

COURTROOM INFORMATION
DEPARTMENT 27 P.I. HUB
SPRING STREET COURTHOUSE
312 North Spring Street, Los Angeles, CA 90012
8th Floor, Room 836 C

GENERAL INFORMATION

JUDGE ASSIGNED: Hon. Kerry Bensinger

JUDICIAL ASSISTANTS: Shonda Taylor and Araxi Gindzhikyan

COURTROOM HOURS: 8:30 A.M. to 12:00 P.M. and 1:30 P.M. to 4:30 P.M.

PHONE: 213-310-7127

E-MAIL: sscdept27@lacourt.org

(Judicial Assistants may not respond to phone calls before 10:00 a.m.
unless the call concerns a matter on calendar that morning.)

For more information:
Please refer to the *Eighth Amended Standing Order for Procedures in the Personal Injury Courts*:

<https://lascpubstorage.blob.core.windows.net/cpw/LIBOPSCivil-109-StandingOrderForProceduresInThePersonalInjuryHubCourts.pdf>

FREQUENTLY ASKED QUESTIONS

ASSIGNMENT OF CASES TO PI HUB COURTS:

1. Does the court transfer cases to Independent Calendar Courts without a party's request?

Yes. For example, PI cases involving numerous causes of action, multiple parties, one or more cross-complaints, several discovery disputes, and issues of first impression may require more

pretrial court resources than the PI Hub Courts can offer. At the direction of Department 1, the PI Hub Courts may transfer such cases to IC Courts because the IC Courts have greater capacity to provide case management.

2. If the court transfers a case to an IC Court, where will the case be reassigned?

The court will transfer the case to Department 1 for reassignment.

TRIALS:

3. What time are trials set in Department 27?

8:30 a.m., Monday through Friday. Counsel must appear in person in Dept. 27 for their trial with their trial and exhibit binders.

4. Where should witnesses appear?

Counsel should subpoena witnesses to be on-call in Department 27, but witnesses need not personally appear unless specifically requested by the parties. If the court judge deems the case trial-ready, the court will order the parties/counsel/witnesses to the trial court assigned by Department 1 to conduct the trial. Once the case is assigned to a trial court, witnesses will be required to appear either virtually or personally in the trial court.

5. What is a trial-ready case?

The court will deem a case ready for trial when all parties have filed their trial documents are ready to lodge their exhibits as directed in the operative Standing Order — Re: Final Status Conference, Personal Injury ("PI") Courts (e.g., binders containing the trial documents, joint statement of the case, joint witness list, joint exhibit list, jury instructions, verdict form(s), page and line designation for deposition and former testimony, copies of the operative pleadings, and exhibit binders).

6. Are the PI Hub Courts conducting Mandatory Settlement Conferences?

Yes. At the Final Status Conference and in the Court's discretion, the parties may be ordered to participate in a Mandatory Settlement Conference using the Resolve Law LA Virtual MSC Program ([Resolvelawla](#)).

In addition, before the Final Status Conference, parties in cases where there is one plaintiff's counsel and one defense counsel may stipulate and apply ex parte to participate in a Mandatory Settlement Conference. The parties must use the Court's Mandatory Settlement Conference Application Form ([PI MSC Application](#)) and their counsel must make the requisite declarations regarding their clients' willingness to participate in the Conference in good faith. Both counsel must appear at the ex parte hearing.

7. What if I wish to exercise a preemptory challenge against an assigned trial judge?

For purposes of motions to disqualify judges under the Code of Civil Procedure Section 170.6, Department 1 operates as a Master Calendar Court. Once Department 1 has assigned a case to a trial court by advising the judicial assistant in the appropriate PI Hub Court, the parties will have 20 minutes to exercise a preemptory challenge pursuant to CCP Section 170.6 in the PI Hub Court. This must be done in writing by submitting a written challenge to the clerk. Parties appearing virtually must be prepared to e-mail the challenge to the judicial assistant in the PI Hub Court within 20 minutes. Any motion to disqualify a judge initiated beyond these time frames is untimely.

8. Is there any way to anticipate which trial judge might be assigned to hear my case?

No.

9. Are general jurisdiction PI trials commencing on the trial date?

Yes.

10. What if there are no available trial courts on the trial date?

In the event there are no trial courts available within one week of the trial date, Department 1 will transfer the case back to the PI Hub Court to obtain a continued trial date.

11. Who hears motions in limine?

Trial court judges hear in limine motions.

12. How can I continue the trial date?

The parties should file a Proposed Order and a Stipulation to Continue Trial, FSC and Related Motion/Discovery Dates Personal Injury Courts Only [Form LACIV 242](#) (fee required). So long as all parties agree to continue or advance a trial date for a total of six months or less, and so long as the continued trial date is not beyond the 2-year anniversary of the filing of the matter, the parties do not need to show good cause or articulate any reason or justification for continuing or advancing a trial date. The Court encourages and expects the parties to meet and confer and to stipulate, rather than litigate, reasonable requests for continuance of trial dates.

Subsequent requests to continue trial, and those seeking to continue the trial beyond the 2-year anniversary of the filing of the matter, require a noticed motion, and will generally be granted only upon a showing of good cause. Counsel are strongly encouraged to manage pretrial litigation and trial preparation to meet all pretrial discovery and motion deadlines. Absent exigent circumstances, the PI Hub Courts generally do not regard the continuance of a trial as an emergency justifying ex parte relief.

13. What if I cannot reserve a motion hearing date more than 30 days before the scheduled trial date?

If the Court Reservation System (CRS) indicates that a PI Hub Court's earliest available motion dates are untimely (i.e., within 30 days of trial or after the trial date), the moving party should reserve the earliest available hearing date, file the motion, and then seek to continue trial, by ex parte application if necessary.

FINAL STATUS CONFERENCES (FSC):

14. What time are FSCs in PI Hub Courts?

10:00 a.m., Monday through Friday.

15. How far in advance of trial do the PI Hub Courts calendar the FSC?

The court generally sets FSCs ten court days before the trial date. These dates are assigned upon filing of the complaint.

16. Are there any particular requirements for a PI Hub Court FSC?

Yes. They are outlined in the operative Standing Orders: Eighth Amended Standing Order for Procedures in the Personal Injury HUB Courts Effective October 10, 2022.

17. How do I get a copy of the Standing Order — Re: Final Status Conference, Personal Injury ("PI") Courts?

Counsel may view the Standing Order— Re: Final Status Conference, Personal Injury ("PI") Courts on the Court's website in the General Jurisdiction PI Hub Court section of the Civil Tab (<http://www.lacourt.org/division/civil/CI0030.aspx>).

18. Do I need to bring all my exhibits and trial readiness documents to the FSC?

Until further notice, parties are encouraged to appear at the FSC remotely. Parties are ordered to provide electronic copies of their trial notebooks 2 days prior to their FSC. The protocol for doing so is prescribed in the Eighth Amended Standing Order for Procedures in the Personal Injury HUB Courts Effective October 10, 2022:

(<https://lascpubstorage.blob.core.windows.net/cpw/LIBOPSCivil-109-StandingOrderForProceduresInThePersonalInjuryHubCourts.pdf>) In Dept. 27, counsel are ordered to submit electronic versions of their trial note books to sscdept27fsc@lacourt.org.

On the trial date, three copies of the Trial notebook and exhibit binders will be required by the assigned trial judge.

19. What if the other side fails or refuses to cooperate in preparing the FSC documents?

Each party has an independent duty to comply with the FSC Order. The Court has discretion to impose sanctions for any unexcused failure to comply, ranging from monetary sanctions to exclusion of evidence, issue preclusion, denial of a claim or defense, dismissal, and/or default.

EX PARTE APPLICATIONS:

20. Are there any special rules regarding ex parte applications in PI Hub Courts?

No.

21. When do the PI Hub Courts hear ex parte applications?

The court considers ex parte applications daily at 8:30 a.m. Ex parte applications must be electronically filed unless the party is a self-represented litigant, or the attorney or party has obtained an exemption from mandatory electronic filing. See operative General Order Re Mandatory Electronic Filing for Civil, (www.lacourt.org/division/civil/pdf/GeneralOrderreMandatoryElectronicFilingforCivil.pdf) A list of documents exempt from eFiling is also included in the General Order. **Should I come in ex parte to get a timely hearing date on a pretrial motion?**

Only as a last resort. See FAQ #15 and FAQ #23 above.

NOTICED MOTIONS:

22. When does the court hear noticed motions?

Department 27 hears motions at 1:30 p.m. Monday through Friday.

Before the Court hears a motion to compel further discovery, parties must participate in an Informal Discovery Conference with a PI Hub Court judge. Please read FAQ #29 and FAQ #30 for additional information on IDCs.

23. What if I reserved a hearing date for a motion that I no longer wish to pursue?

As soon as a moving party realizes that it will not require a hearing on a reserved motion date, that party must immediately use CRS to cancel the reservation.

24. How do I get a hearing date for my motion?

The parties must use CRS (<https://portal-lasc.journaltech.com/public-portal>) to reserve a motion hearing date. After reserving a hearing date, the reservation requestor must submit the papers for filing with the reservation receipt number printed on the face page of the document under the caption and attach the CRS reservation receipt as the last page. **Until you file your papers, your hearing date is only reserved, it is not scheduled. A hearing will not appear on the Court's**

calendar until papers are filed. If the system cannot find available motion slot within a 12-18 month window, you are required to call the courtroom between 3:00 p.m. and 4:00 p.m., Monday through Friday, to reserve the motion. To reserve an Informal Discovery Conference (IDC), please see FAQ # ____.

If you elect to take either a reserved or a scheduled hearing off calendar, please do so as soon as possible so that other parties may use the hearing slot.

25. Does the court post tentative rulings on motions?

Time permitting, the court posts tentative rulings on the Court's website (<http://www.lacourt.org/tentativeRulingNet/ui/main.aspx?casetype=civil>). Instructions for communicating with court staff regarding tentative rulings, including instructions for submitting on the tentative rulings, are located on the Tentative Rulings screen on the Court website.

26. How do I reserve a date for an Informal Discovery Conference?

Parties use CRS to reserve an IDC date (online at www.lacourt.org). Parties must meet and confer regarding the available dates in CRS prior to accessing the system. After reserving the IDC date, the reservation requestor shall file and serve no later than 15 calendar days before the IDC hearing date an Informal Discovery Conference form for Department 27, which shall include one or two paragraph narrative introduction, describing the nature of the case, and the gist of the dispute. Thereafter, the reservation requestor shall include a JOINT STATEMENT of the parties consisting of a four column document set up as follows: the first column shall identify the discovery request an issue (for example FROG 2.3(a)); the next column will include the text of the discovery request; the third column will contain the text of the response; and the forth column will indicate in a brief two bullet point statement, one from each party, why the further response should or should not be compelled. This is the preferred IDC form to be used for Department 27.

While the foregoing format is preferred, the reservation requestor may file and serve an Informal Discovery Conference Form for Personal Injury Courts, Form LACIV 239 (<https://www.lacourt.org/forms/pdf/laciv239.pdf>), at least 15 court days prior to the conference and attach the CRS reservation receipt as the last page. The opposing party may file and serve a responsive IDC Form, briefly setting forth that party's response, at least 10 court days prior to the IDC.

27. What if I have to file a motion to compel further discovery?

The court will not hear motions to compel further discovery unless and until (a) the parties participate in an IDC; or (b) the moving party submits evidence, by way of declaration, that the opposing party has failed or refused to participate in an IDC. To allow time for an IDC at least 16 court days before the motion hearing, parties should reserve a hearing on any motion to compel further discovery on a date at least 60 days after the reserved IDC date. Parties must reserve an IDC with the same judge who is scheduled to hear any noticed motion. Likewise, a party who

participates in an IDC regarding certain discovery requests, and then files a motion to compel further responses to the same discovery requests, must calendar the motion for a hearing before the same judge who conducted the IDC. After participating in an IDC, a moving party may advance the hearing on a motion to compel further discovery to any available hearing date that complies with the notice requirements of the Code of Civil Procedure.

SETTLEMENTS:

28. What should I do if a case settles?

Please immediately file a Notice of Settlement in the PI Hub Courts as required in C.R.C. Rule 3.1385. **Plaintiff must file the Notice using Judicial Council form CM-200 (<https://www.courts.ca.gov/documents/cm200.pdf>).** The Court will not vacate dates until this form is filed or Plaintiff's counsel appears to inform the Court of the settlement.

Please use CRS to take any pending motions off calendar as soon as possible.