

1 Welcome to Department 13, the Probate Department for San Mateo County as of January 1,  
2 2026. Judge Lisa A. Novak will preside over the Probate assignment until further order of the Presiding  
3 Judge. Judge Novak looks forward to creating an atmosphere wherein collaboration, when possible, is  
4 achieved, and where respect is given to, and expected from, all litigants, interested parties and attorneys,  
5 as well as the Court and Court staff. While most of the previous standing orders will remain unchanged,  
6 there are a few subtle changes to scheduling, deadlines and opportunity for remote appearances. The  
7 Court retains its discretion to alter these rules and guidelines as may become necessary.

8 **MOTION/PETITION CALENDAR MONDAY-FRIDAY 9:00 A.M.**

- 9 1. All parties must adhere to the requirements of reviewing the tentative rulings posted by 3  
10 p.m. the day prior to the hearing. Any party wishing to object to a tentative ruling at the  
11 hearing must notify the Probate Department [or the department hearing the Probate Calendar  
12 on any given day], as well as all interested parties, via email by 4 p.m. the day prior to the  
13 hearing.
- 14 2. Remote appearance is allowed on this calendar in all matters **BUT FOR** Petitions for  
15 Guardianship where there is also a Petition for Special Immigrant Juvenile Findings. Anyone  
16 making a remote appearance must state their name and whom they represent **each time** they  
17 address the Court. This will create a clean record. In Guardianship/SIJF Petition, attorneys  
18 are required to appear in person in court with both the proposed guardian and the minor.
- 19 3. If parties are ordered to file a status brief prior to the next court hearing, yet fail to do so in a  
20 timely manner, they will be subject to judicial sanctions.

21 **ONLINE SUBMISSION OF ORDERS AND REQUESTS**

- 22 4. All Orders After Hearing may be submitted either in person to the courtroom clerk, or e-filed  
23 through the clerk's office.
- 24 5. Ex Parte requests that require notice must be filed in-person before they are brought to the  
25 Probate Department, and they shall not be electronically filed. Ex Parte requests that have  
26 consents by all parties entitled to notice, or require no notice, can be electronically filed.
- 27 6. No party may file an ex parte electronically AND file that same application in person during  
28 ex parte hours, which occur daily from 10:00 a.m-11:00 a.m. Likewise, no party shall file a  
noticed motion, receive a hearing date, and then file that same petition as an ex parte. Doing  
so could result in the court imposing sanctions.



1 9. Any changes to the deadlines established by this order for filings or submissions to the Court  
2 REQUIRE an order from the Court. If the parties agree on the proposed change(s), then they  
3 may submit a joint stipulation and proposed order explaining the reasons for the proposed  
4 change(s). If the parties do not agree, then the party seeking to change the deadline(s) may  
5 seek ex parte relief. In seeking to change any deadlines, please keep in mind that the Court  
6 needs enough time to review the parties' filings and submissions.

7 **MOTIONS IN LIMINE**

- 8 10. The parties are encouraged to resolve as many trial issues by stipulation as possible. The  
9 parties shall meet and confer no later than 20 days before the Trial to determine whether any  
10 evidentiary issues may be resolved by stipulation. No party may file a motion in limine  
11 without first making a good-faith effort to resolve the evidentiary issue with the opposing  
12 party.
- 13 11. Motions in limine and their oppositions must be filed no later than 14 days before the Trial.  
14 No replies will be permitted without leave of the Court.
- 15 12. Each party must submit a tabbed binder with its motions in limine in numerical order with  
16 the opposition immediately behind the motion within the same tab. Any declarations or  
17 requests for judicial notice submitted by the parties in support of or in opposition to the  
18 motions in limine along with any attached exhibits must be submitted in a separate tabbed  
19 binder. The binders must be submitted to the Court with the Trial Briefs or no later than  
20 seven (7) days before the Trial Date.
- 21 13. Each motion in limine should address a single, separate topic and shall be limited to five (5)  
22 pages in length unless otherwise permitted by the Court. Each motion should be clearly  
23 identified as “ \_\_\_\_\_’s Motion in Limine No. \_\_\_ Re: \_\_\_\_\_.”
- 24 14. Each opposition is also limited to five (5) pages in length unless otherwise permitted by the  
25 Court.
- 26 15. Each party shall file only one (1) declaration and/or one (1) request for judicial notice to  
27 support all motions in limine and one (1) declaration and/or one (1) request for judicial notice  
28 to support all oppositions to motions in limine. The parties do not have to include a copy of  
the operative complaint.

1 16. Each party shall also submit a hard copy of the proposed order. Each proposed order must  
2 provide enough specificity so that a witness will be able to understand what testimony is  
3 prohibited.

4 17. The motions shall be heard on the first day of Trial.

#### 5 **WITNESS LISTS**

6 Each party must file a list of all the witnesses that the party intends to call at trial with the Trial Brief.

7 18. The witness list must be in tabular form and contain the following:

- 8 a. Name of the witness;
- 9 b. Title of the witness, if any;
- 10 c. Brief description of the subject matter of the witness' anticipated testimony;

11 19. If any party wishes to designate deposition testimony in lieu of live testimony for any  
12 witness, then that party must provide its/his/her/their proposed designations to the opposing  
13 parties at least 35 days before the Trial. The parties are encouraged to resolve as many  
14 disputes over the designations by stipulation as possible.

15 20. The parties must file a joint pleading with their proposed deposition designations, any  
16 objections to those designations, and any responses to those objections. Objections or  
17 responses may be no longer than one page.

18 21. The parties must also submit to the Court tabbed binder(s) with the proposed deposition  
19 designations. Each tab should represent the testimony of a single witness. The proposed  
20 deposition designations must be highlighted in yellow with any objections bracketed in red.

21 22. Absent good cause, the deposition testimony of each witness shall be introduced only once.  
22 In other words, all deposition designations shall be presented together all at once rather than  
23 as part of each party's case.

24 23. Any witness who is not identified on a party's witness list or any deposition designation that  
25 was not submitted to the Court is subject to exclusion in the reasonable exercise of the  
26 Court's discretion.

#### 27 **TRIAL EXHIBITS**

28 24. Each trial exhibit shall be clearly pre-marked with the trial exhibit number. The defendant's  
exhibit numbers shall be sequenced to begin after the plaintiff's exhibit numbers.

25 Exhibits shall be numbered. NO letters may be used. The parties must agree on a block of  
numbers to fit the needs of the case (e.g., the plaintiff has exhibits 1-100; the defendant has

1 exhibits 101-200), and make a good faith effort to avoid marking the same exhibit in their  
2 respective blocks. If the exact same exhibit is marked by more than one party, then the  
3 defendant shall withdraw the duplicative exhibit (but should not renumber its portion of the  
4 exhibit list). If there is any dispute over which portions of an overlapping exhibit should be  
5 introduced into evidence, the parties shall meet and confer in an attempt to informally resolve  
6 the issue. If the parties are unable to informally resolve the dispute, then each party shall  
7 submit its disputed exhibit with the Trial Brief and explain, in no more than one double-  
8 spaced page, why the Court should use its proposed exhibit.

9 26. Each party must file an exhibit list identifying all the exhibits that the party intends to  
10 introduce at trial.

11 27. The exhibit list must be in tabular form and contain the following:

- 12 a. Exhibit number;
- 13 b. Brief description of the exhibit (with any bates numbers if they exist);
- 14 c. Sponsoring witness;
- 15 d. Date marked for identification (left blank); and
- 16 e. Date admitted into evidence (left blank).

17 28. Each party must provide the Court with a complete set of exhibits that the party intends to  
18 introduce at trial in hard copy in tabbed binders at least seven (7) days before the Trial Date.  
19 The Court may require additional copies of those exhibits for trial, including separate exhibit  
20 binders for each witness.

21 29. Any exhibit that is not identified on a party's exhibit list is subject to exclusion in the  
22 reasonable exercise of the Court's discretion. In exercising this discretion, the Court will  
23 consider whether the exhibit is solely being used for impeachment.

### 24 MEET AND CONFER

25 30. Each party must serve (but NOT file) at least 35 days before the Trial its proposed motions in  
26 limine, proposed witness list, including proposed deposition designations, and proposed  
27 exhibit list. Anything that is not included in these served documents – i.e., motions in limine,  
28 witnesses, deposition designations, or exhibits – may be subject to denial or exclusion in the  
reasonable exercise of the Court's discretion.

31. All parties must meet and confer regarding motions in limine, witness lists, including  
proposed deposition designations, exhibit lists, and any other issues that may arise at trial no

1 later than 25 days before the Trial. The meet and confer must include discussions in person  
2 or by videoconference. If the parties wish to meet and confer by telephone, they must obtain  
3 permission from the Court. The Court expects meaningful meet and confer in accordance  
4 with the following guidelines available at  
5 [http://www.calbar.ca.gov/Portals/0/documents/ethics/Civility/Atty-Civility-Guide-](http://www.calbar.ca.gov/Portals/0/documents/ethics/Civility/Atty-Civility-Guide-Revised_Sept-2014.pdf)  
6 [Revised\\_Sept-2014.pdf](http://www.calbar.ca.gov/Portals/0/documents/ethics/Civility/Atty-Civility-Guide-Revised_Sept-2014.pdf).

7 32. During the meet and confer, the parties must engage in a good faith effort to:

- 8 a. Resolve any issues raised in the motions in limine;
- 9 b. Resolve any disagreements over witnesses, including deposition designations, and  
10 exhibits to be introduced at trial; and
- 11 c. Stipulate to any relevant facts that can be incorporated into the record without supporting  
12 testimony or exhibits.

13 33. Wherever possible, the parties shall stipulate to the admissibility of any exhibits. If a  
14 stipulation is not possible, then the parties shall make every effort to stipulate to the  
15 authenticity and foundation for an exhibit absent a legitimate objection.

#### 16 **TRIAL BRIEF**

17 34. The parties shall file a Trial Briefs at last 10 days before the Trial that contains the following:

- 18 a. Substance of the Action: A brief description of the parties, the claims and defenses that  
19 remain to be decided (including whether any issues are for the Court to decide rather than  
20 the jury), and the operative pleading, including the date of filing, that raises these claims  
21 and defenses.
- 22 b. Relief Requested: A detailed statement of all requested relief that itemizes all elements of  
23 damages that are claimed.
- 24 c. Undisputed Facts: A plain and concise statement of all relevant facts to which the parties  
25 will stipulate for incorporation into the record without supporting testimony or exhibits or  
26 that are undisputed.
- 27 e. Estimate of Trial Length: An estimate of the number hours needed for the presentation of  
28 each party's case.
- d. Miscellaneous: Any other matters that will facilitate the just, speedy, and efficient  
resolution of the case.

1 35. The parties shall include the following documents in accordance with this order with their  
2 Trial Brief:

- 3 a. Each party's witness list, including proposed deposition designations;  
4 b. Each party's exhibit list, including any disputed exhibits;  
5 c. Binder(s) containing the parties' deposition designations, with the testimony to be  
6 introduced highlighted in yellow and any objections bracketed in red; and  
7 d. Binders containing the party's motions in limine, any oppositions, and any supporting  
8 declarations or requests for judicial notice in support of or opposition to the motions.

9 36. The parties shall also email the witness lists, exhibit lists, and proposed orders in Word  
10 format to the Court.

11 **TRIALS**

12 37 No remote appearances will be allowed, except on rare occasions and with permission of the  
13 Court. All attorneys will be required to be present in the courtroom. All witnesses, with rare  
14 exception, will be required to testify in person. All litigants, with rare exception, will be  
15 required to be personally present in court.

16 38. The Court will endeavor to conclude all trial matters in consecutive court sessions. This does  
17 not mean that a trial will be in session every day until it is concluded, but rather that once a  
18 trial commences, it will proceed on the consecutive designated trial days in the Probate  
19 Department until conclusion. This is an effort to avoid trials being interrupted for weeks or  
20 months on end. Counsel should prepare their cases and ensure that witnesses are available to  
21 meet the Court's schedule.  
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