

Honorable Michael D. Washington, Presiding Courtroom

Department Court Staff:

Courtroom Clerk: Rachel Mallari (760) 201-8031

Calendar Clerk: (760) 201-8703

Conformity with Local Rules: Unless otherwise indicated herein, Department 31 strictly adheres to the San Diego Superior Court Local Rules, Division II.

Case Management Conferences: Case Management Conferences are heard at 9:00am. Counsel shall file a Case Management Statement pursuant to California Rules of Court, rule 3.725. Attorneys/parties must be familiar with and comply with the applicable provisions of CRC 3.711-3.715 and 3.722-3.729 and Local Rule 2.1.9. Continued Case Management Conferences do not require a new statement unless directed by the Court.

Continuances: Case Management Conferences and Failure Hearings may be continued by stipulation of counsel. Request to continue Trial, Trial Readiness Conference and Motion Cut-off dates may be requested by Stipulation and Proposed Order. The Court will review the Stipulation and Proposed Order and if necessary will call the parties to schedule an Ex-Parte hearing. A CM020 form may be filed with a \$60.00 filing fee.

Default Prove-up Hearings: Default Prove-up Hearings are heard on Fridays at **10:30 a.m.** and must be reserved by calling the Calendar Clerk at (760) 201-8703. A date will only be given if your default papers are ready to be filed. A witness is required to be present to testify as to the claim.

Ex Parte Matters: Ex parte appearances are by reservation only on Tuesday and Thursday at 8:30 a.m. Ex Parte papers are due no later than 11:00 am the business day prior to the scheduled ex parte appearance with the appropriate fee. Meaningful meet and confer required before setting an ex parte hearing. Sending an email to opposing counsel stating that the matter has been set for a hearing is not considered meaningful. A short declaration stating the issues in dispute along with attached copies of what has been requested and any responses given must be filed. In extraordinary circumstances, parties may be permitted to appear through MS Teams.

No ex parte appearances are required for the following:

- Stipulation for order extending arbitration date for 30 days or less.
- Stipulation for order extending expert designation dates. Order for publication with declaration of due diligence.

Failure Hearings: In person appearances only..

Law and Motion Matters: Motions are heard on Fridays at 1:30 p.m. by reservation only. A Tentative ruling will be posted on the San Diego Superior Court website (www.sdcourt.ca.gov) no later than 4:00 p.m. the Court day before the hearing date. Motions are heard in accordance with California Rules of Court, rule 3.1308(a)(2). Motions to compel discovery will be calendared without requiring an ex-parte hearing, although Judge Washington recommends an Ex Parte Meet & Confer be held with the Judge and Counsel prior to the motion date. There is no fee for filing a Declaration Re: Discovery Meet and Confer. Counsel must meet and confer prior to filing demurrers (see CCP 430.41). Call the Calendar Clerk to reserve an Ex Parte hearing date.

Minor's Compromise: Minor's compromises are heard on Tuesday, Wednesday and Thursday at 8:30 a.m. by reservation only. The Guardian must be present. The minor must be present if he or she is over the age of 13. Minor's compromise papers must be submitted no later than noon the business day prior to the scheduled hearing. There is no fee for a Minor's Compromise hearing.

Settlement Conferences: Settlement briefs are to be submitted to the settlement judge at least five

court days prior to the hearing. Settlement Conferences are usually calendared with general trial judges in the North County Courthouse Complex. Settlement Conferences may be calendared by calling the Courtroom Clerk at (760) 201-8031.

Virtual Appearances: All virtual appearances must be made using the free Microsoft Teams App ("MS Teams App"). Court Call will no longer be used. For further information on how to appear virtually by using the court's free MS Teams App, please visit <https://www.sdcourt.ca.gov/virtualhearings>.

Personal Appearances Required:

- *Trials and hearings where witnesses are expected to testify
- *Hearings on Temporary Restraining Orders
- *Trial Readiness Conferences
- *Trial Call
- *Hearings on motions in limine
- *Persons ordered to appear to show cause why sanctions should not be imposed for violation of a Court Order or Rule
- *Settlement Conferences
- *Ex partes, unless excused by the Court

Trial: This department is normally in session for trials Mon-Thurs 9:00 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m. Although trial will not be in session on Fridays, the Jury will be required to deliberate on Fridays. Jury fees are due at the end of each week and will be summarized through billing statements provided by the courtroom clerk.

Trial Call: Trial Calls are at 8:30 a.m. on Fridays. Lead trial counsel must be personally present. Telephonic appearances are **not allowed**. Counsel are to provide a Joint Trial Notebook on this date that includes:

1. Table of Contents;
2. Joint Trial Readiness Report;
3. Motions In Limine / Oppositions with an index of the motions;
4. Joint Witness List with a short sentence describing the witness (i.e. "Dr. Jane Smith, an internist from Mercy Hospital");
5. Joint Exhibit List (follow grid format on attachment to the Advance Trial Review Orders);
6. Trial Briefs;
7. Joint Statement of the Case (if not in Joint Trial Readiness Report);
8. Proposed Voir Dire questions counsel want the Court to ask;
9. Jury Instructions - One set in sequential order with a post-it note indicating who objects to the instruction;
10. Special Verdict Forms - either agreed upon forms or each side's proposed forms. The forms should follow CACI as closely as possible and include all cause of actions and all parties. The verdict forms should be complete and on pleading paper without the firm name.

Failure to show up at Trial Call with all 10 requirements above will result in a finding that you are **not** ready for trial.

Trial Readiness Conference: Lead trial counsel must be personally present, not a second chair attorney; telephonic appearances are not allowed. Trial Readiness Conferences are heard at 10:15 a.m. on Fridays or as designated by the court. A complete joint trial readiness conference report must be filed **five days** prior to the scheduled hearing.