

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES**

**Stanley Mosk Courthouse
Department 66 – Room 633
Marcelo A. D'Asero
Commissioner
(213) 633 – 5866**

COURTROOM INFORMATION

Department 66 is a court that solely handles unlawful detainer (eviction) cases.

For information regarding the court's scheduling of law and motion and *ex parte* applications, please refer to rules 3.4, subdivision (f), and 3.5, subdivision (b), of the Los Angeles County Court Rules, along with the Fifth Amended Standing Order for Limited Jurisdiction Unlawful Detainer (Eviction) Cases Assigned to the Stanley Mosk Courthouse (Effective as of June 1, 2021), a PDF copy of which is attached hereto.

For remote appearances, please refer to the Code of Civil Procedure, section 367.75, and the California Rules of Court, rules 3.670(e)(1), 3.670(f)(3), 3.672(d), 3.672(e)(1), 3.672(f). ***Please note that reasonable notice of intent to appear remotely is mandatory for any sort of trial or any sort of hearing/proceeding in which witnesses will be expected to testify.***

Information regarding court/jury trial preparation can be found as well in the Fifth Amended Standing Order for Limited Jurisdiction Unlawful Detainer (Eviction) Cases Assigned to the Stanley Mosk Courthouse (Effective as of June 1, 2021), a PDF copy of which is attached hereto.

All non-jury trials and other non-law-and-motion-related matters will be scheduled for hearing from 8:30 a.m. to 12:00 p.m.

Requests for interpreters should be made upon check-in with the court's bailiff or the court's judicial assistant. ***Non-stipulations MUST be made upon check-in or may be deemed waived.***

**OBLIGATORY ATTORNEY CONDUCT
and
COURTROOM DECORUM**

- As officers of the court, "attorneys owe an ethical duty to the judicial system not to abuse it." (*Younge v. United States Trustee, Region 16* (In re Younge) (C.D.Cal. Sep. 15, 2020, No. 2:19-cv-06073-AB) 2020 U.S.Dist.LEXIS 169710, at *17 – 18.)
 - "[L]awyers simply may not permit their desire to advance a client's cause to interfere with their duties as officers of the court and their responsibilities to the justice system." (*Dotegowski v. Abbott Labs., Inc.*, 2015 Cal. Super. LEXIS 18003, *2.)
- "As an officer of the court, [counsel] owes a duty of respect for the court." (*Pope v. Babick* (2014) 229 Cal.App.4th 1238, 1247.)

- Counsel “is an officer of the court and as such owes a duty of respect for the court as well as fidelity to his client.” (*People v. Massey* (1955) 137 Cal.App.2d 623, 626.)
 - “It is the duty of an attorney to do all of the following: [¶] (b) To maintain the respect due to the courts of justice and judicial officers.” (Bus. & Prof. Code, § 6068, subd. (b).)
- “It is the imperative duty of an attorney to respectfully yield to the rulings of the court, whether right or wrong.” (*Hawk v. Superior Court* (1974) 42 Cal.App.3d 108, 126 – 127.)
- “Counsel should always deal with parties, counsel, witnesses, jurors or prospective jurors, court personnel and the judge with courtesy and civility.” (Super. Ct. L.A. County, Local Rules, App. 3.A.(l)(2).)
- “Counsel should at all times be civil and courteous in communicating with adversaries, whether in writing or orally.” (Super. Ct. L.A. County, Local Rules, App. 3.A.(d)(1).)
- “Persons in the courtroom, including the parties and counsel, must not indicate, by facial expression, shaking of the head, gesturing, shouts, or other conduct their disagreement with or approval of testimony or other evidence. Counsel must so instruct parties they represent, witnesses they call, and any persons accompanying them.” (Super. Ct. L.A. County, Local Rules, rule 3.120.)
- “Counsel should be punctual and prepared for any court appearance.” (Super. Ct. L.A. County, Local Rules, App. 3.A.(l)(1).)
- “A lawyer should avoid ex parte communication on the substance of a pending case with a judge (or his or her law clerk) before whom such case is pending.” (Super. Ct. L.A. County, Local Rules, App. 3.A.(j)(1).)
- An attorney is an officer of the court and owes the court a duty of candor. (*In re Reno* (2012) 55 Cal.4th 428, 510.)
 - This means that, “A lawyer shall not...knowingly make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.” (Rules of Prof. Conduct, rule 3.3, subd. (a)(1).)
- Representation of a client is permitted only if “the lawyer believes* that the lawyer will be able to provide competent and diligent representation to each affected client.” (Rules of Prof. Conduct, rule 1.7, subd. (d)(1).)
 - “[B]elieves’ means that the person involved actually supposes the fact in question to be true. A person’s belief may be inferred from circumstances.” (Rules of Prof. Conduct, rule 1.0.1., subd. (a).)
- “Except where there are strong and overriding issues of principle, an attorney should raise and explore the issue of settlement in every case as soon as enough is known about the case to make settlement discussions meaningful.” (Super. Ct. L.A. County, Local Rules, App. 3.A.(k)(1).)
- “In every case, counsel should consider and discuss with the client whether the client’s interest could be adequately served and the controversy more expeditiously and economically disposed of by arbitration, mediation, or other forms of alternative dispute resolution.” (Super. Ct. L.A. County, Local Rules, App. 3.A.(k)(3).)

FILED
Superior Court of California
County of Los Angeles

JUN 01 2021

Sherril R. Carter, Executive Officer/Clerk
By  Deputy
Loretta Albino

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

In re Los Angeles Superior Court Cases)	FIFTH AMENDED STANDING ORDER
Fifth Amended Standing Order – Limited)	(Effective as of June 1, 2021)
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 FOURTH AMENDED STANDING
ORDER FILED MAY 12, 2021, AND ORDERS AS FOLLOWS:

SERVICE OF THIS ORDER

- 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)]

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1 **EARLY MEETING**

- 2 2. Each plaintiff is ordered to contact each defendant within 10 days of service to
3 discuss in good faith either potential informal resolution of the case and or if
4 settlement is not possible how instead to prepare for trial. Such contact shall be made
5 orally or in writing with the objective of having the case resolved within 60 days of
6 its filing.

7
8 The early meeting should include a discussion of when and how counsel will
9 exchange all evidence, identify all witnesses, and jointly prepare all the documents
10 required by Paragraph 15 below. The documents should all be prepared in advance
11 of the first trial date, or the parties should be prepared to demonstrate with evidence
12 at the first trial date why the joint documents are not prepared.

13
14 It is the Court's intent that, where possible, every effort should be made to keep
15 settled cases from becoming public as provided in CCP § 1161.2(a)(1)(F) and
16 (a)(1)(G). If the parties agree, the Court will retain jurisdiction to enforce any
17 settlement after dismissal. [CCP § 664.6]

18
19 **SERVICE BY POSTING AND MAILING**

- 20 3. Service of the summons and complaint on a named party by posting and mailing may
21 only be done after an order is obtained, based upon an affidavit of due diligence.
22 [CCP § 415.45(a)] Such an order will not extend to unnamed or unknown occupants.
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24 **ADDRESSES AND TELEPHONE NUMBERS**

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

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LAW AND MOTION

5. All regularly noticed motions and demurrers will be heard each court day on the following days and times. Hearing dates must be reserved by calling the calendar clerk in the department the case is assigned.

Department 66 [(213) 633-5866] on Mondays at 1:30 p.m.

Department 91 [(213) 633-1091] on Wednesdays at 8:30 a.m.

Department 93 [(213) 633-1093] on Tuesdays at 1:30 p.m.

Department 97 [(213) 633-1097] on Thursdays at 8:30 a.m.

Courtesy copies of the oppositions to the motions and reply papers should be delivered to the Judicial Assistant in the courtroom on the day before the hearing, if possible. All motions, oppositions to the motions, and reply papers must be electronically filed unless a party is a self-represented litigant or otherwise exempt from mandatory electronic filing requirements.

6. Absent good cause, motions set on five days' notice should not be personally served on the last day of the week preceding the hearing. [LASC Rule 3.26 and Appendix 3.A(b)(1-4)]
7. A separate statement of undisputed or disputed facts is not required for summary judgment motions. [CCP § 437c(s) and § 1170.7; CRC, Rules 3.1350 and 3.1351].

EX PARTE APPLICATIONS

8. Ex parte applications should be noticed for 1:30 p.m. in the department the case is assigned (Department 66, 91, 93 or 97). Unless a party is self-represented or otherwise exempt from electronic filing, all ex parte applications and supporting papers must be electronically filed by 10:00 a.m. the day before the ex parte hearing. If a party is exempt from electronic filings, any ex parte

1 application must be filed by 8:30 a.m. the day of the hearing. at the UD Filing
2 Window on the first floor of the Stanley Mosk Courthouse. [LASC Rule 3.4(f)] Ex
3 parte applications shall have a separate application, a separate declaration of ex parte
4 notice and a proposed order. Absent good cause, notice must be given by 10:00 a.m.
5 the court day before the hearing as required by CRC, Rule 3.1204.
6

7 JURY TRIAL DEMANDS AND FEES

8 9. The right to a jury trial may be deemed waived unless it is timely requested. [CCP
9 § 631(f)(4)] If one or more of the parties have demanded a jury trial, jury fees shall
10 be deposited no later than five days before trial. [CCP § 631(b) and (c)(1)] Failure
11 to pay the required fee as required by law results in a waiver of a jury trial. Jury
12 demands should be filed separately from all other pleadings.

13 10. With a timely-filed qualifying fee waiver, the Court may waive juror fees and
14 expenses for those parties. Parties must complete and submit an official Fee Waiver
15 Request form and order [Judicial Council Forms FW-001 and FW-003] and an
16 Additional Fee Waiver Request [Form FW-002] for consideration to receive these
17 services at no charge.
18

19 STIPULATIONS TO CONTINUE TRIAL

20 11. A trial will be postponed if all attorneys of record and/or the parties who have
21 appeared in the action stipulate in writing to the postponement. Stipulated trial court
22 continuances may continue the trial date for an indefinite period of time and will not
23 be limited to 30 days. Stipulations to continue trial must be filed five days in advance
24 or an appearance by at least one party will be necessary to continue the trial.
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26 INTERPRETERS AND COURT REPORTERS

27 12. The Court will provide an interpreter for parties and witnesses at no charge.
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- 1 13. Proceedings in court will not be transcribed by a court reporter unless supplied by a
2 party to the action as permitted by LASC Rule 2.21. Proceedings are recorded
3 electronically. Copies of the recordings may be obtained and used by the parties
4 as permitted by LASC Rule [9.2(a)(5)].
5

6 JURY AND COURT TRIALS

- 7 14. Parties to an unlawful detainer action should have conducted the early meeting
8 required in Paragraph 2 above and should be ready to go to trial on the day of trial.
9 Trial Readiness—within the meaning of this Standing Order—includes both having
10 conducted the early meeting and having the ability to begin trying a case forthwith
11 or as directed by the Court. Accordingly, parties who appear on the day of trial and
12 are not ready to try their case or parties who announce “trial-ready” but are not
13 prepared to immediately try a case are not acting in compliance with this Standing
14 Order, regardless of whether the parties’ attorneys are appearing on behalf of other
15 litigants in different actions on the same day. Misrepresentations of a case’s trial
16 readiness on the day of trial is a violation of this Standing Order and may subject the
17 offending party and/or counsel to the imposition of monetary sanctions.
- 18 15. On the day of trial, parties shall have a three-ring binder with a table of contents
19 containing conformed copies of each of the following (each signed by counsel and
20 parties representing themselves) behind a separate tab:
- 21 i. Copies of the Current Operative Pleadings (including operative complaint
22 and answer);
 - 23 ii. Joint Statement of the Case (if a jury trial);
 - 24 iii. Motions in Limine, if any, which must be drafted in accordance with
25 LASC Rule 3.57 and served and filed;
 - 26 iv. Joint Witness List disclosing the witnesses who will be called, what they
27 will testify to, whether an interpreter is needed, and how long their
28 testimony will take;

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

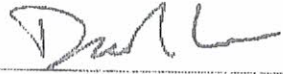
7 To assist the parties, a UD Jury Trial Readiness packet (LACIV244) is available on the
8 Court's website, at: www.lacourt.org/forms/unlawfuldetainer

9 16. If a party fails or refuses to meet and confer, the other party or parties shall prepare
10 and bring to trial the above-listed documents labeled as "[Proposed] Joint
11 Documents." The party must also show the steps it has taken to bring the opposing
12 party's failure to the attention of the court and to compel compliance with the meet
13 and confer obligation.

14 17. Failure to provide any of the aforementioned documents in this Standing Order on
15 the trial date may cause a delay in the trial being heard. Failure to comply with any
16 provisions of this Standing Order without substantial justification may result in the
17 imposition of monetary sanctions, evidentiary and/or issue preclusion, or terminating
18 sanctions.

19
20 IT IS SO ORDERED.

21 Dated: 6/1/2021



DAVID J. COWAN
Supervising Judge, Civil
Los Angeles Superior Court