

# COURTNEWS

AN ONLINE AND EMAIL NEWSLETTER TO THE BAR

AUGUST 13 2004

## INTERIM CALENDAR CHANGES

As you know, our court is experiencing an unusual number of changes. Five outstanding judges with tremendous experience will have retired by October. Judges Kopp, Hahn, Whitmer, Kemp and Shelton have served this court and the public with distinction and class. We are grateful that retired Judges Quentin L. Kopp and Thomas McGinn Smith have agreed to return as assigned judges on a regular basis. The retirement of judges in conjunction with the unexpected departure of three court commissioners, has limited our ability to manage our work and called for our court administration to be creative in the utilization of existing resources.

On behalf of all the judges we would like to sincerely thank the many members of our Bar Association who have volunteered to serve as pro-tem judges in traffic and small claims court. We are equally grateful for the attorneys who have volunteered to serve, often on short notice, as judge pro-tems on the family law support and unlawful detainer calendars.

We would also like to recognize the efforts of Peggy Thompson, Superior Court Executive Officer and the Administrative Office of the Court for the help they have provided in assigning and funding retired judges who have helped staff our calendars this summer.

Some of the calendar changes we have had to make are made out of absolute necessity and not by choice. We would like to thank the many judges and commissioners who have been willing to take on new assignments.

We would also like to thank the members of the bar for their understanding and patience, while we work through these changes.

Given the foregoing, the following calendar changes are implemented effective August 16, 2004. These changes will be reviewed once three new commissioners are hired and commence work in September or October 2004.

### **Effective August 16, 2004:**

Criminal Court Commissioner Joseph N. Gruber is transferred to hear Redwood City Branch traffic and small claims.

Redwood City traffic and small claims Commissioner Susan Greenberg is transferred to hear South San Francisco Branch traffic and small claims.

Family Law Commissioner Kathleen McKenna is transferred to hear San Mateo Branch traffic and small claims from August 18, 2004 to September 10, 2004.

Civil Supervising Judge Robert D. Foiles will hear Law & Motion the weeks of August 16, 2004 and August 23, 2004.

Judge Carol Mittlesteadt will hear Commissioner Kathleen McKenna's Family Law Calendar August 18, 19, 20, and the week of August 23, 2004.

Judge Robert D. Foiles will hear Commissioner Kathleen McKenna's Family Law Calendar the week of August 30, 2004.

Judge John Schwartz will hear the San Mateo Branch traffic and small claims calendars the weeks of September 13, September 20 and September 27, 2004.

Trial Judges in Redwood City will hear, on a rotating basis, non-trial criminal calendars previously assigned to Commissioner Gruber.

One trial department will be reduced in the South San Francisco branch. A visiting judge will be assigned to the South San Francisco branch to hear criminal arraignments, pre-trials and preliminary hearings. Judge Steven Dylina will also hear criminal matters in the South San Francisco branch as needed.

During the weeks of August 16, and August 30, 2004, Judge Robert D. Foiles' CMC calendar will be heard by Judge Joseph Bergeron. During the weeks of August 23, 2004 and September 6, 2004, Judge Stephen M. Hall will hear Judge Foiles' CMC calendar. Judge Bergeron has Court Call installed in his courtroom so that it is available for these calendars. Judge Kopp will continue to hear his regularly assigned CMC calendars.

Tuesday Night Small Claims Court will be heard by Commissioner Gruber.

Wednesday Night Traffic Court will be heard by Judge Forcum.

Upon the retirement of Judge Kemp, effective September 3, 2004, Mandatory Settlement Conferences will be assigned to available judges from presiding Judge Mark R. Forcum's department. A calendar will be posted on the first floor with the department number your case will be assigned to. A duplicate copy of this calendar will be posted on Judge Forcum's courtroom door. In the absence of Judge Forcum, Assistant Presiding Judge George A. Miram will assign settlement conference from his courtroom following the same protocols.

A separate and new section of our court Web page will also contain a copy of the settlement conferences by case name with a listing of which judge will be assigned the settlement conference. These Internet postings will be made at the same time as the tentative rulings - 3:00 p.m., the previous day. If you have a question as to the location of your settlement conference please contact Judge Mark R. Forcum's department at 650-363-7835.

Effective September 3, 2004, correspondence pertaining to settlement conferences, e.g., a request to not have an insurance adjustor or principal appear, are to be directed to Assistant Presiding Judge, George A. Miram, Department 28.

Effective September 3, 2004, the Tuesday morning Dismissal Calendar will be heard in Assistant Presiding Judge George A. Miram's department.

Finally, we'd like to again thank Vicki Robinson of the Bar Association for all of her help in notifying bar members of this e-mail Bench/Bar communication. If you have any comments or constructive suggestions, please feel free to write to one of us, using the [Webmaster link](#) on the Court's website (located at [www.sanmateocourt.org](http://www.sanmateocourt.org))

Mark R. Forcum  
Presiding Judge

George A. Miram  
Assistant Presiding Judge