

Superior Court of California County of Orange

HONORABLE WILLIAM CLASTER

DEPARTMENT CX101

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Welcome to Department CX101. To facilitate the progress of your case and assure its timely disposition, this Court has established the following procedures. Counsel also should be familiar with and must comply with Division 3 of the Local Rules of the Orange County Superior Court.

INITIAL CASE MANAGEMENT CONFERENCE

An initial case management conference will be scheduled by the clerk shortly after the filing of your case.

Prior to the initial case management conference, counsel for all parties will be ordered to meet and confer to discuss the following topics. Counsel are to be prepared to discuss the following issues with the Court at the initial case management conference:

1. Parties and the addition of parties;
2. Claims and defenses;
3. Issues of law that, if considered by the Court, may simplify or foster resolution of the case.
4. Appropriate alternative dispute resolution (ADR) mechanisms (e.g., mediation, mandatory settlement conference, arbitration, mini-trial, etc.);
5. A plan for preservation of evidence;
6. A plan for disclosure and discovery;
7. Whether it is possible to plan "staged discovery" so that information needed to conduct meaningful ADR is obtained early in the case, allowing the option to complete discovery if the ADR effort is unsuccessful;

8. Whether a structure of representation such as liaison/lead counsel is appropriate for the case in light of multiple plaintiffs and/or multiple defendants;
9. Procedures for the drafting of a Case Management Order, if appropriate;
10. Any issues involving the protection of evidence and confidentiality.

The Court will require the filing of a joint case management conference report prior to the initial case management conference. The joint case management conference report is to include the following:

1. A list of all parties and counsel;
2. A statement as to whether additional parties are likely to be added and a proposed date by which all parties must be served;
3. An outline of the claims and cross-claims and the parties against whom each claim is asserted;
4. Service lists and procedures for efficient service filing;
5. Whether any issues of jurisdiction or venue exist that might affect this Court's ability to proceed with this case;
6. Applicability and enforceability of arbitration clauses;
7. A list of all related litigation pending in other courts, a brief description of any such litigation, and a statement as to whether any additional related litigation is anticipated;
8. A description of core factual and legal issues;
9. A description of legal issues that, if decided by the Court, may simplify or further resolution of the case;
10. Whether discovery should be conducted in phases or limited; and if so, the order of phasing or types of limitations on discovery;
11. Whether particular documents and witness information can be exchanged by agreement of the parties;
12. The parties' tentative views on an ADR mechanism and how such mechanism might be integrated into the course of the litigation;
13. The usefulness of a written case management order; and
14. A target date and a time estimate for trial.

To the extent the parties are unable to agree on the matters to be addressed in the joint case management conference report, the positions of each party or of various parties shall be set forth separately. For cases designated as complex, the parties are NOT to use the case management conference form for non-complex cases (Judicial Council Form CM-110).

ATTORNEYS APPEARING AT THE CASE MANAGEMENT CONFERENCE MUST BE FULLY FAMILIAR WITH THE PLEADINGS AND THE AVAILABLE FACTUAL INFORMATION, AND MUST ALSO HAVE THE AUTHORITY TO ENTER INTO STIPULATIONS. THESE REQUIREMENTS SHALL ALSO APPLY TO ANY FUTURE STATUS CONFERENCES HELD IN THIS CASE.

The above information will be included in a case management conference order that will issue upon the setting of the initial case management conference.

Plaintiff will be required to give notice of the initial case management conference and serve a copy of the case management conference order upon any defendants presently or subsequently served.

LAW & MOTION PROCEDURES

Law and Motion matters are heard every Friday at 9:00 a.m. Motion reservations are required. Reservations are made by using the Court's online reservation system at www.occourts.org.

Tentative rulings will be made available on the day before the hearing and will be posted on the Court's public website at:
<http://www.occourts.org/directory/civil/tentative-rulings/>

INFORMAL DISCOVERY CONFERENCES

With rare exception, the Court requires that an informal discovery conference be held prior to the filing of any motion to compel discovery. Informal discovery conferences are held Monday through Thursday and are scheduled based on the Court's availability. Counsel are to contact the clerk at (657) 622-5301 for further information and to schedule an informal discovery conference.

TRIAL PROCEDURES

The Court requires that parties comply fully with Local Rule 317. The Court will discuss further trial procedures and requirements with the parties at the pre-trial conference.

COURTROOM DEMEANOR, CONDUCT, AND ETIQUETTE

Counsel are expected to adhere to the provisions of the California Attorney Guidelines of Civility and Professionalism (State Bar of the State of California, adopted July 20, 2007).