

**CHAPTER 3
GENERAL PRETRIAL RULES**

RULE 3.1 APPLICATION OF GENERAL COURT RULES

These Rules are in addition to, and do not supersede, applicable state rules unless specifically authorized and so stated.

(Effective July 1, 2001.)

RULE 3.2 RELIEF FROM LOCAL RULES

Relief from operation of these rules must be on prior request to the court.

(Effective July 1, 2001.)

RULE 3.3 SANCTIONS

Failure to comply with any local rule or California Rules of Court may subject the party to sanctions pursuant to California Rules of Court, rule 227; Code of Civil Procedure sections 177.5 and 575.2.

(Effective July 1, 2001.)

RULE 3.4 REGULAR LAW AND MOTION

Civil Law and Motion matters are heard on Thursdays in Mammoth Lakes, (no Law and Motion matters will be set on the 5th Thursday of any month) and as needed in Bridgeport. Contact clerk for date. Matters in which the time estimates are 20 minutes or less are heard at 9:30 a.m.

(Effective July 1, 2001; amended July 1, 2006.)

RULE 3.5 SHORT CAUSES

Matters in which the time estimates are one-half day or less may be set on Law and Motion Day at such times as are approved in advance of setting by the Branch Calendaring Clerk.

(Effective July 1, 2001.)

RULE 3.6 AUTHORITY OF CLERK'S OFFICE REGARDING SETTINGS

The setting of cases for trial and for pretrial and mandatory settlement conferences is done by the presiding judge who has delegated initial authority in these matters to the clerk's office.

When matters are assigned for trial by the clerk's office they will be assigned to the available location and department.

(Effective July 1, 2001.)

RULE 3.7 NO AT ISSUE MEMORANDUM-CIVIL CASES

No at issue memorandum need be filed with the court.

(Effective July 1, 2001.)

RULE 3.8 SETTING CASES FOR TRIAL

Cases may be set for trial without a trial setting conference. Trial dates will be selected by the judge assigned to the case, who will consider the nature of the case, the Case Management Statement, the attorney's availability calendar and the condition of the court's calendar. The place of trial will be selected by the court after consideration of the convenience of the witnesses and parties as well as the availability of courtrooms.

(Effective July 1, 2001.)

RULE 3.9 REQUESTS FOR CHANGES IN TRIAL DATES

All requests for a change in trial date must either conform to section 3.10, or be brought by motion pursuant to Rule 375, California Rule of Court.

(Effective July 1, 2001.)

RULE 3.10 STIPULATION REGARDING CALENDARED MATTERS

Stipulations to vacate a matter that has been calendared or for a change of a date for a trial or other matter that has been calendared by the court are joint requests by the stipulating parties that a date be changed. The originally calendared date will not automatically be changed. If the stipulation is that the matter be continued to a specific date, the stipulation must aver that the clerk's office has approved the availability of the proposed date.

(Effective July 1, 2001.)

RULE 3.11 TRIAL SETTING CONFERENCE/SETTLEMENT CONFERENCE

Trial Setting Conference/Settlement Conferences are mandatory for any civil case where jury is demanded. Appearances are mandatory. The Clerk of the Court shall notice counsel by mail of Trial Setting Conference/Settlement Conferences after the case is on the civil active list, unless counsel appeared in Court when such a hearing was scheduled. (see rule 4.10).

(Effective July 1, 2001.)

RULE 3.12 NOTICE OF TRIAL

Following the trial setting conference, the Clerk shall mail notice of trial pursuant to Rule 221, California Rules of Court.

(Effective July 1, 2001.)

RULE 3.13 PRETRIAL CONFERENCE

A pre-trial conference will be set approximately two weeks prior to trial. Motions in limine shall be heard at the pretrial conference, and not on the day of trial. (see Rule 4.8).

(Effective July 1, 2001.)