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## PROPOSED CHANGES

### Rule 3.1.05 Status Conference

~~(a) Statement: At least ten (10) calendar days before the scheduled Status Conference, each party shall file with the court and serve on all other parties a Status Conference Statement which includes the following:~~

- ~~1. the names, addresses and phone numbers of all attorneys of record and whom they represent;~~
- ~~2. a brief outline of the case;~~
- ~~3. the estimated court time to dispose of this case;~~
- ~~4. the estimated date the case will be ready for trial;~~
- ~~5. the efforts made at settlement; and~~
- ~~6. a statement that the parties have met and conferred pursuant to Rule 3.1.06 or the reason why compliance was not possible.~~

~~Either party may file and serve a completed form 1034 (available on the court's website) to fulfill the Status Conference Statement requirement.~~

~~Self represented litigants should complete form 1034, file it and serve it on all other parties to the litigation at least five days in advance of the Status Conference.~~

~~Judicial Council form CM 110 DOES NOT conform to the above requirements, and will not be accepted as a substitute for a Status Conference Statement.~~

~~(b) Participation in Conference: Counsel for each party and each self represented party appearing in the action shall attend the Status Conference and shall be familiar with the case and be fully prepared to discuss all matters stated in subdivision (a).~~

**(a) Avoiding attendance at Status Conference by use of forms 1034, 1040 and/or 1042 is encouraged.**

**(b) Represented parties will be given a first status conference date six months from filing of petition. Thereafter, status conferences will be set as requested, to a maximum of 12 months.**

**(c) "No show" Status Conferences are encouraged through the use of form 1034(revised).**

- 1. If both parties agree on the content of form 1034, including the next appearance date, the court will grant such a request, so long as the next date is within 12 months. In that event, neither side is expected to attend.**

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2. If the parties disagree on portions of the form 1034, but agree on the next appearance date, neither side is expected to attend, and the court will assign the agreed-upon date.
  3. If the parties disagree on future scheduling, but only one side files a form 1034, the future scheduling requested in the filed form 1034 will be granted by the court
  4. At the Status Conference, the court may:
    - a. setting the case for trial and mandatory settlement conference (a case will only be set for settlement conference if the attorney/parties think it would be productive);
    - b. continuing the case for further status conference;
    - c. severing or bifurcating causes of actions or issues;
    - d. consolidating cases; and
    - e. diminishing the action.

(Eff. 1/1/99) (Rev. 1/1/01) (Rev. 1/1/06) (Rev. 1/1/07)
- (d) Unrepresented parties will be given a first status conference date six months from filing of petition. Thereafter, status conferences will be set at three to six month intervals, at the court's discretion. As often as practical, self-represented matters will be set on a separate, self-representeds' afternoon (1:30 pm) calendar. If either party is or becomes represented, the matter will be transferred to an 8:30 calendar.
- (e) Privately Mediating parties will be given a first status conference date six months from filing. Thereafter, status conference scheduling will be every six months. The use of form 1040 for continuance of Status Conference is mandated. Request for Continuance of mediated cases will be denied if any other form is submitted.
- (f) Any party may file a Request for Trial (new form 1042) at any time after the first status conference. The form is available on the court website. A hard copy may be obtained in the courtroom.
- (g) Trials may not be set prior to the completion of discovery.
- (h) Either side may file a Request for Trial (form 1042). The trial setting will be set on an 8:30 calendar within four weeks of the filing of the Request for Trial. It is not necessary for the other side to also file a Request for Trial.
- (i) Both trial counsel must be present at trial setting.

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~~Participation in Conference: Counsel for each party and each self represented party appearing in the action shall attend the Status Conference and shall be familiar with the case and be fully prepared to discuss all matters stated in subdivision (a).~~

~~(Eff. 1/1/99) (Rev. 1/1/01) (Rev. 1/1/06) (Rev. 1/1/07)~~

## ~~Rule 3.1.06—Continuance of Status Conference~~

~~(a) Application by stipulation or by petitioner if respondent has not appeared: Parties requesting a stipulated continuance of a Status Conference must submit a written application on Form SUPCV 1013b, supported by a declaration showing good cause. The motion application shall be filed with the court no later than ten (10) calendar days before the conference. The order shall be granted only upon a finding of good cause. Only one such continuance shall be allowed per case. The Status Conference shall not be continued more than two months. Requests for specific dates must be consistent with current calendar schedules.~~

~~(b) Other Requests for Continuance: Parties requesting a non stipulated continuance of a Status Conference must file a noticed motion and set a hearing date pursuant to court rules governing hearings. The application must be supported by a declaration, and the order shall be granted only upon a finding of good cause.~~

~~(Eff. 1/1/99)(Rev. 1/1/01) (Rev. 1/1/06)~~

## ~~Rule 3.1.07—Request to Set or Advance Status Conference~~

~~A status conference may be set or advanced by notice. (Eff. 1/1/99)~~

## ~~Rule 3.1.08—No At Issue Memorandum for Domestic Relations Cases~~

~~No At Issue Memorandum or Request for Trial Setting shall be filed in any case filed after December 31, 1998. (Eff. 1/1/99)~~