

Honorable Robert C. Longstreth, Presiding

Courtroom Staff:

Court Clerk: Judit Bako (619) 844-2163
Bailiff: Cameron Price

REMOTE APPEARANCES

Unless otherwise ordered by the Court, proceedings in Department 1603 will be conducted remotely, in person, or in a combination of the two, at the discretion of the counsel, witness, or self-represented litigant making the 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.

Absent an order of the Court to the contrary, court reporters should appear in person.

TRIALS AND EVIDENTIARY HEARINGS

The Court's hearing schedule is from 9:00 a.m. to 12:00 p.m., and 1:30 p.m. to 4:30 p.m., with a 15-minute recess in the morning and afternoon. Please confirm with the Clerk that exhibits have been properly marked prior to the commencement of trial.

GUIDELINES FOR REMOTE BENCH TRIALS

To assure the fair conduct of trial, the following procedures shall be followed:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. Each party shall send a hard copy of any pre-marked exhibit it intends to introduce to both the Court and opposing counsel no later than 3 p.m. on the court day preceding the scheduled trial date.

Plaintiff/Defendant or Petitioner/Respondent exhibit stickers to be used. Exhibits shall be identified by number and not letter. The parties shall coordinate to ensure that overlapping numbers are not used (e.g., Defendant/Respondents shall identify their exhibits starting with number 100, 500, etc. as appropriate.).

7. Each 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.
8. 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.
9. Each party shall assure that the proceedings are not being recorded or reported in any manner other than by the duly-authorized court reporter.

INFORMAL DISCOVERY CONFERENCES

When a case is referred to Department 1603 for an Informal Discovery Conference (IDC) and potential determination of the outstanding referred discovery issues, the following procedures will be followed, absent a written stipulation or court order otherwise:

1. The parties shall electronically file 5 page briefs outlining the areas in dispute at least 5 days before the conference. During the IDC, the court shall spend time with the parties and attempt to come to an amicable resolution of the discovery dispute. If the matters are not resolved, the parties will either have a prompt hearing resolving the dispute following the process set forth in Paragraph 2 below, should they so stipulate, or the case will be referred back to the Independent Calendar department for a noticed motion hearing in due course.
2. Upon stipulation of the parties, the Judge hearing the IDC will promptly hear and rule upon the disputed discovery issues. With such disputed matters, the parties will follow a modified concise Separate Statement process. (Code of Civil Procedure Sections 2030.300(b)(2), 2031.310(b)(3), and 2033.290(b)(2). The parties will electronically file a brief, concise separate statement with the court at least 5 days before the hearing. The moving party will first prepare the separate statement and provide the request, the objection and moving party's position as to why further responses are required. Responding party will then provide the basis of the objection which moving party will incorporate into the separate statement along with moving party's reply. The parties, in addition, may file up to 5 pages of points and authorities and a brief declaration supporting sanction requests not to exceed 3 pages. The timeline for the completion of the separate statement and dispositive hearing will be decided upon in the IDC. The goal of the separate statement is to have one concise document that encompasses the matters in dispute. The court will not consider overly lengthy or repetitive arguments in a separate statement as the purpose of this process is expeditious resolution of discovery disputes so the parties can prepare for trial in a timely fashion. The court will rule on all the referred discovery disputes including requests for sanctions.
3. A stipulation that there be a dispositive hearing on the disputed discovery issues by the Judge hearing the IDC, shall constitute a waiver of the parties' rights to the full noticed motion process for the resolution of these disputes contained in the Civil Discovery Act, and an understanding and agreement by the parties that the disputes will be resolved by the Judge hearing the IDC rather than the Independent Calendar.