherwise for good cause shown, evidence must be by declaration or request for judicial notice. (California Rules of Court, rule 3.1304.) Oral testimony will not be allowed without court permission. Parties seeking permission to introduce oral testimony must file a statement consistent with California Rules of Court, rule 3.1306. (Local Rule 3.7.)

DISCOVERY MOTIONS & INFORMAL DISCOVERY CONFERENCES (“IDCs”)

The Court strongly encourages informal resolution of discovery disputes.

Before filing a discovery motion, counsel with authority to compromise the dispute (preferably trial counsel) must meet and confer by telephone, videoconference, or in person to resolve or narrow the discovery dispute. Merely exchanging letters or emails is insufficient. The Court expects the parties to work together in good faith to resolve discovery issues.

If the dispute remains unresolved, counsel should contact the courtroom by email or telephone to schedule an Informal Discovery Conference (IDC) with Judge Boxer. At least two court days before the IDC, each side shall serve and file a memorandum of no longer than two pages setting forth the outstanding issues.

The parties are encouraged to stipulate in writing to extend any applicable deadline for filing a discovery motion until at least 21 days following the IDC. If the parties are unable to agree to extend the deadline, a party may file the motion in compliance with the deadline. Absent a showing of good cause, the Court will conduct the IDC before hearing the motion.

12. EX PARTE APPLICATIONS

Ex parte applications are heard each day at 8:30 am. (Los Angeles Local Rule 3.5)

Absent exceptional circumstances, parties filing an *ex parte* application must notify all parties to the action no later than 10:00 a.m. the court day before the *ex parte* appearance. (California Rules of Court, rule 3.1203.) The notice must include the hearing details (date, time, and location), and a statement of what relief the *ex parte* applicant is seeking. The *ex parte* applicant must file a declaration containing competent testimony detailing the information given in the notice as well as the other party’s/parties’ response(s) or intent to attend. (California Rules of Court, rule 3.1204.)

Generally, *ex parte* applications must be filed electronically by 10:00 am on the court day prior to the *ex parte* hearing. (Los Angeles Superior Court Local Rules, rules 3.4(a) and 3.5.) Self-Represented Litigants and those exempt from electronic filing must file the *ex parte* application in person at the Stanley Mosk Courthouse by 11:00 a.m. on the day of the hearing. (Local Rule 3.4).

Please consult Los Angeles Superior Court Local Rules, rules 2.8 and 2.9 to determine whether the *ex parte* application is properly calendared in Department 19.

Please consult with California Rules of Court, rule 3.1202(c) about the proper basis to bring an *ex parte* application.

Ex parte applications must comply with California Rules of Court, rule 3.1200 et seq.

13. STIPULATIONS/PROPOSED ORDERS/JUDGMENTS

Stipulations and proposed orders/judgments are filed electronically. Once the judge signs a stipulation/order/judgment, it should be available on the Court's website. To find out the status of a stipulation/proposed order/judgment go to the Court's website:

<http://www.lacourt.org>.

The Court is required to hold proposed judgments for 10-15 days and proposed orders for 5-10 days (depending on the manner of service) before signing them, to consider any timely objections. Prior to these time periods, please refrain from contacting the department to inquire on the status of your documents. Objections to proposed judgments must comply with California Rules of Court, rule 3.1590. Proposed orders must comply with California Rules of Court, rule 3.1312. The Court may assume there is no objection to a proposed order and sign the order without delay, if the non-proposing party has not timely objected or the proponent has filed a statement that the non-proposing party failed to timely object per California Rules of Court, rule 3.1312.

15. NOTICE OF SETTLEMENT AND REQUESTS FOR DISMISSAL

Notice of Settlement must be filed electronically by plaintiff using Judicial Council Form CM-200, even if the case settled at a judicial settlement conference. Once notice of settlement of the entire case is filed electronically, all future appearances will be taken off calendar and an OSC re: Dismissal (Settlement) will be scheduled approximately forty-five (45) days from the filing date.

If trial binders were lodged prior to settlement, they must be picked up within two weeks of filing the Notice of Settlement or they will be discarded. Refer to California Rules of Court, rule 3.1385 for duties upon settlement.

16. TRIAL CONTINUANCES

The Court has a strong interest in keeping scheduled dates certain. Changes in dates are disfavored. Therefore, a stipulation to continue the date must be supported by a sufficient basis demonstrating good cause why the continuance is essential. Without such compelling factual support, stipulated orders continuing dates may be rejected.

Requests for trial continuances must be made by noticed motion, by stipulation and order if good cause is shown, or, if appropriate, by *ex parte* application.

Parties jointly requesting a trial continuance may electronically file and lodge a stipulation and proposed order, including a detailed declaration of the grounds for the requested continuance or extension of time. Proposed orders regarding continuances do not become effective unless and until this Court so orders.

17. FINAL STATUS CONFERENCES AND TRIAL PREPARATION

Final Status Conferences (“FSCs”) generally are held 10 days before the trial date. Lead trial counsel must appear, unless previously excused by the Court. (Local Rule 3.25.) Counsel or self-represented parties must submit the Trial Binder to the Court at least five days before the FSC. Prior to the FSC, parties shall comply with this Court’s Trial Preparation Order, attached hereto, *see below*.

Counsel and self-represented parties are required to meet and confer meet by videoconference, telephone or in person well before the final status conference FSC. The purpose of this meeting is to promote efficient trial proceedings by addressing several key trial preparation tasks, including, but not limited to:

1. The parties must prepare both the Trial Binders and the Exhibit Binders, ensuring that they are complete, properly formatted, and ready for use at trial.
2. As part of this preparation, counsel and self-represented parties should strive to reach stipulations regarding all relevant facts that are not in dispute. These stipulations must be clearly documented and included in the Trial Binder under TAB J.
3. As part of this preparation, to the extent possible, counsel and self-represented parties are expected to stipulate to the admission of exhibits listed on the Exhibit List, or at least stipulate to their authenticity and foundation for admissibility. Any stipulations should be clearly noted on the Exhibit List, which must be submitted at least five court days before the FSC. If the parties have stipulated to the admission of any exhibits, those exhibits will be admitted into evidence at the beginning of trial without the need for further motions.
4. In addition, the parties should attempt to resolve any motions *in limine* by stipulation before the FSC. Reaching agreements in advance will streamline the trial process and help avoid unnecessary delays.
5. Self-represented parties and counsel must prepare the joint trial documents, including the designation of deposition testimony to be used as direct evidence at trial (particularly videotaped depositions). Any objections or counter-designations must also be addressed during this process.

6. JURY TRIALS ONLY - The parties must work together to agree, as much as possible, on joint jury instructions and verdict forms. These documents should be customized to fit the facts of the case, including the insertion of party names and any other case-specific details. Additionally, the parties should collaborate to propose any additional *voir dire* questions they wish the Court to ask prospective jurors. See the Trial Preparation Order, Exhibit 7, attached below for more information about the Court's standard *voir dire* questions.

18. TRIAL BINDER AND EXHIBIT BINDER REQUIREMENTS

All documents in the Trial Binder, except the Jury Instructions (Full Text) in Tab G and the Verdict Form(s) in Tab H must be signed, filed and conformed before they are put into the Trial Binder.

Instructions on preparing the Trial Binder and Exhibit Binder are set forth in the Trial Preparation Order, and in Exhibits 1 – 7, attached below.

TRIAL BINDER REQUIREMENTS

FORMAT: The Trial Binder shall have labels on the front and side in the format attached as Trial Preparation Order, Exhibit 1. The Trial Binder must have as the first page an Index to the Trial Binder, in the format attached as Trial Preparation Order, Exhibit 1.

Tabs are required and must be on the right side, not the bottom. Do not put stapled documents in any of the binders.

TAB A: Trial Briefs

Trial Briefs are optional but appreciated. A Trial Brief Should succinctly identify:

- (1) the claims and defenses that remain in dispute for trial;
- (2) the major legal issues (with supporting points and authorities);
- (3) the relief and calculation of damages sought; and,
- (4) any other information that may assist the court at trial

TAB B: Motions *in limine*

The Court prefers each party file no more than five (5) motions *in*

limine. Parties should meet and confer prior to filing motions *in limine* in an attempt to reach a stipulation as to evidence and other issues. If the parties cannot reach a stipulation to settle the dispute, and the remaining proposed motions *in limine* exceed five per party, the Court encourages the parties to schedule an informal conference with Judge Boxer to discuss the issues at least 30 days prior to the FSC.

TAB C: (Jury Trials Only) Joint Statement of the Case

The parties must provide a Joint Statement of the Case to be read to the jury by the judge, setting forth the basic facts of the case (e.g., date, time and location of the incident, type of occurrence, names of parties). Separate Statements will not be accepted. The Joint Statement in the Trial Binder must be conformed.

TAB D: Joint Witness List

The Joint Witness List shall be in the format provided in the Trial Preparation Order, Exhibit 3, *see attached below*. There shall be only one list on the grid – i.e., there should not be separate grids for plaintiff and defendant. The witness names should be alphabetized by last name and there should be no duplicates. Note whether the witness needs an interpreter, a reasonable accommodation, or has another special need. Designate which party is All time estimates must be filled in and sub-totals and a grand total completed. The total time represented on the Witness List shall not exceed the time estimate for the testimony portion of the trial. The alphabetical list should be followed by a tentative list of the order in which the witnesses are proposed to be presented. The Joint Witness List in the Trial Binder must be conformed.

TAB E: Joint Exhibit List

The Joint Exhibit List must be prepared in the format provided in the Trial Preparation Order, Exhibit 5, *see attached below*. There should be a single, consolidated list presented on the grid; separate grids for plaintiffs and defendants are not permitted. All exhibits must be exchanged between the parties and pre-numbered in advance of the trial, except those exhibits that are reasonably and in good faith anticipated to be used solely for purposes of impeachment.

The parties are to meet and confer before the FSC to resolve objections and to attempt to stipulate to authenticity, foundation and/or admission of exhibits. The Court expects that most if not all exhibits will be stipulated to for admission, or at least as to authenticity and foundation. To the extent possible, the Court expects to resolve any final objections at the time of the FSC, to avoid protracted arguments before

No exhibit may be referenced by counsel or a witness unless it has been pre-marked with an exhibit number. The most efficient system for numbering exhibits is to use Arabic numerals, with each party assigned a distinct block of numbers to be applied sequentially. For example, the plaintiff might be assigned numbers 1 through 200, the first defendant numbers 201 through 400, and the second defendant numbers 401 through 600.

In addition, documentary exhibits that consist of multiple pages must be internally paginated in sequential numerical order. This requirement is intended to facilitate clear and efficient reference to specific portions of an exhibit during the examination of witnesses.

TABS F and G: (Jury Trials Only) Joint and Disputed Jury Instructions List and Full Text

Self-represented parties and counsel shall prepare a list of joint and disputed jury instructions, and must also prepare a complete set of printed, full-text and edited proposed jury instructions and include them in the Trial Binder.

The Joint and Disputed Jury Instructions List shall be prepared in accordance with the instructions in the Trial Preparation Order, Exhibit 4 *see attached below*, and the list shall be included behind TAB F of the Trial Binder.

A complete set of the full text joint and disputed jury instructions shall be included behind TAB G of the Trial Binder. Please provide a tab marked “Plaintiff’s” followed by those Jury Instructions proposed by Plaintiff and objected to by Defendant, then a tab marked “Defendant’s,” followed by those jury instructions proposed by Defendant and objected to by Plaintiff.

All proposed Jury Instructions shall be submitted to the Court electronically at or before the FSC. Before the Jury retires for deliberation,

the Court may require one party to make multiple copies of the final jury instructions for the Jury to use in its deliberations.

TAB H: (Jury Trials Only) Joint Verdict Form(s)

Self-represented parties and counsel shall prepare and jointly file Joint Verdict Form(s). The Joint Verdict Form(s) shall not have any party's or counsel's name thereon. If the parties cannot agree on a Joint Verdict Form, or if the verdict form will depend upon circumstances at trial, separate proposed forms are permitted. In that case, each party's proposed form shall be preceded by a page marked, e.g., "Plaintiff's Proposed Verdict Form" or "Defendant's Proposed Verdict Form." Before the Jury retires for its deliberations, the Court may require one party to make 12 copies of the verdict form on white paper (so each juror may keep track of their own votes on each question) and one copy of the verdict form on blue paper for the Presiding Juror to record the final answers of the entire Jury and to sign.

TAB I: Deposition Transcript Designations

When deposition transcript(s) or videotape(s) are to be used in lieu of live testimony (not just for impeachment), a pleading must be prepared setting out all designated testimony, objections and cross-designated testimony, using the format provided in the Trial Preparation Order, Exhibit 6, *see attached below*. Copies of all pages of each transcript so designated shall be attached to the form, annotated with different color markings for Plaintiff's designation, Defendant's objection and Defendant's designation and Plaintiff's objection.

TAB J: Operative Pleadings and Stipulations

Place behind individual tabs the operative Complaint; Answer(s); Cross Complaint(s) and Answer(s); and Stipulation of Facts. The parties are to meet and confer before the FSC to agree on any stipulations of fact that may be read to the Jury.

TAB K: Proposed Additional Court *Voir Dire*

The Court will ask the prospective jury members the questions listed in the Trial Preparation Order, Exhibit 7, *see attached below*. The parties must meet and confer prior to the FSC regarding additional proposed questions for the Court to ask that are tailored to the type of case, without attempting

to precondition prospective jury members to favor one side or the other. The list of proposed additional questions should be in the same format as the standard *voir dire* questions in Trial Preparation Order, Exhibit 7, paragraph B (i.e., Yes or No answers with Yes answers leading to additional inquiry) and shall be included in the Trial Binder at TAB K.

EXHIBIT BINDER REQUIREMENTS

See the Trial Preparation Order, Exhibit 1, attached below.

The parties shall refrain from including uncommonly large exhibits as a single exhibit if only a few pages are likely to be used at trial. In that case, only those pages should be included in the Exhibit Binder(s).

The Court will not permit the admission of partial exhibits without good cause.

The parties shall jointly prepare three sets of evidentiary exhibit binders (a set for Judge, Judicial Assistant and Witness). The Exhibit Binders shall have labels on the front and side in the format described in the Trial Preparation Order, Exhibit 1, *see attached below*.

EACH Exhibit Binder shall have a conformed copy of the Joint Exhibit List in front, followed by all exhibits numbered and tabbed. Each page of each exhibit must be internally paginated, e.g., 1-1; 1 2; 2-1, etc. Exhibits should have only ONE page number showing, and all others (e.g., deposition exhibit numbers or document production Bates numbers) should be covered up or otherwise removed. All non-document exhibits shall be identified with a page inserted after the tab with either a disc, a photograph or a description of the exhibit.

19. SELECT TRIAL PROCEDURES

COURT REPORTERS OR SETTLED STATEMENTS: The Court encourages the parties to bring a court reporter to the courtroom for trial. If no court reporter is used, the parties shall jointly prepare a summary of each day's proceedings, and lodge it in the courtroom before proceedings resume.

USE OF EXHIBITS: Counsel may publish exhibits to the jury only after they have been admitted in evidence. If parties agree that an exhibit or exhibits will be admitted without objection, parties may publish the agreed-upon exhibit(s) to the jury during opening statement. Exhibits that are admitted into evidence, either by stipulation or by the court may

be shown to the jury without further leave of court. Documents not yet admitted may not be shown to the jury.

END OF COURT DAY: At the end of each trial day counsel must meet and confer and submit to the Court’s judicial assistant an agreed-upon list of all exhibits admitted that day.

EFFICIENT USE OF COURT TIME: Parties must utilize their full court time efficiently. Witnesses must appear when called, or the trial will proceed without them.

EVIDENCE PRESENTATION: Bring the necessary equipment for displaying evidence, as the court may not provide the equipment you may need.

NO SPEAKING OBJECTIONS: Parties are expected to say only “Objection” and state the legal ground without explanation.

JURY SELECTION: When a party has a “Batson/Wheeler” objection to the exercise of a peremptory challenge, it must be raised before the prospective juror has left the courtroom so that the prospective juror can be instructed to remain in the courtroom until the objection is resolved.

20. CLERK'S OFFICE AND COURT SUPPORT SERVICES

Clerk’s Office: (213) 830-0800

Self-Help Services: (213) 830-0845

Self-represented litigants may file documents in Room 102 at Stanley Mosk Courthouse.

The Los Angeles County Law Library is an excellent resource for legal information. The Los Angeles County Law Library is located across the street from the Stanley Mosk Courthouse at 301 West 1st St, Los Angeles, CA 90012, telephone number (213) 785-2529, website <https://www.lalawlibrary.org>.

21. FAILURE TO COMPLY

In appropriate circumstances, failure to follow these rules may result in:

- Monetary sanctions
- Exclusion of evidence
- Additional penalties as determined by the Court

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5 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
6 **FOR THE COUNTY OF LOS ANGELES**
7 **DEPARTMENT 19**
8
9

10 PLAINTIFFS,

11 Plaintiff(s),

Case No.: _____

12 v.

13 TRIAL PREPARATION ORDER

14 DEFENDANTS,

15 Defendant(s).
16
17

18 The dates for trial and the Final Status Conference having been set in this case, the Court
19 makes the following Orders:
20

21 **1. MEET AND CONFER**

22 No later than 18 calendar days before the Final Status Conference, the parties' counsel and
23 any self-represented parties shall exchange all exhibits they intend to introduce at trial.

24 No later than 11 calendar days before the Final Status Conference, the parties' counsel and
25 any self-represented parties shall meet and confer to do the following: (1) discuss and prepare the
26 documents required in Sections 2.B – H, below, and the Trial and Exhibit Binders, and Trial Binder
27 required in Sections 3-5, below, (2) discuss and make a good faith effort to stipulate to the
28 authenticity and admissibility of each trial exhibit, (3) discuss and make a good faith effort to

1 stipulate to resolve each motion *in limine*, (4) discuss and make a good faith effort to stipulate to
2 ultimate facts and legal issues, and (5) discuss and make a good faith effort to settle the case.
3

4 **2. TRIAL BINDER TO BE DELIVERED TO COURT**

5 No later than five calendar days before the Final Status Conference, the parties' counsel and
6 any self-represented parties shall deliver the Trial Binders to the courtroom. The Trial Binders shall
7 be prepared in accordance with the instructions in Exhibits 1 – 7 at pages 8 – 15 below.
8

9 **3. TRIAL DOCUMENTS TO BE FILED**

10 No later than five calendar days before the Final Status Conference, the parties' counsel and
11 any self-represented parties shall file and serve the following documents:
12

13 **A. TRIAL BRIEFS (OPTIONAL)**

14 Each party may, but is not required to, file a trial brief succinctly identifying:

- 15 (1) the claims and defenses that remain in dispute for trial;
- 16 (2) the major legal issues (with supporting points and authorities);
- 17 (3) the relief and calculation of damages sought; and
- 18 (4) any other information that may assist the court at trial.
19

20 **B. MOTIONS *IN LIMINE***

21 Motions *in limine* shall be noticed for hearing at the Final Status Conference and shall comply
22 with Los Angeles Local Rule 3.57. The counsel and any self-represented parties shall comply with
23 the statutory notice provisions of Code of Civil Procedure § 1005 and the requirements of Los
24 Angeles Superior Court Local Rules, rule 3.57, subdivision (a). The caption of each motion *in limine*
25 shall concisely identify the evidence that the moving party seeks to exclude. Parties filing more than
26 one motion *in limine* shall number them consecutively. Parties filing opposition and reply papers
27 shall identify the corresponding motion number in the caption of their papers.
28

1 Motions *in limine* shall be included in the Trial Binder, or, if too voluminous, in a separate
2 binder in accordance with the instructions in Exhibits 1 and 2, below at pages 8 – 9.

3
4 **C. (Jury Trials Only) JOINT STATEMENT TO BE READ TO THE JURY**

5 For jury trials, the parties’ counsel and any self-represented parties shall work together to
6 prepare and file a brief, joint written statement of the case for the court to read to the jury. (Local
7 Rule 3.25.)
8

9 **D. JOINT WITNESS LIST**

10 The parties’ counsel and any self-represented parties shall work together to prepare and file a
11 joint list of all witnesses any party intends to call on their direct case at trial (excluding impeachment
12 and rebuttal witnesses). (Los Angeles County Superior Court Rule (“Local Rule”) 3.25.) The joint
13 witness list shall be organized as shown in Exhibit 3, page 10 below.

14 At the end of the joint witness list, the parties and any self-represented parties shall add up the
15 estimated times for all witnesses’ testimony and state the grand total in the last column. Any witness
16 who is not included on the joint witness list is subject to being excluded from testifying at trial other
17 than for purposes of giving actual impeachment or rebuttal testimony. Any party who seeks to elicit
18 testimony from a witness not identified on the witness list must first make a showing of good cause to
19 the court.
20

21 **E. JOINT EXHIBIT LIST**

22 The parties’ counsel and any self-represented parties shall work together to prepare and file a
23 joint exhibit list organized with columns prepared in accordance with Exhibit 5 at page 12 below,
24 which state, as to each exhibit any party intends to offer at trial: (1) the exhibit number, (2) a brief
25 description of the exhibit, (3) which party is offering the exhibit, (4) whether the parties have
26 stipulated to authentication of the exhibit, (5) whether the parties have stipulated to admissibility of
27 the exhibit, (6) any evidentiary objections to admission of the exhibit, (7) the date the exhibit was
28 marked for identification, and (8) the date the exhibit was admitted into evidence. (Local Rule 3.25.)

1 Prior to the Final Status Conference, self-represented parties and counsel shall meet and confer to
2 resolve objections to the authenticity and admissibility of each exhibit.
3

4 **F. LIST OF JOINT AND DISPUTED JURY INSTRUCTIONS**

5 For jury trials, the self-represented parties and counsel shall work together to prepare and file
6 a joint list of proposed jury instructions in accordance with Exhibit 4, page 11 below. The jury
7 instructions should be listed on the appropriate table, indicating whether the jury instruction is joint
8 or stipulated to, disputed, a concise statement of any objection, and a column for the Court's ruling.
9

10 **G. JURY INSTRUCTIONS (FULL TEXT)**

11 For jury trials, the parties' counsel and any self-represented parties shall work together to
12 prepare a complete set of full-text proposed jury instructions, editing all proposed Judicial Council of
13 California Civil Jury Instructions ("CACI") instructions, inserting party names, and eliminating
14 blanks and other irrelevant or inapplicable material. The proposed jury instructions shall be prepared
15 on Los Angeles Superior Court form LASC LACIV 129 or in a Word document that is in the same
16 format. If there is an appropriate CACI jury instruction on a point of law, the court expects the
17 parties to request the CACI instruction instead of a specially prepared jury instruction.
18

19 **H. VERDICT FORM(S)**

20 For jury trials, the parties' counsel and any self-represented parties shall work together to
21 prepare and file a joint proposed general verdict form or a joint proposed special verdict form
22 acceptable to all parties. (Local Rule 3.25, subd. (g)(8).) If the parties cannot agree on a joint verdict
23 form, each party must separately file a proposed verdict form. When a special verdict form is
24 requested, if there is an appropriate CACI special verdict form for a cause of action, affirmative
25 defense, or other finding, the court expects the parties to use the CACI special verdict form.
26
27
28

1 **I. JOINT CHART OF DEPOSITION TESTIMONY DESIGNATION AND**
2 **OBJECTIONS**

3 If any parties intend to use deposition testimony or former trial testimony in lieu of or in
4 addition to a witness's live testimony, self-represented parties and counsel shall meet and confer to
5 discuss, and work together to prepare and file, a joint Deposition Testimony Designation and
6 Objections chart in the format set forth in Exhibit 6, page 13 – 14 below.

7 In the joint chart, each designating party's designations of deposition or former testimony
8 shall include columns which state: (1) the number and name of the witness, (2) the date and type of
9 testimony (*e.g.*, deposition or trial testimony), (3) the page and line designations of the deposition or
10 former testimony requested to be used, (4) any objections, (5) whether the other party has counter-
11 designated any additional deposition or former testimony of the witness that relates to the
12 designation, and, if so, the designation number of the counter-designation, and (6) the court's ruling.

13 The parties shall attach copies of the pages of the transcripts of the deposition or former
14 testimony they are designating or counter-designating to the Joint Chart of Page and Line
15 Designations for Deposition and Former Testimony, with numbered tabs separating each deposition
16 or trial transcript. Each designation or counter-designation shall be highlighted, with each party
17 using a different color highlighter.

18
19 **4. EXHIBIT BINDERS**

20 The parties' counsel and any self-represented parties shall work together to jointly prepare
21 three sets of tabbed, internally paginated by document, and properly-marked exhibits, organized
22 numerically in three-ring binders (a set for the court, a set for the Judicial Assistant, and a set for the
23 witnesses) ("Exhibit Binders"). Copies of documentary exhibits shall be one-sided copies. The
24 parties' counsel and any self-represented parties shall mark all non-documentary exhibits and insert a
25 simple written description of the exhibit behind the corresponding numerical tab in the Exhibit
26 Binder. The parties' counsel and any self-represented parties shall also place the court's yellow
27 evidence tags (with only the case number and exhibit number filled in) on each exhibit in the Judicial
28

Assistant's copy of the Exhibit Binders. The parties' counsel and any self-represented parties shall bring one set of the Exhibit Binders to the Final Status Conference for the court to review.

The Exhibit Binders shall be prepared in accordance with the instructions in Exhibit 1, page 8 below.

5. TRIAL BINDER

No later than five calendar days before the Final Status Conference, all parties shall jointly prepare and lodge in Department 19 a Trial Binder, consisting of one-sided, conformed copies, tabbed and organized in a three-ring binder prepared in compliance with Exhibits 1 – 7, pages 8 - 15 below. For trials by the court without a jury, the Trial Binder shall only include the documents listed under Tabs A, B, D, E, I, and J:

Tab A	Trial Briefs (Optional. If no trial briefs are filed, leave Tab A empty.)
Tab B	Motions <i>in Limine</i>
Tab C	Joint Statement of the Case
Tab D	Joint Witness List
Tab E	Joint Exhibit List
Tab F	Joint and Disputed Jury Instructions List
Tab G	Jury Instructions (Full Text)
Tab H	Verdict Form(s)
Tab I	Deposition and Former Testimony Transcript Designations
Tab J	Copies of the Current Operative Pleadings (including the operative complaint, answer, cross-complaint, if any, and answer to any cross-complaint)
Tab K	Proposed Additional <i>Voir Dire</i> Questions for the Court

The parties shall organize proposed jury instructions into groups behind Tab G in the following order (labeled by cover sheets): (1) the agreed-upon instructions, (2) plaintiff's requested

1 instructions to which defendant objects, and (3) defendant's requested instructions to which plaintiff
2 objects.

3
4 **6. FAILURE TO COMPLY WITH TRIAL PREPARATION ORDER**

5 The court has discretion to require any party's counsel and any party who fails to comply with
6 this Trial Preparation Order to show cause why the court should not impose monetary, evidentiary,
7 and/or issue sanctions.

8
9 IT IS SO ORDERED.

10
11
12
13 DATED: _____



Doreen B. Boxer
Superior Court Judge

EXHIBIT 1

LABELS ON FRONT AND SPINE OF TRIAL AND EXHIBIT BINDERS

A. Trial Binder

Plaintiff v. Defendant

Case No. _____

Trial Binder

or,

Trial Binder I – Tabs A - ____ (*e.g.*, Tab A – Tab K, or whichever is the last Tab in that binder)

or,

Trial Binder I – Tabs A, C - ____ (*last tab in binder*) when Motions *in Limine* are voluminous and are placed in separate binder,

When Motions *in Limine* are too voluminous, please put all Motions *in Limine* in one binder, labelled

Trial Binder II – Tab B – Motions *in Limine* or, if necessary,

Trial Binder II – Tab B, Plaintiff’s *Motions in Limine*;

Trial Binder III – Tab B, Defendant’s *Motions in Limine*

B. Exhibit Binder

Plaintiff v. Defendant

Case No. _____

Exhibit Binder(s)

If there will be more than one Exhibit Binder, then label on the front and side, *e.g.*, “Exhibit Binder I of IV - Exhibits 1 - 25.”

Do NOT label them by party, *e.g.*, “Plaintiff’s Exhibit Book I of III” and “Defendant’s Exhibit Book I of II” instead of “Exhibit Book I of V,” etc.

ALL exhibits are to be in one set of binders.

EXHIBIT 2

Plaintiff v. Defendant, Case No. _____

TRIAL BINDER INDEX

<u>TAB</u>	<u>DOCUMENT</u>
A	Trial Briefs – Plaintiff’s Trial Brief; Defendant’s Trial Brief If no trial briefs, state “No Trial Briefs”– if only one brief filed, state, e.g., Plaintiff’s Trial Brief; No Defendant’s Trial Brief
B	Motions <i>in Limine</i> – page titled “No Motions <i>in Limine</i> ,” or, Plaintiff’ Motions <i>in Limine</i> , numbered and briefly described, then Defendant’s Motions <i>in Limine</i> , numbered and briefly described, e.g.: <ol style="list-style-type: none">1. Plaintiff’s MIL # 1 to exclude evidence of X;<ol style="list-style-type: none">a. Defendant’s Written Opposition, Oral Opposition, No Opposition2. Defendant’s MIL # 2 to exclude evidence of Y;<ol style="list-style-type: none">a. Plaintiff’s Written Opposition; Oral Opposition; or No Opposition
C	Joint Statement of the Case
D	Joint Witness List
E	Joint Exhibit List
F	Joint and Disputed Jury Instruction List
G	Jury Instructions (Full Text)
H	Verdict Forms
I	Deposition and Former Testimony Transcript Designations
J	Operative Pleadings and Stipulations
K	Proposed Additional <i>Voir Dire</i> Questions for the Court

EXHIBIT 3
SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Plaintiff,

Plaintiff

Case No.:

v.

JOINT WITNESS LIST

FSC: Date

TRIAL: Date

Defendant,

Defendant.

Witness Name (Alpha by Last Name)	Interp., ADA, other?	P/D	Brief Description	Direct/ Redir. (Hrs)	Cross (Hrs)	Subtotal (Hrs)
TOTAL HOURS						

Proposed Order of Witnesses:

Plaintiff Case in Chief

Plaintiff Witness One – First Last

Plaintiff Witness Two – First Last

Defendant Case in Chief:

Defense Witness One – First Last

Defense Witness Two – First Last

DATED: _____

NAME _____

Plaintiff/Attorney(s) for Plaintiff

DATED: _____

NAME _____

Defendant/Attorney(s) for Defendant

EXHIBIT 4

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

Plaintiff,

Plaintiff

Case No.:

v.

JOINT AND DISPUTED JURY
INSTRUCTIONS

Defendant,

Defendant.

FSC: Date

TRIAL: Date

JOINT INSTRUCTIONS

#.	Title	Given	Given Modified	Refused	Withdrawn

PLAINTIFF'S REQUESTED INSTRUCTIONS; DEFENDANT OBJECTS

#.	Title	Objection	Withdrawn	Ruling

DEFENDANT'S REQUESTED INSTRUCTIONS; PLAINTIFF OBJECTS

#.	Title	Objection	Withdrawn	Ruling

DATED: _____

NAME _____

Plaintiff/Attorney(s) for Plaintiff

DATED: _____

NAME _____

Defendant/Attorney(s) for Defendant

EXHIBIT 5

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

Plaintiff,

Plaintiff

Case No.:

JOINT EXHIBIT LIST

v.

FSC: Date

TRIAL: Date

Defendant,

Defendant.

Exh. #	Description	P/ D	Stip	Objections	Date Identified	Date Ruling

DATED: _____

NAME

Plaintiff/Attorney(s) for Plaintiff

DATED: _____

NAME

Defendant/Attorney(s) for Defendant

EXHIBIT 6

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

Plaintiff,

Plaintiff,

Case No.:

v.

DEPOSITION AND FORMER
TESTIMONY DESIGNATION AND
OBJECTIONS

Defendant,

Defendant.

FSC: Date

TRIAL: Date

**JOINT CHART OF TRANSCRIPT PAGE AND LINE DESIGNATIONS FOR
DEPOSITION AND FORMER TESTIMONY**

I. A. Plaintiff's Designations

#. Witness Name	Date/Type	Page:Line	Objections	Counter? (Y#/N)	Ruling
1. First Last*	1/3/20 Depo.	1:2-25	Hearsay	Yes #4	
2. First Last*	3/4/19 Trial	5:20-25		No	
3. First Last*	1/15/20 Depo.	2:5-10		No	

B. Defendant's Counter-Designations

#. Witness Name	Date/Type	Page:Line	Objections	Counters #	Ruling
4. First Last*	1/3/20 Depo.	1:26-2:20		#1	

II. A. Defendant's Designations

#. Witness Name	Date/Type	Page:Line	Objections	Counters? (Y#/N)	Ruling
5. First Last*	3/4/19 Trial	5:20-25	No foundation	Yes #7	
6. First Last*	1/15/20 Depo.	2:5-10		No	

B. Plaintiff's Counter-Designations

#. Witness Name	Date/Type	Page:Line	Objections	Counters #	Ruling
7. First Last*	3/4/19 Trial	5:26-6:10		#5	

DATED: _____

NAME
Plaintiff/Attorney(s) for Plaintiff

DATED: _____

NAME
Defendant/Attorney(s) for Defendant

*Blue text in these sample charts intended for illustration purposes only.

1 **EXHIBIT 7**

2

3 **Voir Dire Questions Asked by the Court of Each Juror:**

4 **A. General**

- 5 1. Your name?
- 6
- 7 2. Your general area of residence in the county?
- 8
- 9 3. Your marital status?
- 10 4. Your current occupation and the occupation of your spouse, former spouse, or other person you
- 11 have a similar close relationship, and the occupation of your adult children?
- 12 5. Have you served on a jury before? Criminal or Civil? Did you reach a verdict (please do not say
- 13 what the verdict was)?

14 **B. Please tell the court if your answer to any of these questions is "Yes."**

- 15 6. Will you have any difficulty following the law and instructions given to you by the judge even if
- 16 you may disagree with it?
- 17 7. Do you know anything about this case other than what you have heard today?
- 18 8. Have you or any of your relatives or any of your close friends ever been involved in any court
- 19 matter as a plaintiff, a defendant, or a witness? If so, do you feel that you or that person were
- 20 treated unfairly by the court, the attorneys, or the legal system?
- 21 9. Will you have any difficulty applying the same standards to all witnesses, regardless of who the
- 22 witnesses are?
- 23 10. Do you have any feelings about this case that would make it difficult for you to impartial?
- 24 11. Will you have any difficulty keeping an open mind until you have heard all the evidence and you
- 25 have heard all the parties' arguments and the court has given you all the instructions?
- 26 12. A party, attorney or witness may come from a national, racial or religious background or
- 27 lifestyle that may be different from your own. Would that affect your ability to be fair and
- 28 impartial or affect the weight and credibility you give the witness's testimony?