

**LOS ANGELES SUPERIOR COURT
DEPARTMENT 47 – CIVIL INDEPENDENT CALENDAR
JUDGE THERESA M. TRABER, ASSIGNED FOR ALL PURPOSES**

COURT WEBSITE:
WWW.LACOURT.ORG

LOCAL RULES:
<http://www.lacourt.org/courtrules/ui/index.aspx?ch=Chap2&ct=TR&&tab=2>

Courtroom Information: Department 47, Room 507, 5th Floor, Stanley Mosk Courthouse
111 N. Hill Street, Los Angeles, CA 90012
Telephone number: (213) 633-0647
Courtroom hours: 8:30 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m.

Courtroom staff: Judicial Assistant: Ingrid Flores; Courtroom Assistant: Moses Soto

CHECK IN: Check in begins at 8:30 a.m. in the morning and at 1:30 p.m. in the afternoon. All attorneys and self-represented litigants are required to comply with posted instructions and directions from courtroom staff regarding checking in for appearances and entering the courtroom.

TELEPHONIC/VIDEO APPEARANCES:

The court has implemented LACourtConnect to allow attorneys and self-represented litigants to make audio or video appearances in Los Angeles County courtrooms. LACourtConnect technology provides a secure, safe and convenient way to attend hearings remotely.

Here is a link for accessing LACourtConnect: <https://my.lacourt.org/laccwelcome>

Here is a link to LACourtConnect User Guide: <https://my.lacourt.org/attorney/#/guides/laccug>

SELF-REPRESENTED LITIGANTS: Information for self-represented litigants is available online at: <https://www.courts.ca.gov/selfhelp.htm>

FILINGS: Compliance with electronic filing is required for attorneys. Please refer to the Court's website for electronic filing orders.

COURTESY COPIES: Courtesy copies are required for any papers filed less than five days before the scheduled hearing and for voluminous compilations of exhibits. Conformed courtesy copies of short documents shall be submitted to the Court by email sent to SMCDept47@lacourt.org. For voluminous submissions and for any self-represented litigant who lacks a means of

submitting an electronic copy of its papers, courtesy copies shall be submitted by depositing the copy in the “Courtesy Copy” bin located in the hallway outside Department 47.

CASE MANAGEMENT CONFERENCES: Initial Case Management Conferences (CMC) are scheduled upon case filing, consistent with Rule 3.722 of the California Rules of Court. The parties and/or counsel are to comply with their obligation to submit Case Management Statements pursuant to Rule 3.725 of the California Rules of Court. Failure to comply with California Rules of Court, Rules 3.722, 3.724, 3.727 and 3.728, Local Rules 3.24 and 3.25, and/or this Court’s scheduling orders may result in monetary sanctions and/or delay in trial setting.

The Court reviews CMC statements in advance of the scheduled CMC and may exercise its discretion under Rule 3.722(d) to set the case for trial and/or make any other necessary case management orders, without holding the CMC. If the Court does not vacate the CMC date, the parties and/or their counsel are to appear by LACourtConnect or in person for any CMC held by the Court.

NOTICE OF RELATED CASES: The Court requires timely compliance with California Rules of Court, Rule 3-300 regarding Notice of Related Cases.

EX PARTE APPLICATIONS: *Ex parte* applications for Department 47 are heard MONDAY-FRIDAY at 8:30 a.m. Compliance is required with Los Angeles Superior Court Local Rules and California Rules of Court re *ex parte* applications and notice requirements. Counsel and self-represented litigants may appear on *ex parte* applications via telephonic or video conference (when available) only; however, the Court may rule on the papers without any oral argument if it deems a hearing to be unnecessary.

SCHEDULING LAW AND MOTION HEARINGS: Law and Motion matters are heard Monday-Friday starting at 9:00 a.m. The parties should meet and confer before filing any motion and avoid filing an unnecessary motion or one which is designed to delay the proceedings or filed solely for tactical reasons. The Court Reservation System (CRS) is required for scheduling law and motion hearings in Department 47. CRS is available 24 hours a day, seven days a week and reservations can be made from a computer or smart phone. Please note, you are prohibited from reserving more than one hearing date for the same motion. Please refer to the court’s rules for reserving dates online at:

<https://portal-lasc.journaltech.com/public-portal/?q=node/388>

CONTINUANCES: Law and Motion matters may be continued by the CRS system. Trial, Trial Setting Conferences, Case Management Conferences and Mandatory Settlement Conferences may be continued by stipulation setting forth the facts showing good cause for the continuance, subject to approval by the court. If there is no stipulation, any party may seek a continuance by noticed motion or *ex parte* application. To advance a hearing on a law and motion matter, a party may either present a stipulation or, lacking agreement, an *ex parte* application to secure an earlier date for a scheduled motion.

TENTATIVE RULINGS: The Court may post a tentative ruling online at lacourt.org by 3:00 p.m. on the day before the scheduled law and motion hearing. If it does so, the Court expects all counsel and self-represented parties to review the tentative ruling and confer about whether they intend to submit on the tentative or request oral argument. If all counsel and self-represented parties intend to submit on the tentative ruling and do not wish oral argument, please advise the Court's clerk by calling (213) 633-0647 before the scheduled time for the hearing. You may also submit on the tentative ruling via email to SMCDept47@lacourt.org no later than 8:30 a.m. the day of the hearing. Upon receiving such notice, the tentative ruling will become the order of the Court and the moving party shall give notice of the ruling.

COURT REPORTERS: Official court reporters are not normally provided in unlimited civil cases. A party who has received a fee waiver may request an official court reporter pursuant to California Rule of Court 2.956(b)(3). The request must be made by using the local form (LASC LACIV269). Given the limited availability of official court reporters, the Court may not be able to give notice of the availability of a court reporter until the day of the hearing.

LANGUAGE ASSISTANCE: The Los Angeles Superior Court Language Access Services Division provides multilingual interpretation and general language services in court proceedings to ensure meaningful participation in the judicial court process for individuals with limited English proficiency. In doing so, the Court promotes equal access to justice and guarantees court procedures are fair and understandable for court users from diverse cultural backgrounds.

The Court assigns qualified court interpreters in court proceedings at no cost in all areas of litigation where a party or witness needs such services.

If you need the services of an interpreter, you may request one from the courtroom staff at the time of your hearing, or in the alternative, for court users that speak a language other than Spanish, the Court has a web portal to request an interpreter in advance of a hearing. Spanish interpreters are assigned to all court locations; therefore, there is no need to request a Spanish interpreter in advance.

If you have a question about language access or comments regarding the Superior Court of California, County of Los Angeles Limited English Proficiency Plan, you may contact the Language Access Services Division of the Court by email at: LanguageAccess@LACourt.org

INFORMAL DISCOVERY CONFERENCES: The Court strongly encourages parties to schedule an Informal Discovery Conference *before* filing any discovery motions, including motions to compel, to quash discovery or for a protective order. The Court requires civility and cooperation in scheduling an IDC, including by agreeing to extend the time to file a discovery motion to allow time for an IDC. If a discovery motion is filed without scheduling an IDC, it is

likely that the Court will order one before hearing the motion. Once the IDC is scheduled, appearance at the IDC will be confirmed by court order and appearance is mandatory.

Each party involved in a discovery dispute to be addressed in an IDC shall file and serve an IDC statement at least five (5) court days before the scheduled IDC. The IDC statement shall include (a) a short description of the case, (b) a description of the discovery dispute including a list or summary of the discovery requests, objections, and/or answers at issue, (c) a description of the parties' informal attempts and any compromises offered to resolve the dispute, and (d) any legal authority the Court should consider in conducting the IDC. The Court recommends -- but does not require -- use of optional form LASC CIV 239 for IDCs.

MANDATORY SETTLEMENT CONFERENCES: The Court may order all parties and counsel to attend a Mandatory Settlement Conference (MSC) with a judge or settlement officer other than your assigned judge.

FSCs AND TRIALS: Unless the Court is dark/closed, all trials are set for Tuesdays at 10:00 a.m., and all final status conferences are set approximately 15 court days before the trial date. The parties must comply with the Court's Final Status Conference and Trial Order, which begins on the next page, as well as Los Angeles Superior Court Local Rules (Chapter Three, Civil Division Rules) and California Rules of Court.

DAILY SUMMARIES: For trials in which there is no court reporter or electronic recording, Department 47 requires that a joint daily summary of testimony must be completed and submitted to the Court by 4:00 p.m. of the next court day.

ADDITIONAL INFORMATION ABOUT CIVIL CASES:

<http://www.lacourt.org/division/civil/civil.aspx>

FINAL STATUS CONFERENCE AND TRIAL ORDER FOR DEPARTMENT 47

All counsel and self-represented litigants must be thoroughly familiar with the Los Angeles County Court Rules (LACCR), Chapter Three, and comply with them in preparing for and participating in trials in Department 47.

To prepare for the Final Status Conference (FSC), counsel and/or self-represented litigants shall meet and confer on the telephone or by video conference at least ***twelve (12) court days before the FSC*** to discuss, arrange for the exchange of, and prepare for submission to court of all documents identified in LACCR 3.25 (f) and (g) (3)-(8). Pursuant to LACCR 3.25 (g)(3), the parties shall file all trial documents at least ***seven (7) court days before the FSC***.

Trial Binder: The parties shall cooperate in compiling a three-ring trial binder that shall be delivered to Department 47 ***at least five (5) court days before the FSC***. The binder must include all the following documents placed in the binder in the following order:

- A. Trial briefs (not to exceed 20 pages) are mandatory in all cases. These briefs should include a description of the claims, defenses, relief sought, evidentiary disputes, and all issues to be decided at trial along with a discussion of any novel or unusual issues of law, with citations to supporting authorities. The briefs must be signed, filed with the Court and served on all parties.
- B. Statement of the Case must be prepared jointly by the parties for use in any jury trial. It should be a short, non-argumentative written statement of the case to be read to the jury. It must be signed by all parties and filed with the Court.
- C. Witness List must be prepared jointly by the parties. The list must include all witnesses' names, a brief description of the proposed testimony, including whether it will be lay testimony or expert opinion, time estimates for direct and cross examination, and whether the witness will be assisted by an interpreter. The joint witness list must be signed by all parties and filed the Court.
- D. Deposition Testimony to be presented at trial, in lieu of live testimony, must be designated by the proponent of such testimony in advance of trial. The parties shall cooperate in preparing a chart for each witness that includes a column for each of the following: (1) the proponent's designations by page and line; (2) counter-designations by other parties; (3) objections to specific language included in the designations; and (4) a blank column for the Court's rulings.
- E. Exhibit List must be prepared jointly by the parties. It should be prepared in chart format with each exhibit identified by title and its assigned exhibit number. Additional columns should indicate whether the exhibit will be admitted by stipulation, authenticated by stipulation, or challenged with objections, which shall be set forth in a

column for objections. A final column should be included on the right for the Court's notation of whether the exhibit was admitted at trial. The joint exhibit list must be signed by all parties and filed the Court.

- F. List of Proposed Jury Instructions must be prepared jointly by the parties. It should be prepared in chart format and include all CACI and special jury instructions that are jointly proposed by the parties as well as those that are proposed by only some of the parties but opposed by another party. A column in the chart must indicate the proponent(s) and opponent(s) of each proposed instruction. A final column should be included on the right for the Court's notation of whether the instruction was given at trial. The joint list of jury instructions must be signed by all parties and filed the Court.
- G. Proposed Jury Instructions shall be included in the Trial Binder. These should include a jointly submitted packet of all requested and properly edited CACI jury instructions as to which there is no objection, as well as packets from any party offering CACI or special instructions that are not agreed to by all parties. The Proposed Jury Instructions should be submitted with CACI titles and numbers as well as numbered Special Instructions.

When the instructions are finalized, the parties are to submit a full set of all instructions given at trial **without** any titles or number so these instructions can be presented to the jury to be used during deliberations.

- H. Verdict Forms must be jointly prepared by the parties. If rulings on evidentiary issues or pre-trial motions may impact on the proper format for the verdict forms, the parties may each submit their own proposed verdict forms. Each proposed verdict form must be signed by the party or counsel proposing it, filed with the Court and served on the other parties.
- I. All Operative Pleadings must be included in the Trial Binder. This includes the operative complaints and cross-complaints and the operative answers thereto.
- J. Any Important Orders that may impact the scope or nature of the trial shall be included in the Trial Binder.

Motions in Limine: Counsel and/or self-represented litigants shall meet and confer **in person or by telephone or video chat** on all motions *in limine* before they are considered by the Court. Boilerplate or form motions are strongly discouraged. All motions *in limine* must be in writing and must be filed and served at least **twelve (12) court days before the FSC**. Any opposition to a motion *in limine* must be in writing and must be filed and served at least **seven (7) court days before the FSC**. Reply briefs must be in writing and properly filed and served before the FSC. The failure to comply with these rules and timelines may result in the Court's refusal to hear a motion *in limine* or consider an opposition thereto, consistent with applicable rules.

Each party's motions *in limine* must be labeled sequentially, *i.e.*, Plaintiff's Motion in Limine No. 1, *et seq.*, and Defendant's Motion in Limine No. 1, *et seq.* The parties are ordered to collect the briefing on all motions in limine and present them in one or more three-ring binders, with the moving papers, opposition and reply for each motion arranged behind a tab for each motion. The motion *in limine* binders shall be delivered to the Court at least **five (5) court days before the FSC.**

Trial Rules:

- A. The Court encourages the parties to narrow the scope of triable issues by reaching stipulations as to certain undisputed facts. Such stipulations should be reduced to writing and filed with the Court. They should also be included in the Trial Binder, if reached before trial. Invitations to enter into such stipulations during trial are not to be made in the presence of the jury and should generally be addressed by the parties when court is not in session.
- B. The Court will allow jury questionnaires in appropriate cases. Counsel and/or self-represented litigants are ordered to meet and confer as to whether questionnaires will be requested. If any party seeks to use a jury questionnaire, its proposed questionnaire and all competing versions advanced by other parties must be included in the Trial Binder. Proposed jury questionnaires shall be filed with the Court and served on all parties.
- C. If requested in a jury trial, the Court will allow short opening statements of 2-3 minutes, in lieu of a joint statement of the case, at the beginning of *voir dire*.
- D. Unless there is a stipulation otherwise, no exhibits may be displayed during opening statements except those as to which there is a stipulation to admit the exhibit into evidence. No exhibits may be displayed during any mini opening statements allowed as part of *voir dire*.
- E. All objections, statements and argument shall be made to the Court rather than to opposing counsel or a self-represented party. Speaking objections in the presence of the jury are prohibited. Only the legal basis for an objection shall be stated. Further argument may be allowed by the Court outside the presence of the jury and only upon suggestion by the Court or appropriate and timely request by counsel or self-represented party.

Dated: April 16, 2024

Hon. Theresa M. Traber
Los Angeles Superior Court Judge

05/08/2024