



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

Hall of Justice and Records

400 County Center

Redwood City, California 94063-0965

Jeniffer Alcantara (650) 261-5016
COURT EXECUTIVE OFFICER
CLERK & JURY COMMISSIONER

October 2, 2026

To All Interested Persons,

The Court is making changes to its Local Court Rules. These new changes will become effective January 1, 2027. The Court invites you to review and provide your comment on these proposals pursuant to the State of California Rules of Court, Rules 10.613 and 10.815.

You may send your comments to: smcccomment@sanmateocourt.org with a subject line stating "Comments on Proposed Rule Changes". Please identify the rule you are commenting on.

Comments must be received by no later than **Monday, November 16, 2026 at 4:30 P.M.**

Sincerely,
Jeniffer Alcantara, Court Executive Officer

A handwritten signature in dark ink, appearing to read "Blake Cox".

By: Blake Cox
Court Rules Committee Staff

	January 2027
Title	LOCAL RULE Division II, Chapter 1 / Rule 2.1.8 Documents That Cannot Be Electronically Filed
Summary	Clarification of filing procedures.
Proposed Changes	(a) In All Actions: Ex parte applications (except probate ex parte filings that comply with Local Rule 4.7 <u>and ex parte applications and supporting documents in all civil actions</u>) and all other ex parte filings; trial exhibits; administrative records; writs; abstracts; subpoenas; bonds and undertakings; out-of-state commissions; out-of-state judgments; subpoenas for out-of-state actions.

	January 2027
Title	LOCAL RULE Division III / Rule 3.500(a) Ex Parte Applications in General Civil
Summary	Update to reflect that the Civil Commissioner will no longer hear ex partes.
Proposed Changes	Ex parte applications in general civil actions <u>including unlawful detainer matters</u> are heard by the Civil Judge assigned to that civil case. The Department of each Civil Judge is available for ex parte applications two days per week at 1:30 p.m. Parties and their counsel must check the Court's website at www.sanmateo.courts.ca.gov under the Civil Departments section for the specific days of the week when ex partes are heard by the assigned Civil Judge. The parties must meet all requirements of CRC Rule 3.1200 et seq.

	January 2027
Title	LOCAL RULE Division III / Rule 3.500(c) Ex Parte Applications in General Civil
Summary	Change in language to clarify the procedure.
Proposed Changes	Ex parte applications, ex parte oppositions, and all other ex parte filings must be electronically filed, except that unrepresented individuals may submit and file such documents in paper form or electronically. A courtesy copy of all ex parte applications, ex parte oppositions, and all other ex parte filings must either be emailed to the department of the single assigned judge <u>at the time of the electronic filing. If an applicant will appear in person and has not electronically filed the documents in advance, they must submit a courtesy copy to the single assigned judge and or provided in a hard copy for filing</u> at the time of the hearing. The subject line must include the case caption and state "Ex Parte Application" or "Opposition to Ex Parte Application" along with the date and time of the hearing. Failure to present a proposed order at the

	time of presentation of the ex parte application will result in denial of the ex parte application.
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	January 2027
Title	LOCAL RULE Division III / CIVIL LAW & MOTION CALENDAR / Rule 3.700 Informal Discovery Conferences in General Civil Actions
Summary	Update to address questions and issues frequently encountered and observed by the Civil Commissioner in the scheduling and the holding of IDCs, as to the following subdivisions: (c). Although rare, parties may sometimes be instructed (or need) to appear in person. (d) and (e). Move last sentence of subdivision (e) to last new last sentence of subdivision (d)(i). (g). Clarifying/affirming that parties should meet and confer prior to the IDC, as opposed to using the IDC as their initial meet and confer. (h). Clarifying/affirming that the IDC email thread is not to be used for the parties meet and confer efforts.
Proposed Changes	(c) Remote Only. <u>Unless otherwise instructed</u>, Informal Discovery Conferences in general civil cases are conducted remote only by Zoom, and are not recorded by any party and are not reported by any court reporter. (d)(i) To request an Informal Discovery Conference, counsel must contact the Court by email at IDC@sanmateocourt.org, which email must be contemporaneously copied to counsel for all parties to the action and any self-represented parties. Any party requesting an Informal Discovery Conference shall identify the case name and number, the name of the party requesting the Informal Discovery Conference, the date and time reserved by that party for the Informal Discovery Conference, and the estimated length of the IDC session. <u>Prior to making a request with the Court, counsel shall obtain the consent of the opposing counsel(s) in writing to engage in an Informal Discovery Conference.</u> (e) Tolling of Deadline to File Motion. By agreeing to engage in an Informal Discovery Conference, parties agree that the time for bringing any motion to compel or other discovery motion is tolled, starting on the date a party makes the email request for an Informal Discovery Conference to the Court. All requests for Informal Discovery Conference must be made prior to the expiration of the statutory time to bring a motion to compel or other discovery motions. Tolling shall be automatically lifted upon completion of the Informal Discovery Conference; and the time in which to bring a discovery motion shall resume running thereafter, unless otherwise agreed by the parties in

writing, or unless otherwise agreed by the parties at the Informal Discovery Conference and placed in the Court's Minutes including an affirmative waiver of the statutory requirement that it be in writing. ~~Prior to making a request with the Court, counsel shall obtain the consent of the opposing counsel(s) in writing to engage in an informal discovery conference.~~

(g) Statutory Declaration Waived. The Court waives any requirement for the parties involved in the discovery dispute to file "meet and confer" declarations pursuant to Code of Civil Procedure Sections 2016.040 prior to the Informal Discovery Conference. The dispute will be addressed by the e-correspondence method/procedure set forth above; and the parties are requested not to file any such declarations unless and until the Informal Discovery Conference is unsuccessful and a formal discovery motion is subsequently filed. Notwithstanding the foregoing, the parties are expected to have exhausted their meet and confer efforts prior to the Informal Discovery Conference.

(h)(ii) All correspondence regarding any Informal Discovery Conference, such as IDC letter briefs, requests to take matters off calendar, and requests for rescheduling, shall be submitted electronically, rather than paper, by e-mail addressed to IDC@sanmateocourt.org. All electronic correspondence must be sent in at least 12 point type. All electronic correspondence with the IDC Department must also be contemporaneously sent to opposing counsel or opposing self-represented parties. The IDC Department's email address is for the sending and receiving of correspondence, and is not a venue for back-and-forth communications with the Civil Commissioner; nor with other parties unless related to the scheduling of the Informal Discovery Conference

	January 2027
Title	LOCAL RULE Division III / Rule 3.805(c) Initial Case Management Conference Requirements
Summary	Change in language to reflect current policy.
Proposed Changes (insert text of new rule or changes here with track changes)	Pursuant to CRC Rule 3.725, all parties must file and serve a Case Management Statement (form CM-110) at least fifteen (15) calendar days prior to the date set for the initial Case Management Conference. Failure of any party to timely file and serve a Case Management Statement may result in the Court continuing the initial Case Management Conference and/or the issuance of an Order to Show Cause re: Sanctions.

	January 2027
Title	LOCAL RULE Division III / Rule 3.1201(i) Special Deadlines for Unlawful Detainer Law & Motion Matters
Summary	Requires the defendant in a UD action to move to quash service within the ten (10) day statutory period rather than the prior five (5) day period.
Proposed Changes	(i) Any motion to quash service of summons or motion to stay or dismiss the action on the ground of inconvenient forum, under Code of Civil Procedure Section 418.10(a), must be filed within the five (5) <u>ten (10)</u> court day period allotted for responding to the Unlawful Detainer complaint, as required by Code of Civil Procedure C.C.P. Section 1167(a). Hearing on such motion shall be set between three (3) and seven (7) calendar days thereafter, <u>on the calendar of the assigned Civil Judge,</u> pursuant to C.C.P. Section 1167.4. <u>(See Code Civ. Proc., § 1167, subd. (a), eff. Jan. 1, 2025.)</u>

	January 2027
Title	LOCAL RULE Division III / Rule 3.1201(ii) Special Deadlines for Unlawful Detainer Law & Motion Matters
Summary	Requires any UD demurrer to be heard within five (5) to seven (7) court days per the statute.
Proposed Changes	(ii) As to any demurrer or other motion regarding the pleadings, other than a motion under C.C.P. Section 418.10(a), and as to any motion pursuant to C.C.P. section 1170.5(b) or (c), the hearing thereon shall be set on the Civil Law and Motion Calendar pursuant to C.C.P. Section <u>1170(b)(1). The hearing on the motion shall be not less than five court days nor more than seven court days after the filing of the notice of motion.</u> 1005, which requires sixteen (16) court days' notice. Any party seeking a hearing date on less than 16 court days' notice shall be required to obtain an ex parte order shortening time pursuant to CRC Rules 3.1200-3.1207. <u>(See Code Civ. Proc., § 1170, subd. (b)(1), eff. Jan. 1, 2024.)</u>

	January 2027
Title	LOCAL RULE Division III / Rule 3.500(a)
Summary	Change in current rule to advise parties that the Civil Commissioner will no longer hear ex partes.
Proposed Changes	(a) <u>The Civil Commissioner will no longer hear ex parte matters.</u> Ex parte applications in general civil actions are heard by the Civil Judge assigned to that civil case. The Department of each Civil Judge is available for ex parte applications two days per week at 1:30 p.m. Parties and their counsel must check the Court's website at www.sanmateo.courts.ca.gov under the Civil Departments section for the specific days of the week when ex partes are heard by the assigned Civil Judge. The parties must meet all requirements of CRC Rule 3.1200 et seq.

	January 2027
Title	LOCAL RULE Division III / Rule 3.500(c)
Summary	Change in current rule to permit e-filing of ex parte papers, and to advise parties that the Civil Commissioner will no longer hear ex partes.
Proposed Changes	(c) Ex parte applications, ex parte oppositions, and all other ex parte filings must be submitted and filed in paper form, and cannot be electronically filed. <u>must be electronically filed, except that unrepresented individuals may submit and file such documents in paper form or electronically. A courtesy copy of all ex parte applications, ex parte oppositions, and all other ex parte filings must <i>either</i> be emailed to the department of the single assigned judge or provided in hard copy at the time of the hearing. The subject line must include the case caption and state "Ex Parte Application" or "Opposition to Ex Parte Application" along with the date and time of the hearing.</u> Failure to present a proposed order at the time of presentation of the ex parte application will result in denial of the ex parte application.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

Proposed Local Rule Changes — Family Law (Division V)

Early Settlement Conference, Trial Setting Conference, Pretrial Conference, and Trial Production Timeline

Submitted for review by the Judges' Local Rules Committee — proposed effective date January 1, 2027

Summary of the Proposal

These proposals revise the Family Law Department's pretrial process. Under the current rules a case proceeds from Status Conference to Mandatory Settlement Conference, and a trial date is set only after the Mandatory Settlement Conference has occurred. Under the proposed rules the Family Law Commissioner conducts all Status Conferences, a new Early Settlement Conference, and the Mandatory Settlement Conference; the case otherwise remains with the assigned department. The Early Settlement Conference is required in every case in which a Status Conference is set, unless the Commissioner excuses it on the parties' representation that substantial settlement was attempted through private mediation or a private temporary judge. Once the Early Settlement Conference has been held or excused, the Commissioner sets a Trial Setting Conference before the assigned department, where the trial date is set and a Pretrial Order issues. The Mandatory Settlement Conference is then held seven weeks before trial, a one-page Pretrial Conference Statement is filed six weeks before trial, and a Pretrial Conference is held five weeks before trial. Costly trial production (briefed motions in limine, trial briefs, exhibit binders) is due only if the case proceeds past the Pretrial Conference.

Existing subdivisions D (Mandatory Settlement Conferences), E (Short Cause Trials), and F (Long Cause Trials) of Rule 5.8 are relettered F, I, and J to accommodate new subdivisions D (Early Settlement Conference), E (Trial Setting Conference), G (Pretrial Conference), and H (Trial Production Deadlines). Rule 5.4 and Appendices 1 and 2 are conformed, and two new appendices (3 and 4) provide the Early Settlement Conference Statement and Pretrial Conference Statement forms.

Index of Proposals

No.	Rule / Appendix	Nature of change
1	Division V Table of Contents	Conforming: retitle Rule 5.8; add Appendices 3 and 4.
2	Rule 5.4 B and E	Amended: special assignment of settlement conferences to the Family Law Commissioner; reassignment where a party declines to stipulate.
3	Rule 5.8 caption and subd. B	Amended: caption; same-day trial settings and statutory priority.
4	Rule 5.8 subd. C	Amended: Status Conference (paragraphs 1, 6(a), 9, 10).
5	Rule 5.8 subd. D (new)	New: Early Settlement Conference; existing D, E, F relettered F, I, J.
6	Rule 5.8 subd. E (new)	New: Trial Setting Conference; Pretrial Order; computation of deadlines.
7	Rule 5.8 subd. F (former D)	Amended: Mandatory Settlement Conference held after trial setting; paragraph 6 deleted.

No.	Rule / Appendix	Nature of change
8	Rule 5.8 subd. G (new)	New: Pretrial Conference Statement and Pretrial Conference.
9	Rule 5.8 subd. H (new)	New: Trial production deadlines; continuances; extensions.
10	Rule 5.8 subd. I (former E)	Amended: Short Cause Trials (paragraphs 1 and 6).
11	Rule 5.8 subd. J (former F)	Amended: Long Cause Trials (paragraphs 2, 4, 5); amendment history.
12	Appendix 1 (FL-22)	Amended: retitled; applies to both settlement conference statements.
13	Appendix 2 (FL-23)	Replaced: Long Cause Trial Rules Checklist keyed to the trial date.
14	Appendix 3 (new, FL-XX)	New: Early Settlement Conference Statement.
15	Appendix 4 (new, FL-XX)	New: Pretrial Conference Statement.

Items marked for confirmation before adoption: (a) the exhibit-intake language in subdivision H(2)(d) should be verified against current department practice; (b) local form numbers are shown as FL-XX pending assignment; (c) the five-court-day filing period for the Trial Setting Conference Statement in subdivision E(2) is a drafting default.

Proposal Number	Proposal Number X Fall 26
Title	DIVISION V Table of Contents
Discussion	Conforming changes to the Division V Table of Contents to reflect the amended caption of Rule 5.8 and the addition of Appendices 3 and 4.
Proposed Changes	... Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference, <i>and Pretrial Conference</i> Rules ... Appendix 1, Mandatory Settlement Conference Statement format (FL-22) Appendix 2, Long Cause Trial Rules Checklist (FL-23) <i>Appendix 3, Early Settlement Conference Statement (FL-XX)</i> <i>Appendix 4, Pretrial Conference Statement (FL-XX)</i>

Proposal Number	Proposal Number X Fall 26
Title	LOCAL RULE 5.4 Case Flow Management (subdivisions B and E)
Discussion	Below are conforming changes to Rule 5.4. Under the revised pretrial process (see the companion proposals amending Rule 5.8), the Family Law Commissioner conducts all Status Conferences, Early Settlement Conferences, and Mandatory Settlement Conferences. The change to subdivision B provides that the case is specially assigned to the Commissioner for those conferences and otherwise remains with the assigned department for all purposes. The change to subdivision E(2) addresses a party who declines to stipulate to the Commissioner acting as a temporary judge for a settlement conference: the conference is reassigned to another judicial officer or, with the agreement of all parties, to a Settlement Officer, without reassigning the case as a whole.
Proposed Changes	Rule 5.4 Case Flow Management ... B. Assignment for all purposes: The assigned department shall handle all proceedings in the case, including but not limited to, orders to show cause, ex parte applications, request for orders, law and motion, status, and settlement conferences, and trial. <i>Status Conferences, Early Settlement Conferences, and Mandatory Settlement Conferences are specially assigned to the Family Law Commissioner as provided in Rule 5.8; the case otherwise remains with the assigned department.</i> Post-judgment motions for enforcement and/or modification should also be heard in the initial department whenever possible. If the assigned department is disqualified, recuses itself, or there is a change in

	assignments, the case shall be re-assigned to another Family Law Department. Nothing herein shall be construed to interfere with the power of the supervising family law judge to assign or reassign cases pursuant to California Rules of Court. ... E. Cases Assigned to Commissioners: ... 2. When a case is assigned to a commissioner, Local Form AD-10, Stipulation for Court Commissioner to Act as Temporary Judge for All Purposes is available to the parties and shall be filed before the first hearing. The refusal of a party to stipulate to a commissioner will result in the reassignment of the case to a judge and the hearing may be continued to another date. <i>Where a party declines to stipulate to the Family Law Commissioner conducting an Early Settlement Conference or a Mandatory Settlement Conference under Rule 5.8, the conference will be reassigned to another judicial officer or, with the agreement of all parties, to a Settlement Officer, and the case otherwise remains with the assigned department.</i> ... (Adopted, effective January 1, 2000) (Amended, effective January 1, 2003) (Amended, effective January 1, 2004) (Amended, effective January 1, 2005) (Amended, effective January 1, 2007) (Amended, effective January 1, 2009) (Amended, effective July 1, 2012) (Amended, effective January 1, 2017) <i>(Amended, effective January 1, 2027)</i>
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Proposal Number	Proposal Number X Fall 26
Title	LOCAL RULE 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference Rules — Caption and Subdivision B (Trials)
Discussion	The caption of Rule 5.8 is amended to reflect the addition of the Early Settlement Conference and the Pretrial Conference to the pretrial process (see the companion proposals amending the remaining subdivisions of Rule 5.8). A sentence is added to subdivision B authorizing the Court to set two or more long cause or short cause trials for the same day and providing that, where two or more trials remain set to proceed on the same day one week before trial, the Court will notify the parties which matter has statutory priority, proceed with that matter, and trail the matter or matters with lower priority for resetting. This codifies existing calendaring practice and gives parties advance notice of how calendar conflicts are resolved. Statutory trial preferences applicable in family law matters include Family Code sections 3023 and 4003 and Code of Civil Procedure section 36.

Proposed Changes	Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference, <i>and Pretrial Conference</i> Rules ... B. Trials – Please refer to Rule 5.393 of the California Rules of Court. <i>Two or more long cause or short cause trials may be set for the same day. If two or more trials remain set to proceed on the same day one week before the trial date, the court will notify the parties which matter has statutory priority. The court will proceed with the matter having statutory priority; any matter with lower statutory priority will trail and be reset by the court.</i> ...
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Proposal Number	Proposal Number X Fall 26
Title	LOCAL RULE 5.8 — Subdivision C (Status Conference)
Discussion	Below are amendments to the Status Conference provisions of Rule 5.8. The Family Law Commissioner conducts all Status Conferences, Early Settlement Conferences, and Mandatory Settlement Conferences; the case otherwise remains with the assigned department. The changes to paragraph (C)(1) reflect that assignment and provide that a temporary judge or Settlement Officer may be used for a conference only with the agreement of all parties, with the conference otherwise returning to the Commissioner. This replaces the current notice-and-objection procedure. The changes to paragraphs (C)(6)(a) and (C)(9) replace the Mandatory Settlement Conference with the new Early Settlement Conference as the step following the Status Conference. When the Commissioner deems the case ready, the Commissioner sets an Early Settlement Conference or, where that requirement has been excused under new subdivision D, a Trial Setting Conference before the assigned department. The change to paragraph (C)(10) conforms the judge pro tem provision to the agreement requirement in paragraph (C)(1). Paragraphs (C)(2) through (C)(5), (C)(7), and (C)(8) are unchanged.
Proposed Changes	Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference Rules ... C. Status Conference: 1. Date set upon filing: Except as set forth in paragraph 2 below, every case for dissolution of marriage, nullity, or legal separation filed after the effective date of this rule will be assigned a Status Conference with the assigned judicial department <i>Family Law Commissioner</i> on a date and time or a temporary judge or Settlement Officer to be provided by the court upon filing of a Response. The Conference will be set in the assigned department approximately 120 days from the filing of the Response unless counsel or self-represented parties request that the Status Conference be held earlier, a judgment has been entered, or a

	dismissal has been filed. The court will serve a copy of the Notice of Assignment and Status Conference on the parties when the Conference is set. Occasionally, a temporary judge or Settlement Officer will may be available to assist parties at either a Status Conference or , <i>an Early Settlement Conference, or a Mandatory Settlement Conference.</i> These temporary judges or Settlement Officers will be experienced family law attorneys who have been approved by the supervising judge of the Family Law Department and/or the presiding judge. If a case is assigned to a temporary judge or Settlement Officer, litigants will be notified and asked if there will be any objection. If either side objects to the assignment at either the Status Conference or Mandatory Settlement Conference to a temporary judge or Settlement Officer, then the Status Conference or Mandatory Settlement Conference will be conducted by the Family Law Commissioner. <i>The Family Law Commissioner may offer the assistance of a temporary judge or Settlement Officer, but a conference will be assigned to a temporary judge or Settlement Officer only with the agreement of all parties. If any party objects, the conference will be conducted by the Family Law Commissioner.</i> ... 6. Actions and orders: At the Status Conference, provided that the parties have stipulated and when legally required, the court shall take appropriate action and make orders consistent with the policy of prompt case resolution. Such actions may include but are not limited to the following: a. Set the case for trial and/or mandatory settlement conference <i>an Early Settlement Conference or, where the requirement of an Early Settlement Conference has been excused under subdivision D, a Trial Setting Conference in the assigned department;</i> ... 9. The matter may not be set for trial until the judicial officer <i>Family Law Commissioner</i> conducting the Status Conference deems the matter ready for a Mandatory Settlement Conference and/or trial <i>an Early Settlement Conference or, where that requirement has been excused under subdivision D, a Trial Setting Conference.</i> 10. Judges Pro Tem: Experienced family law attorneys may be assigned as judges pro tem, <i>with the agreement of all parties,</i> to assist the parties and counsel in reaching a settlement. (It is not necessary for a party to stipulate to a judge pro tem at settlement conferences unless there is a request for stipulations to be placed on the record.) Parties are required to participate in meaningful settlement discussions and attempt to resolve as many trial issues as possible. The supervising judge and any judge or commissioner not otherwise engaged may be available for additional assistance, including making orders for sanctions requested by either party. ...
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Proposal Number	Proposal Number X Fall 26
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Title	LOCAL RULE 5.8 — New Subdivision D (Early Settlement Conference)
Discussion	Below is a proposed new subdivision D establishing the Early Settlement Conference ("ESC"). The ESC is conducted by the Family Law Commissioner (or, with the agreement of all parties, by a Settlement Officer or a judicial officer not hearing the trial) and is required in every case in which a Status Conference has been set. It is set when the Commissioner determines at a Status Conference that the case is ready. The ESC Statement follows the existing Appendix 1 format, with inapplicable sections marked "N/A," and focuses on the issues remaining in dispute and each party's specific proposal on each issue. The parties may file a joint statement. Paragraph (D)(7) permits the Commissioner to excuse the ESC where all parties represent that they have participated in private mediation or proceedings before a private temporary judge and that substantial settlement efforts were made, and the Commissioner finds that a sufficient prior settlement effort was made. The case then proceeds to a Trial Setting Conference. The waiver may be requested by written stipulation or on the record at a Status Conference; no new local form is proposed for this purpose, and the existing deferral procedure in subdivision (C)(2) is unchanged. To accommodate this and the other new subdivisions, existing subdivisions D (Mandatory Settlement Conferences), E (Short Cause Trials), and F (Long Cause Trials) are relettered F, I, and J, respectively, in the companion proposals.
Proposed Changes	Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference Rules ... <i>D. Early Settlement Conference (ESC):</i> <i>1. Assignment: Early Settlement Conferences are conducted by the Family Law Commissioner, to whom the case is specially assigned for that purpose. With the agreement of all parties, an Early Settlement Conference may instead be conducted by a Settlement Officer or by a judicial officer not assigned to hear the trial. If a party declines to stipulate to the Family Law Commissioner under Rule 5.4(E), the conference will be reassigned to another judicial officer or, with the agreement of all parties, to a Settlement Officer. The case otherwise remains with the assigned department.</i> <i>2. Applicability: An Early Settlement Conference is required in every case in which a Status Conference has been set, unless excused under paragraph 7 below. In a short cause matter, an Early Settlement Conference may be set in the discretion of the Family Law Commissioner or the assigned judicial officer.</i> <i>3. Setting: The Family Law Commissioner will set the Early Settlement Conference at a Status Conference upon determining that the case is ready. The Family Law Commissioner may continue an Early Settlement Conference or set a further Early Settlement Conference before referring the case for a Trial Setting Conference.</i>

	4. Meet and Confer: <i>Before the Early Settlement Conference, counsel and self-represented parties shall meet and confer to resolve as many issues as possible and to identify the issues remaining in dispute.</i> 5. Early Settlement Conference Statement: <i>Each party shall prepare an Early Settlement Conference Statement following the format set forth in Appendix 1 (see Local Court form FL-XX, Appendix 3). Sections of the format that do not apply may be marked "N/A." The statement shall identify each issue remaining in dispute and shall state with specificity the party's good faith proposal for the disposition of each such issue. If support or fees are at issue, a current Income and Expense Declaration shall be included. The parties may file a jointly prepared statement. The statement shall be filed with the court and served on all other parties, and a copy delivered to the judicial officer or Settlement Officer conducting the conference, in such a manner as to assure it is received no later than 12 noon 5 court days prior to the Early Settlement Conference.</i> 6. Attendance: <i>Both parties and their counsel of record shall attend the Early Settlement Conference and be prepared to conduct a meaningful settlement conference. The Family Law Commissioner may permit any party or counsel to appear remotely.</i> 7. Excusing the Early Settlement Conference: <i>The requirement of an Early Settlement Conference may be excused where all parties represent, by written stipulation or on the record at a Status Conference, that they have participated in private mediation or in proceedings before a private temporary judge and that substantial settlement efforts were made. The Family Law Commissioner may excuse the requirement, on the papers submitted or at the Status Conference, upon determining that a sufficient prior settlement effort was made. Where the requirement is excused, the case will be set for a Trial Setting Conference under subdivision E.</i> 8. Sanctions: <i>Upon notice and opportunity to be heard, the court may impose sanctions, including sanctions under Family Code section 271, if an Early Settlement Conference Statement is not timely filed and served, a party or counsel fails to attend, or a party or counsel fails to participate meaningfully in the conference.</i> 9. Referral for Trial Setting: <i>When the Early Settlement Conference has been held or excused and the Family Law Commissioner determines that the case is ready, the Family Law Commissioner will set a Trial Setting Conference in the assigned department.</i> ...
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Proposal Number	Proposal Number X Fall 26
Title	LOCAL RULE 5.8 — New Subdivision E (Trial Setting Conference)

Discussion	Below is a proposed new subdivision E establishing the Trial Setting Conference ("TSC"). The TSC is set by the Family Law Commissioner in the assigned department once the Early Settlement Conference has been held or excused. A one-page Trial Setting Conference Statement identifying the issues remaining for trial and the party's time estimate is required. At the TSC the assigned department sets the trial date and issues a Pretrial Order containing the dates of the Mandatory Settlement Conference, Pretrial Conference Statement, Pretrial Conference, and each production deadline in subdivision H. Paragraph (E)(4) states the convention for computing deadlines: events before the Pretrial Conference are stated in weeks before the trial date; deadlines after the Pretrial Conference are stated as a number of calendar days before the trial date ("T – 25"). A deadline falling on a weekend or court holiday moves to the next court day. The five-court-day filing period for the TSC Statement is a drafting default for the Committee's consideration.
Proposed Changes	Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference Rules ... <i>E. Trial Setting Conference (TSC):</i> <i>1. Setting: A Trial Setting Conference will be set by the Family Law Commissioner in the assigned department as provided in subdivision D(9). The Trial Setting Conference is conducted by the assigned judicial officer.</i> <i>2. Trial Setting Conference Statement: At least 5 court days before the Trial Setting Conference, each party shall file with the court and serve on all other parties a Trial Setting Conference Statement of no more than one page stating (a) the issues remaining for trial and (b) the party's estimate of the time required for trial. The parties may file a jointly prepared statement.</i> <i>3. Trial Date and Pretrial Order: At the Trial Setting Conference the assigned department will set the trial date and issue a Pretrial Order stating the date of the Mandatory Settlement Conference, the date the Pretrial Conference Statement is due, the date of the Pretrial Conference, and each deadline provided in subdivision H, computed from the trial date.</i> <i>4. Computation of Deadlines: As used in this rule, "trial date" or "T" means the first day of trial. Events before the Pretrial Conference are stated in weeks before the trial date. Deadlines after the Pretrial Conference are stated as a number of calendar days before the trial date (for example, "T – 25" means 25 calendar days before the first day of trial) unless court days are specified. A deadline falling on a weekend or court holiday moves to the next court day.</i> ...

Proposal Number	Proposal Number X Fall 26
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Title	LOCAL RULE 5.8 — Subdivision F (Mandatory Settlement Conferences), formerly Subdivision D
Discussion	Existing subdivision D is relettered F and amended. The Mandatory Settlement Conference is retained and remains required in every long cause case (and in short cause matters by stipulation and order), but it is now held after the trial date has been set: the Pretrial Order sets the MSC approximately seven weeks before trial. The MSC is conducted by the Family Law Commissioner or, with the agreement of all parties, by a Settlement Officer or a judicial officer not assigned to hear the trial. The requirement that counsel call the clerk five court days before the MSC is retained. The meet-and-confer period in paragraph 2 is changed from seven court days to one week and is coordinated with the exchange of witness and exhibit lists, notice of intended motions in limine, and Income and Expense Declarations required by subdivision H(1). Paragraph 4 permits remote appearance in the Commissioner's discretion. Former paragraph 6 ("Setting for Trial") is deleted because the trial date is set before the MSC. Former paragraphs 7 and 8 are renumbered 6 and 7 and conformed to the agreement requirement for temporary judges and Settlement Officers. The list of documents in paragraph 3(a)–(g), paragraph 5, and paragraph 7(c)–(g) are unchanged.
Proposed Changes	Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference Rules ... § F. Mandatory Settlement Conferences (MSC) 1. Calendaring: No long cause case will be tried until the parties participate in a Mandatory Settlement Conference ("MSC"). A Mandatory Settlement Conference is available on short cause matters by stipulation and court order. The date for the MSC will be set at the final status conference by the clerk of the assigned department at the Trial Setting Conference and stated in the Pretrial Order. The MSC will be held approximately seven weeks before the trial date. The MSC will be conducted by the Family Law Commissioner or, with the agreement of all parties, by a Settlement Officer or a judicial officer not assigned to hear the trial. Additional Mandatory Settlement Conferences may be held on the joint request of the parties or on order of the Court. Counsel shall call the clerk of the assigned department department conducting the MSC at least 5 court days in advance of the MSC to confirm that the MSC will go forward or to request a continuance. An MSC will only be continued for good cause. No continuances shall be granted on the day of the scheduled conference. Failure to comply will result in monetary sanctions. 2. Meet and Confer Requirement: Counsel shall meet and confer either in person or by telephone at least seven (7) court days one week before the day of the MSC to resolve as many issues as possible and to specify those matters to be litigated, and shall complete the exchange of witness and exhibit lists, notice of intended motions in limine, and Income and Expense Declarations required by subdivision H(1). Results of the conference shall be included in the

Mandatory Settlement Conference Statement. Failure to comply with these requirements shall subject offending counsel to monetary sanctions.

3. Mandatory Settlement Conference (MSC) Statement: Both parties shall prepare a Mandatory Settlement Conference Statement and, if support or fees are at issue, a current income and expense declaration, and shall ***file each with the court and*** serve a copy of each on opposing counsel and ~~the assigned judge~~ ***the judicial officer or Settlement Officer conducting the MSC*** in such a manner as to assure they are received no later than 12 noon 5 court days prior to the MSC. (If that falls on a Monday, which is a court holiday, then the preceding Friday is viewed as the appropriate date.) Both parties shall state with specificity their good faith proposal for the disposition of each contested issue. Counsel should adhere to the format set forth in the "~~Mandatory Settlement Conference Statement Format~~" (see Appendix 1). A settlement brief may be attached. Copies of the following documents shall be brought to the MSC if an unresolved issue requires their production (these documents are not to be attached to the Mandatory Settlement Conference Statement):

...

4. Attendance: Absent a court order allowing a party to appear ~~telephonically~~ ***remotely***, both parties and their counsel of record must personally attend the MSC and be prepared to conduct a meaningful settlement conference. ***The Family Law Commissioner may permit any party or counsel to appear remotely.*** Each attorney attending the MSC shall have a thorough knowledge of the evidence and shall be prepared to discuss the facts and law pertaining to all issues then pending and to be resolved at trial.

...

~~6. Setting for Trial: Cases shall be set for trial according to Local Rule 5.8 (E) and (F) at the conclusion of the conference where settlement was not reached on all issues.~~

~~7~~ 6. Temporary Judges or Settlement Officers: Occasionally, a temporary judge or Settlement Officer ~~will~~ ***may*** be available to assist parties at ~~either a Status Conference or~~ ***an Early Settlement Conference, or*** a Mandatory Settlement Conference. These temporary judges or Settlement Officers will be experienced family law attorneys who have been approved by the supervising judge of the Family Law Department and/or the presiding judge. ~~If a case is assigned to a temporary judge or Settlement Officer, litigants will be notified and asked if there will be any objection. If either side objects to the assignment at either the Status Conference or Mandatory Settlement Conference to a temporary judge or Settlement Officer, then the Status Conference or Mandatory Settlement Conference will be conducted by the Family Law Commissioner.~~ ***A conference will be assigned to a temporary judge or Settlement Officer only with the agreement of all parties. If any party objects, the conference will be conducted by the Family Law Commissioner.***

8 7. Family Law Settlement Officers

...

(b) Appointment:

	(1) The Court may appoint a Settlement Officer to assist at a Status Conference, <i>an Early Settlement Conference</i>, a Mandatory Settlement Conference, or at any other stage of the proceedings deemed appropriate by the Court, <i>with the agreement of all parties</i>. ...
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Proposal Number	Proposal Number X Fall 26
Title	LOCAL RULE 5.8 — New Subdivision G (Pretrial Conference)
Discussion	Below is a proposed new subdivision G establishing the Pretrial Conference. Six weeks before trial the parties e-file a one-page Pretrial Conference Statement (jointly where possible) with four required contents: the issues remaining in dispute, the anticipated trial time, the witnesses and types of evidence to be produced, and a preview of anticipated motions in limine. Nothing else is due before the conference. The Pretrial Conference is held five weeks before trial by the assigned judicial officer, with trial counsel and self-represented parties attending in person, and is placed at or near the discovery completion date under Code of Civil Procedure section 2024.020 so that the Court can explore settlement with a full picture of the trial ahead. Paragraph (G)(3) provides that resolution or vacatur of the trial date at or before the close of the Pretrial Conference extinguishes the production deadlines in subdivision H(2), and that a one-page Notice of Resolution or Request to Vacate Trial Date signed by all parties or counsel may be filed at any time without a further appearance.
Proposed Changes	Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference Rules ... <i>G. Pretrial Conference:</i> <i>1. Pretrial Conference Statement: No later than six weeks before the trial date, the parties shall e-file a Pretrial Conference Statement of no more than one page (see Local Court form FL-XX, Appendix 4), jointly where possible. The statement shall contain: (a) a concise list of the issues remaining in dispute that the court will be asked to decide; (b) the anticipated trial time, stating a total estimate and each party’s estimate, accounting for the time to examine witnesses and introduce evidence; (c) the number and general description of the witnesses and the categories of evidence to be produced (for example, account records, a vocational or custody evaluation, text messages, appraisals), not the detailed lists; and (d) a brief preview of the evidence each party anticipates challenging by motion in limine and the ground, not briefed. No briefed motions, trial briefs, or exhibit binders are due before the Pretrial Conference.</i>

	<i>2. Pretrial Conference: The Pretrial Conference will be held approximately five weeks before the trial date by the assigned judicial officer, at or near the discovery completion date under Code of Civil Procedure section 2024.020. Trial counsel and self-represented parties shall attend in person. The court will review the Pretrial Conference Statement and explore settlement. If the case does not resolve, it proceeds to trial and the deadlines in subdivision H(2) apply.</i> <i>3. Resolution or Vacatur: If the case resolves, or the trial date is vacated, on or before the close of the Pretrial Conference, the deadlines in subdivision H(2) do not apply. A Notice of Resolution or Request to Vacate Trial Date, of no more than one page and signed by all parties or their counsel, may be filed at any time without a further appearance.</i> ...
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Proposal Number	Proposal Number X Fall 26
Title	LOCAL RULE 5.8 — New Subdivision H (Trial Production Deadlines)
Discussion	Below is a proposed new subdivision H setting out the trial production deadlines in two stages. Paragraph (H)(1) requires a low-cost exchange one week before the Mandatory Settlement Conference (served, not filed): witness list, exhibit list by identification only, one-paragraph notices of intended motions in limine, and current Income and Expense Declarations where support or fees are at issue, together with a meet and confer on those items. Paragraph (H)(2) contains the deadlines that apply only if the case proceeds past the Pretrial Conference: final lists and briefed motions in limine at T – 25, trial briefs at T – 21, oppositions at T – 18, exhibits at T – 14, joint submissions at T – 10, and final submissions at T – 7. The trial-brief deadline satisfies the five-court-day minimum in California Rules of Court, rule 5.394. Paragraph (H)(2)(a) limits the final witness and exhibit lists to witnesses and exhibits disclosed in the paragraph (H)(1) exchange, absent good cause or material obtained through discovery after that exchange. This is a new limitation and is flagged for the Committee’s attention. Paragraph (H)(3) provides that a trial continuance granted before the Pretrial Conference re-keys every date in the Pretrial Order, while a continuance at or after the Pretrial Conference re-keys only the paragraph (H)(2) deadlines. Paragraph (H)(4) directs a party seeking relief to move to extend only the specific deadline at issue. The exhibit-intake provisions in paragraph (H)(2)(d) should be confirmed against current department practice before adoption.
Proposed Changes	Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference Rules ... <i>H. Trial Production Deadlines:</i>

1. Exchange Before the Mandatory Settlement Conference: No later than one week before the Mandatory Settlement Conference, each party shall serve on all other parties, but not file, the following:

- a. A witness list stating each witness's name, title if any, and the brief subject matter of the anticipated testimony, including any expert witness;***
- b. An exhibit list identifying each exhibit by source, type, date range, and account or document number. Copies, binders, and tabbing are not required at this stage;***
- c. A notice of intended motions in limine consisting of one paragraph for each intended motion stating the evidence targeted and the ground. The notice is not briefed; and***
- d. A current Income and Expense Declaration with required attachments, if support or fees are at issue.***

Before the Mandatory Settlement Conference, the parties shall meet and confer in a good faith effort to resolve the noticed in limine issues and any disagreements over witnesses and exhibits; to stipulate to facts that can enter the record without testimony; and to stipulate to the admissibility of exhibits or, failing that, to their authenticity and foundation. The meet and confer may proceed in writing or through counsel where a protective order is in effect or on a showing of good cause. No motion in limine may later be filed without this meet and confer. A witness or exhibit omitted from these lists is subject to exclusion in the court's discretion.

2. Deadlines After the Pretrial Conference: The following deadlines apply only if the case proceeds past the Pretrial Conference. Each is computed from the trial date as provided in subdivision E(4).

- a. T – 25: Final Lists and Motions in Limine. Each party shall serve and file a final witness list (name, title, subject matter, and estimated length of direct, cross, redirect, and recross examination) and a final exhibit list. Neither list may add a witness or exhibit not disclosed in the exchange under paragraph 1 except for good cause or for material obtained through discovery after that exchange. Motions in limine, fully briefed, shall be filed and served.***
- b. T – 21: Trial Briefs. Trial briefs shall be served and filed, with points and authorities where the case involves complex or novel points of law. The format is otherwise left to counsel.***
- c. T – 18: Oppositions. Oppositions to motions in limine shall be e-filed. No replies may be filed without leave of court. Motions in limine will be heard on the first day of trial unless the court sets an earlier hearing.***
- d. T – 14: Exhibits. Each party shall deliver to the court three complete, identical sets of exhibits in tabbed binders (court, witness, and opposing party sets), and shall retain the party's own set. Petitioner's exhibits are numbered and respondent's exhibits are lettered; all exhibits are tabbed, date-stamped, and tagged. Electronic evidence shall be delivered on a labeled flash drive, listed on the exhibit list, with the binders and not***

	<i>through the drop box. A party proceeding with a fee waiver may submit exhibits electronically, and the court will print the bench copy.</i> <i>e. T – 10: Joint Submissions. The parties shall file a joint statement of undisputed facts and a proposed witness order and, if any party will offer deposition testimony, deposition designations with counter-designations and any objections.</i> <i>f. T – 7: Final Submissions. Each party shall file an updated Income and Expense Declaration only if circumstances have materially changed since the Mandatory Settlement Conference, and shall email proposed orders in Word format to the department.</i> <i>g. Trial. Motions in limine will be heard at the outset of trial if not already heard. Each party shall notify the other parties by 4:00 p.m. on the prior court day of the witnesses anticipated for the next court day.</i> <i>3. Effect of Continuance: A continuance of the trial date granted before the Pretrial Conference re-keys every date in the Pretrial Order to the new trial date. A continuance granted at or after the Pretrial Conference re-keys only the deadlines in paragraph 2. Work already performed under paragraph 1 is not repeated. Continuances of trial remain governed by subdivision J(3).</i> <i>4. Extensions: All dates are subject to modification in the court’s discretion. A party seeking relief shall move to extend only the specific deadline at issue.</i> <i>5. Checklist: These deadlines are summarized in the "Long Cause Trial Rules Checklist" (see Appendix 2).</i> ...
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Proposal Number	Proposal Number X Fall 26
Title	LOCAL RULE 5.8 — Subdivision I (Short Cause Trials), formerly Subdivision E
Discussion	Existing subdivision E is relettered I and amended in two places. Paragraph 1 is conformed to the revised process: a short cause matter may be set for trial from the law and motion calendar or at the conclusion of a Status Conference, Early Settlement Conference, or settlement conference, and an Early Settlement Conference may be set in a short cause matter in the Commissioner’s discretion. Paragraph 6 provides that either an Early Settlement Conference Statement or a Mandatory Settlement Conference Statement satisfies the short cause statement requirement. Paragraphs 2 through 5 and 7 are unchanged.
Proposed Changes	Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference Rules ... E I. Short Cause Trials

	1. Short cause trials are any evidentiary hearings of up to 2.5 hours including time for the judge to review the file, read the trial briefs, conduct chambers conferences and issue a ruling. Cases may be assigned to a department's Short Cause trial calendar by court order from the law and motion calendar or at the conclusion of a status <i>conference</i>, <i>Early Settlement Conference</i>, or settlement conference that did not fully resolve all pending issues. <i>An Early Settlement Conference may be set in a short cause matter in the discretion of the Family Law Commissioner or the assigned judicial officer.</i> A trial date will not be set except by the assigned department after determination is made that subsequent conferences would not settle the case. Cases that exceed the estimated time for hearing may be mis-tried by the trial judge and set for a status <i>conference</i>, <i>Early Settlement Conference</i>, or Mandatory Settlement conference with a revised time estimate, continued, or dismissed from the trial calendar. ... 6. Mandatory Short Cause Statements (see Local Court Form FL-12): Counsel shall prepare a short cause trial statement and, if financial matters are at issue, an income and expense declaration. Completion and filing of a Mandatory Settlement Conference statement <i>an Early Settlement Conference Statement or a Mandatory Settlement Conference Statement</i> shall satisfy the requirements of this section. The originals of these documents and income and expense declaration shall be filed with the family law clerk's office and copies served on the opposing party not later than 5 calendar days before the <i>Early Settlement Conference</i>, Mandatory Settlement Conference, or trial date whichever comes first. Failure to timely serve and file the trial statement shall subject the offending counsel to sanctions. ...
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Proposal Number	Proposal Number X Fall 26
Title	LOCAL RULE 5.8 — Subdivision J (Long Cause Trials), formerly Subdivision F, and Amendment History
Discussion	Existing subdivision F is relettered J and amended. Paragraph 2 (Trial Setting) is rewritten: the trial date is set at the Trial Setting Conference after the Early Settlement Conference has been held or excused, and the Mandatory Settlement Conference and Pretrial Conference follow the setting of the trial date. Paragraphs 4 and 5 are conformed to new subdivisions G and H and to the replaced Appendix 2; the trial-brief deadline of T – 21 satisfies California Rules of Court, rule 5.394. Paragraphs 1 and 3 are unchanged. The amendment history for Rule 5.8 is updated.
Proposed Changes	Rule 5.8 Trial Setting, Status Conference, and Mandatory Settlement Conference Rules ...

	F J. Long Cause Trials ... 2. Trial Setting: A trial date will not be set except by the assigned department after the Mandatory Settlement Conference has occurred and a determination made that no further settlement conferences will settle the case. The trial date will be set a reasonable time after the last settlement conference. at a Trial Setting Conference held under subdivision E after the Early Settlement Conference has been held or excused under subdivision D. The Mandatory Settlement Conference and the Pretrial Conference are held after the trial date is set, as provided in subdivisions F and G. ... 4. Trial Preparation: The rules governing trial preparation are set forth in subdivisions G and H and in the "Long Cause Trial Rules Checklist" (see Appendix "2"). 5. Trial Briefs: Trial briefs are required. If a case involves complex or novel points of law or otherwise required by California Rules of Court, the trial brief shall include legal points and authorities. The format of the trial brief is left to each attorney's discretion. Trial briefs shall be exchanged as set forth in Appendix "2" served and filed no later than 21 days before the trial date as provided in subdivision H(2)(b) (See Rule 5.394 of the California Rules of Court). (Adopted, effective January 1, 2004) (Amended, effective January 1, 2005) (Amended, effective July 1, 2005) (Amended, effective January 1, 2007) (Amended, effective January 1, 2008) (Amended, effective January 1, 2009) (Amended, effective January 1, 2010) (Amended, effective July 1, 2012) (Amended, effective July 1, 2013) (Amended, effective January 1, 2016) (Amended, effective July 1, 2023) (Amended, effective July 1, 2025) (Amended, effective January 1, 2027)
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Proposal Number	Proposal Number X Fall 26
Title	Division V, Appendix 1: Mandatory Settlement Conference Statement Format (FL-22)
Discussion	Appendix 1 is retitled and an introductory paragraph is added so that the same format governs both the Mandatory Settlement Conference Statement (Rule 5.8(F)(3)) and the new Early Settlement Conference Statement (Rule 5.8(D)(5)). For an Early Settlement Conference Statement, sections that do not apply may be marked "N/A," and the parties may file a joint statement. The body of the format is unchanged; the footer reference is conformed to the relettered subdivisions.
Proposed Changes	APPENDIX "1"

	MANDATORY SETTLEMENT CONFERENCE STATEMENT FORMAT <i>This format applies to the Mandatory Settlement Conference Statement required by Rule 5.8(F)(3) and to the Early Settlement Conference Statement required by Rule 5.8(D)(5). In an Early Settlement Conference Statement, sections that do not apply may be marked "N/A," and the parties may file a jointly prepared statement. Each statement shall identify every issue remaining in dispute and state with specificity the party's good faith proposal for the disposition of each such issue.</i> Background: The Mandatory Settlement Conference Statement shall include the following: ... FL-22 Mandatory Local Rule 5.8 D.3 D.5 and F.3 Amended 7/1/17 1/1/2027
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Proposal Number	Proposal Number X Fall 26
Title	Division V, Appendix 2: Long Cause Trial Rules Checklist (FL-23)
Discussion	Appendix 2 is replaced in its entirety. The current checklist is keyed to seven, five, three, and two court days before trial and predates the Pretrial Conference and the trial-date-keyed production deadlines in new Rule 5.8(H). The replacement checklist tracks the sequence in Rule 5.8(E) through (H): Trial Setting Conference, exchange before the Mandatory Settlement Conference, the MSC, Pretrial Conference Statement, Pretrial Conference, and the T – 25 through T – 7 deadlines. The court reporter fee and daily witness-review provisions of the current checklist are retained. The caption block of the form is unchanged.
Proposed Changes	APPENDIX 2 LONG CAUSE TRIAL RULES CHECKLIST ... A. SEVEN COURT DAYS OR MORE BEFORE TRIAL 1. Personally meet and confer with opposing counsel. 2. Exchange trial briefs 3. Where support or fees are at issue, exchange Income & Expense Declarations with required attachments. 4. Exchange list of exhibits (see Local Court form FL-CV-09A) and copies of exhibits. 5. Exchange list designating non-party witnesses (including name, address and telephone number) (see Local Court form FL-CV-11] and the subject matter each will testify to.

~~B. FIVE COURT DAYS BEFORE TRIAL~~

- ~~1. Confer with opposing counsel telephonically to discuss objections to the exhibits and in limine motions.~~
- ~~2. If objections to exhibits unresolved, or motion in limine to be filed, schedule appointment for pre-trial conference.~~
- ~~3. File with the court and serve in limine motions (see Local Court form FL-10)~~
- ~~4. Arrange with clerk to pre-mark exhibits and file original exhibits.~~
- ~~5. File trial brief, Income & Expense Declaration and court's copy of the exhibits in trial department.~~

~~C. THREE COURT DAYS BEFORE TRIAL~~

- ~~1. File with clerk of trial department and opposing counsel a written list of objections to the exhibits (see Local Court form FL-09).~~

~~D. TWO COURT DAYS BEFORE TRIAL~~

- ~~1. If there are unresolved objections to exhibits or if motions in limine were filed, confer personally with the court through the clerk.~~

~~E. DAY OF TRIAL~~

- ~~1. All objections to exhibits and motions in limine will be heard and a ruling will be issued.~~
- ~~2. Each counsel must pay the mandated statutory court reporter fee for each half day of trial.~~
- ~~3. At the conclusion of each day of trial, the court and counsel shall review the next days' witnesses, examination time and other calendaring issues.~~

A. TRIAL SETTING CONFERENCE

- 1. Trial date set. Pretrial Order issued with all dates below.*

B. ONE WEEK BEFORE THE MANDATORY SETTLEMENT CONFERENCE (serve, do not file)

- 1. Witness list (name, title, subject matter), including experts.*
- 2. Exhibit list by identification only (source, type, date range, account or document number).*
- 3. Notice of intended motions in limine (one paragraph each; not briefed).*
- 4. Current Income and Expense Declaration with attachments, if support or fees are at issue.*
- 5. Meet and confer complete on in limine issues, witnesses, exhibits, and stipulations to facts, admissibility, authenticity, and foundation.*

C. NOON, FIVE COURT DAYS BEFORE THE MANDATORY SETTLEMENT CONFERENCE

1. File and serve Mandatory Settlement Conference Statement (Appendix 1) with current Income and Expense Declaration if support or fees are at issue. Bring, do not attach, supporting documents listed in Rule 5.8(F)(3).

D. SEVEN WEEKS BEFORE TRIAL

1. Mandatory Settlement Conference. Parties, counsel, and anyone whose consent is required to settle attend.

E. SIX WEEKS BEFORE TRIAL

1. E-file one-page Pretrial Conference Statement (Appendix 4), jointly where possible.

F. FIVE WEEKS BEFORE TRIAL

1. Pretrial Conference. Trial counsel and self-represented parties attend in person. Discovery completion date (CCP § 2024.020). Resolution or vacatur at or before the close of the conference ends the deadlines below.

G. T – 25 DAYS

1. Serve and file final witness list (with time estimates) and final exhibit list.

2. File and serve motions in limine, fully briefed.

H. T – 21 DAYS

1. Serve and file trial briefs, with points and authorities where the case involves complex or novel points of law.

I. T – 18 DAYS

1. E-file oppositions to motions in limine. No replies without leave.

J. T – 14 DAYS

1. Deliver three complete tabbed exhibit sets to the court; retain own set. Petitioner numbers, respondent letters. Electronic evidence on a labeled flash drive with the binders.

K. T – 10 DAYS

1. File joint statement of undisputed facts and proposed witness order.

2. File deposition designations, counter-designations, and objections, if deposition testimony will be offered.

L. T – 7 DAYS

1. File updated Income and Expense Declaration only if circumstances have materially changed since the MSC.

2. Email proposed orders in Word format to the department.

M. TRIAL

1. Motions in limine heard at the outset if not already heard.

2. Each counsel must pay the mandated statutory court reporter fee for each half day of trial.

	<i>3. By 4:00 p.m. each court day, notify the other parties of the witnesses anticipated for the next court day.</i> <i>4. At the conclusion of each day of trial, the court and counsel shall review the next day's witnesses, examination time, and other calendaring issues.</i> FL-23 — Long Cause Trial Rules Checklist Amended 7/1/2023 1/1/2027
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Proposal Number	Proposal Number X Fall 26
Title	Division V, Appendix 3 (new): Early Settlement Conference Statement (Local Court form FL-XX)
Discussion	Below is a proposed new Appendix 3 and local form for the Early Settlement Conference Statement required by new Rule 5.8(D)(5). The form follows the Appendix 1 format but is organized around the issues remaining in dispute and each party's proposal on each issue, with inapplicable sections marked "N/A." It may be completed jointly. The form number is to be assigned by the Clerk's Office. The caption block follows the Court's standard local form caption (attorney or party information, court address, case title, and case number), as in Appendix 2.
Proposed Changes	<i>APPENDIX 3</i> <i>EARLY SETTLEMENT CONFERENCE STATEMENT</i> <i>[Standard local form caption block: attorney or party without attorney; court address; In re the Marriage of / Parentage of; Petitioner; Respondent; Case Number]</i> <i>☐ Petitioner's Statement ☐ Respondent's Statement ☐ Joint Statement</i> <i>Early Settlement Conference date: _____ Conducted by: ☐ Family Law Commissioner ☐ Settlement Officer (by agreement) ☐ Judicial Officer (by agreement)</i> <i>1. BACKGROUND (Rule 5.8(D)(5); Appendix 1, Background A–C). Date of marriage; date of separation; whether status has been terminated; age and employment of each party; name and age of each minor child and where each resides; summary of orders in effect; date preliminary declarations of disclosure were exchanged; date final declarations were served or waived; discovery outstanding, if any.</i> <i>2. ISSUES RESOLVED. List each issue that has been resolved by agreement or prior order, and the date of the agreement or order.</i> <i>3. SETTLEMENT EFFORTS TO DATE. Describe the meet and confer required by Rule 5.8(D)(4) and any private mediation or settlement proceedings.</i>

	4. ISSUES REMAINING IN DISPUTE AND PROPOSALS. For each issue remaining in dispute, state with specificity the party's good faith proposal for its disposition. Use the categories of Appendix 1, Issues for Trial (A) through (J), and mark any category that does not apply "N/A." <i>[Table] Issue Petitioner's proposal Respondent's proposal Material facts and law in brief</i> <i>(A) Separate property (B) Community property (C) Funds held by others (D) Tracing (E) Current obligations (F) Reimbursement (G) Income and expenses (H) Proposal for property division (I) Custody, visitation, and support (J) Attorney's fees</i> 5. INCOME AND EXPENSE DECLARATION. ☐ Attached (required if support or fees are at issue) ☐ Not applicable 6. TIME ESTIMATE. If the case does not settle, each party's estimate of trial time: Petitioner _____ Respondent _____ Date: _____ Signature of Petitioner or Counsel: _____ Signature of Respondent or Counsel: _____ <i>FL-XX — Early Settlement Conference Statement Local Rule 5.8 D.5 Adopted 1/1/2027</i>
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Proposal Number	Proposal Number X Fall 26
Title	Division V, Appendix 4 (new): Pretrial Conference Statement (Local Court form FL-XX)
Discussion	Below is a proposed new Appendix 4 and local form for the one-page Pretrial Conference Statement required by new Rule 5.8(G)(1). The form is limited to the four contents specified by the rule so that the Court has a clear picture of the trial ahead when it explores settlement at the Pretrial Conference. Detailed witness and exhibit lists and briefing are not included. The form number is to be assigned by the Clerk's Office; the caption block follows the Court's standard local form caption.
Proposed Changes	APPENDIX 4 PRETRIAL CONFERENCE STATEMENT (ONE PAGE) <i>[Standard local form caption block]</i> ☐ Joint Statement ☐ Petitioner's Statement ☐ Respondent's Statement Trial date: _____ Pretrial Conference date: _____ Department: _____ 1. ISSUES REMAINING IN DISPUTE. Concise list of the issues the court will be asked to decide.

2. ANTICIPATED TRIAL TIME. Total estimate: _____ Petitioner's estimate: _____ Respondent's estimate: _____ (account for time to examine witnesses and introduce evidence)

3. WITNESSES AND TYPES OF EVIDENCE. Number and general description of witnesses; categories of evidence (for example, account records, vocational or custody evaluation, text messages, appraisals). Not the detailed lists.

4. ANTICIPATED MOTIONS IN LIMINE. For each anticipated motion, the evidence to be challenged and the ground, in brief. Not briefed.

Date: _____ Signature of Petitioner or Counsel:

_____ Signature of Respondent or Counsel:

FL-XX — Pretrial Conference Statement Local Rule 5.8 G.1 Adopted 1/1/2027