

## Honorable Robert C. Longstreth, Presiding

The Court requires in person appearances for the following hearings: Judgment Debtor Exams, Trial Readiness Conferences for Jury Trials, Trial Calls for Jury Trials, Jury Trial, and Orders to Show Cause for Contempt. The Court encourages personal appearances on Ex Parte and Informal Discovery Conferences. Personal appearances are as stated above unless good cause exists not to appear in person, and prior approval to appear remotely has been granted by the court no later than the day prior to the hearing. All other hearings may be made by remote video or audio appearance.

All remote proceedings will be conducted via Microsoft Teams. Any counsel, party, or witness wishing to appear remotely must comply with all applicable provisions of California Code of Civil Procedure section 367.75, California Rules of Court, rule 3.672, and any applicable Local Rule or General Order of the San Diego Superior Court.

### Phone Numbers:

Courtroom: (619) 450-7065

Calendar: (619) 450-7303 (Phone hours: 8:00 a.m. - 3:00 p.m.)

1. **Ex-Parte** – Ex-Parte appearances are by reservation only on Tuesdays at 8:30 a.m. , Fridays at 11:30 am and 1:30 p.m. or at any other times the Court may designate. Reservations are to be made by contacting the Calendar Clerk at (619) 450-7303. **Ex-Parte papers, fees and courtesy copies are due on or before 12:00 p.m. the day before the hearing in the Department 65 drop box located on the second floor of the Business Office.** If you find that you will not be appearing after reserving your date, please contact the Calendar Clerk to cancel the Ex-Parte. Please note Ex- Parte appearances for an order shortening time (OST) are strongly discouraged.
2. **Guardian Ad Litem / Publication of Summons** – Petitions for appointment of Guardian Ad Litem and applications for orders for publication of summons may be made ex parte without the necessity of an appearance. The moving papers shall be submitted for review by the Court and the Court may set a hearing if such hearing is deemed necessary. Guardian Ad Litem applications will not be granted ex parte unless the moving party submits a declaration showing: a) the minor is not the subject of a juvenile dependency proceeding; b) the minor is not the subject of a probate guardianship, and c) if the parents are not living together, attaching a copy of the current child custody order.
3. **Law and Motion** – Noticed motion hearings are by reservation only. To reserve a date, contact the calendar clerk at the number provided above. Motions may also be reserved online via the Court's website. Motions are set on Fridays at 8:30 a.m. Tentative rulings are normally available after 4:00 p.m. on Thursday, one day prior to the hearing. **The Court requires courtesy copies for all Motions, Oppositions and Replies delivered directly in the Department 65 drop box located on the second floor of the Business Office.**
4. **Informal Discovery Conferences (IDC) are by reservation only.** The Court makes itself available for IDCs on Friday afternoons in twenty-minute time slots. To reserve a date, contact the Calendar Clerk at the number provided above.

**Confer with opposing counsel before reserving a date.** The moving party is required to meet and confer with the opposing party to select a mutually agreeable date for the IDC. If the parties are unable to agree on a date for the IDC, the moving party is required to obtain a date sufficiently in advance to provide the opposing party with at least five days' notice.

**IDC Briefs, which shall not exceed five (5) pages, are due the Friday before the IDC and must be exchanged with opposing counsel on that date.** (Code Civ. Proc. § 2016.040.) Brevity is appreciated. Please avoid lengthy attachments as the Court generally does not have the time to review them. The parties are required to exchange their summaries with each other and file and deliver a **courtesy copy no later than the Friday prior to the conference on or before 12:00 p.m. in the Department 65 drop box located on the second floor of the Business Office.** If this deadline is not met, the Court is unlikely to be able to review your summary of the issues in dispute

prior to the IDC. No exhibits to the statements are filed with the Court.

**All IDCs are voluntary.** As of May 5, 2023, an IDC is no longer a mandatory requirement for any party to file a discovery motion. However, either or both sides may voluntarily request and calendar an IDC. The Court considers IDCs to be a judicially supervised supplement to the meet-and-confer process. The Court may consider a party's failure to participate meaningfully in an IDC as a factor in determining whether that party has complied with the meet-and-confer requirements imposed by the California Code of Civil Procedure should that issue be raised in a discovery motion.

**Motion deadlines are not automatically tolled** by the scheduling of an IDC, in light of the repeal of Code of Civil Procedure section 2016.080 effective January 1, 2023. However, parties are encouraged to stipulate to extensions of motion deadlines to facilitate an IDC.

**Expedited Motion Procedure.** At the conclusion of the IDC process, the Court will discuss with the parties whether they wish to stipulate to an expedited procedure to resolve any remaining issues, waiving their rights to a full noticed motion process with respect to the matter.

5. **Case Management Conference** – Case Management Conferences are heard on Friday mornings, or at such other times as the Court may designate.
6. **Continuances** - Stipulated requests to continue any applicable dates and deadlines, including Trial, Trial Readiness Conference and Motion Cut-off dates, may be made by written stipulation. A proposed order should be provided with any stipulation, along with a statement of the good cause supporting the request. Disputed requests for continuances should be made by way of a noticed motion or an ex parte application. Please review Rules 3.1200 through 3.1207 in connection with any ex parte application. Requests to continue may be requested by stipulation and proposed order. The Court will review the stipulation and proposed order and may schedule an ex parte hearing if necessary.
7. **Trial Readiness Conference** – Trial Readiness Conferences are heard on Fridays at 10:00 a.m. unless otherwise designated by the Court. A Joint Trial Readiness Report is to be filed at the time of the hearing. Trial counsel are to be personally present if a jury trial is requested. **The exhibit list is to have objections noted.**
8. **Trial Calls** – Trials calls are set on Fridays at 9:45 a.m. unless otherwise designated by the Court. Trial counsel are to be personally present if a jury trial is requested. At the trial call for jury trials, the parties are expected to provide the following materials: A Trial Binder with the following included: 1. Table of contents 2. Joint Trial Readiness Report 3. Limine motions and oppositions and index of Limine motions 4. Copy of Joint Witness List. Listing the witness as either percipient or expert. 5. Copy of Joint Exhibit List (follow grids format – see attachment to ADR, **with objections noted**) 6. Copy of Trial Briefs 7. Joint Statement of the Case 8. Voir Dire questions counsel requests Court to ask 9. Jury Instructions – packet of agreed upon instructions and packet of not agreed upon instructions with a post-it note indicating who opposes the instruction 10. Special Verdict Form – either an agreed upon form or each side's proposed Special Verdict Form 10. Copy of the operative pleading, i.e.: complaints and answers. Counsel is to email the clerk in Word format the final joint exhibit and witness list and the motion in Limine index prior to commencement of trial. The email address will be provided to counsel at trial call. Each counsel is ordered to telephone the Court Clerk (619) 450-7065, prior to 10:00 am on the day before the initial trial call date, and again prior to 10:00 am on the day before any continued trial call date, to report: 1) their readiness for trial, including the status of their compliance with this Order, 2) the estimated trial length, and 3) whether a jury will be required. Failure to provide these materials at the time of the trial call may be grounds for continuance of the trial.
9. **Remote Appearances** – The California Rules of Court shall govern remote appearances. The Court requires personal appearances for Trial Readiness Conferences and Trial Calls when jury trials are requested.

10. **Guidelines for Testimony Given Remotely**-- To assure the fair conduct of trial, the following procedures shall be followed, unless otherwise ordered by the Court.

With respect to any party or witness who appears at trial via Microsoft Teams, no party or witness may testify by audio only, or by telephone, unless all parties stipulate that the testimony may be taken by audio only.

Each party or witness testifying remotely shall arrange for their own video appearance for each day of trial and shall be solely responsible for the payment of any fees arising from such appearance.

Each party shall arrange for the video appearance of any third-party witness appearing remotely it intends to call and shall be solely responsible for the payment of any fees arising from such appearance. Witnesses who have been properly subpoenaed shall cooperate with the parties in the making of these arrangements unless their appearance has been excused by the Court.

Each party shall assure that their video feed and that of their witnesses appearing remotely is of sufficient quality and scope so that the Court and opposing counsel may see and hear the witness clearly and be able to assure that no witness is susceptible to coaching or has the ability to rely on any materials out of sight of the Court and/or opposing counsel. The Court recommends that each party and witness have more than one device available to them in the event that problems arise with the device they primarily intend to use primarily.

Any and all materials that any witness relies on to refresh recollection or otherwise during the course of his or her testimony shall be provided to all counsel upon request.

A party shall to the extent possible provide a hard copy of any exhibit it intends to have a witness appearing remotely view during that witness's testimony to the witness in advance of the time the witness testifies.

Parties and counsel shall assure that any non-party witness who will testify at trial will not see or hear any of the trial proceedings that occur before they testify, or that occur after they testify and before they are excused from providing further testimony.

A witness shall appear in front of a background that does not convey information such as diplomas, awards, photographs, and the like to the trier of fact.

Each party shall assure that the proceedings are not being recorded or reported in any manner other than by the duly authorized court reporter. Court reporters must be present in person.

[Dept. 65 - Advance Trial Review Order](#)