

Central Civil Division – Hall of Justice
As of September 19, 2024
Honorable Judy S. Bae, Presiding

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Courtroom Staff:

Courtroom Clerk.....(619) 450-7062
Calendar Clerk.....(619) 450-7302 (Phone hours: 8:00 am to 3:00 pm)

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The following rules and procedures will be followed in Department 62.

Ex Parte Hearings: Ex parte hearings are by reservation only on Tuesday, Wednesday, and Thursday at 8:30 a.m. Reservations are made by contacting the calendar clerk by phone. All ex parte applications must comply with California Rules of Court (CRC) Rule 3.1200, *et seq.* Ex parte matters will not be heard unless supporting papers with the appropriate fee are filed by 12:00 p.m. the day before the hearing. Ex parte applications to advance hearings are discouraged and should be based on an affirmative showing of good cause for an earlier date. No appearance is required if all parties stipulate to the requested relief. **The Court requires courtesy copies of all e-filed ex parte papers be delivered directly to the Dept. 62 drop box in the Hall of Justice.**

Law and Motion: Noticed motion hearings are by reservation only and are set on Fridays at 9:10 a.m. Counsel may obtain reservations by contacting the calendar clerk by phone or by using the [Reserve a Motion Date](#) portion of the court’s website (sdcourt.ca.gov). Tentative rulings will generally be posted [here](#) on the court’s website by 4:00 p.m. the day prior to the scheduled hearing. No notice of intent to appear is required to appear for oral argument. The tentative ruling will not become the final ruling until the hearing. Unless otherwise stated at the hearing, the minute order is the final order of the court.

The Court requires courtesy copies of all e-filed documents on all motion hearings (moving, opposing, etc.) delivered directly to the Dept. 62 drop box on the second floor in the Hall of Justice. Parties are to comply with CRC Rule 3.1110, *et. seq.* and San Diego County Superior Court Local Rule (LR) 2.1.4.1 regarding formatting, bookmarking, and filing requirements for motion papers. Parties are expected to adhere to the page limitations set forth in CRC Rule 3.1113(d). Parties should not manipulate the font size or line spacing to circumvent the page limitations. If there is good cause to file an oversized brief, parties must obtain leave in advance.

If documents or other materials are lodged in support of/opposition to a motion, CRC Rule 3.1302(b) requires the lodgment be accompanied by an addressed envelope with sufficient postage for mailing the material back to the lodging party. Lodged material without a return envelope will be held 30 days, during which time the lodging party may physically retrieve the material from the courtroom clerk. After 30 days, the lodged material will be discarded/destroyed.

Informal Discovery Conferences: Parties are encouraged to appear during ex parte hours for an informal discovery conference (IDC) before filing a motion to compel. An IDC is scheduled by contacting the calendar clerk by phone. On occasion, the parties may be ordered to attend an IDC to discuss a discovery dispute that is the subject of a pending motion to compel.

The party requesting an IDC should first meet and confer with the opposing party to discuss scheduling. If the parties are unable to agree on a date, the IDC should be scheduled with at least five (5) days' notice to the opposing party. In advance of the IDC, each party should submit a concise brief (no more than three (3) pages) of the party's position regarding the dispute. **The Court requires courtesy copies of all e-filed briefs delivered directly to the Dept. 62 drop box on the second floor in the Hall of Justice**

The purpose of an IDC is to facilitate a meaningful discussion and help the parties reach an agreement regarding the dispute. No orders will be made at the hearing. Court reporters are not permitted, except to the extent both sides reach an agreement and desire to stipulate on the record. Parties should not refer to any discussions in any subsequent papers.

An IDC does not toll the statutory deadline to file a motion to compel. However, the parties may stipulate to extend deadlines to help facilitate a resolution of a discovery dispute without the need for a motion.

Discovery Motions: Motions to compel *initial* responses should be reserved and filed as a single motion, regardless of the number of sets of discovery at issue. However, motions to compel *further* responses, and motions to deem facts admitted, should be reserved and filed as separate motions for each set of discovery at issue.

In lieu of submitting a separate statement with a motion to compel further responses, the moving party may submit a concise outline of the discovery request and each response in dispute. In accordance with LR 2.1.21, a prior order permitting the concise outline is not required. However, in the event the moving party elects to submit a concise outline, copies of the actual requests and responses shall be submitted as exhibits to the motion.

Stipulated Protective Orders / Motions to Seal: Proposed stipulated protective orders for protection of confidential information will be approved only if the language in the proposed order is consistent with CRC Rules 2.550 and 2.551. Motions and applications to seal must comply with Rules 2.550 and 2.551. Records will not be sealed based solely on the agreement or stipulation of the parties. If documents have been lodged conditionally under seal in support of/opposition to a motion, the substantive motion will not be decided until after the hearing on the motion or application to seal. Parties may appear ex parte to request a hearing on a motion to seal in advance of a pending substantive motion, or alternatively to continue the substantive motion. A proposed sealing order must be provided to the Court setting forth the facts and legal basis which supports the sealing of each item subject to the sealing request.

Orders to Serve by Publication: Applications requesting an order to serve by publication may be submitted for review without an appearance. Affidavits will be scrutinized to determine whether the applicant has been reasonably diligent in attempting service in another manner, as required by Code of Civil Procedure (CCP) § 415.50(a).

Guardians Ad Litem: Applications for appointment of a guardian ad litem are governed by LR 2.4.6. Parties are reminded to submit attachment form ADM-430 (formerly CIV-383, now repealed), except if for an adult dependent. Applications may be submitted for review without an appearance.

Petitions for Minor's Compromise: Petitions to compromise minor's claims are heard during ex parte hours. Guardian ad litem must appear at the time of the hearing.

Pro Hac Vice Applications: Applications for admission pro hac vice must comply with CRC Rule 9.40. Applications must include proof of service on the State Bar of California, proof of payment of the required fee, and a proposed order. Parties are not required to reserve a hearing date for the application. If a party opposes an application, that party may appear ex parte within five (5) days to request a briefing schedule.

Applications for Determination of Good Faith Settlement: The proposed order shall be submitted concurrently with the notice and application for determination of good faith settlement pursuant to CCP § 877.6(a)(2). The proposed order will be held the requisite statutory period (20 days if personally served, 25 days if served by mail). If no motion to contest is filed within the statutory period, the application will be reviewed, and the order may be signed.

Remote Appearances: Remote appearances are governed by CCP § 367.75, CRC Rule 3.672, LR 2.5.8, and any other applicable rules. Instructions on how to appear remotely are available on the court's website, [here](#). Unless otherwise ordered, proceedings are conducted in person, remotely, or a combination of the two (hybrid). Absent good cause, parties are expected to personally appear at settlement conferences, trial readiness conferences, and trial calls.

Case Management Conferences: Case management conferences (CMC) are held at staggered times on Friday starting at 10:30 a.m. At CMCs, no matters will be set for the court's mediation panel unless requested by both parties.

Continuance Requests: Stipulated requests to continue any applicable dates (trial, trial readiness, motion cut-off) and deadlines may be made by written stipulation but **must** set forth the good cause for a continuance. The stipulation should include a proposed order. Disputed requests for continuances should be made by preferably by an ex parte application or by way of a noticed motion. Please review CRC Rules 3.1200 through 3.1207 in connection with any ex parte application. The Court will review the stipulation and proposed order. If necessary, the Court will schedule an ex parte hearing.

Trial Readiness Conferences: Trial Readiness Conferences (TRC) are held on Friday at 9:00 a.m. Parties are reminded to review LR 2.1.15. A completed Joint TRC Report shall be filed five (5) days before the TRC pursuant to LR 2.1.15. The report is to reflect a joint list of witnesses and a joint list of exhibits which indicate objections or stipulations noted as well as all other requirements for a TRC report. If the TRC is not joint, the Court expects the parties to appear in person for the TRC. Counsel should refer to the Department's Advanced Trial Review Orders prior to TRC.

Trial Calls: Trial calls are held on Friday at 8:50 a.m. At trial call, counsel must bring a Joint Trial Notebook, which should be comprised of the following:

1. Table of Contents
2. Joint Trial Readiness Report
3. Operative pleadings (i.e. complaint, cross-complaint, answer, etc.)
4. Expert designations

5. Motions in Limine and Oppositions (in order) with an index
6. Joint Witness List (with description of witnesses' expected testimony)
7. Joint Exhibit List. The list must be carefully reviewed to ensure the description of the exhibit matches the exhibit and that there are no duplicates.
8. Trial Briefs (if any)
9. Joint Statement of the Case, in a neutral form suitable to be read to prospective jurors.
10. Proposed Voir Dire Questions (if any)
11. Jury Instructions (packet agreed upon and packet of those not agreed upon, with indication of which party is offering and objecting)
12. Special Verdict Form (either an agreed upon form or each side's proposed forms). If the parties fail to make a genuine effort to limit disputes on the form of the special verdict, a general verdict form will be utilized.

All exhibits must be pre-marked in an up-to-date exhibit binder(s). All exhibits, demonstrative aids, or other material to be used in opening statements must be shared with opposing counsel in advance. All motions in limine must be filed per LR 2.1.18. Trial briefs must be filed five (5) court days prior to trial call. Counsel should refer to the Department's Advanced Trial Review Orders prior to trial call.

Default Judgment by Court: Papers must comply strictly with CRC Rule 3.1800. Non-complying papers will be returned with a notation of defects. If personal testimony is required, the courtroom clerk will contact counsel to schedule a default prove-up hearing. Proposed default judgments claiming punitive damages and/or non-economic damages will usually require a hearing. Default prove-up hearings are generally calendared for Friday at 1:45 p.m.

Courtesy Copies: Courtesy copies of the following should be placed in the Department 62 drop box located on the second floor of the Hall of Justice:

- Ex parte applications (delivered no later than 12:00 p.m. the day before the hearing)
- IDC briefs (delivered no later than 12:00 p.m. the day before the hearing)
- Pro hac vice applications
- Noticed motions, oppositions, and replies
- Motions in limine
- Joint TRC Reports
- Trial briefs

[Department 62 Advance Trial Review Order](#)

[Trial Guidelines for Department 62](#)

[Stipulation and Order for Return of Exhibits](#)