

Los Angeles County Superior Court Upcoming Changes

355 South Grand Avenue
15th Floor
Los Angeles, California 90071
Tel: (213) 362-7777
Fax: (213) 362-7788

Inside this issue:

All New "Personal Injury" Cases Must Be Filed Downtown in Mosk Courthouse	2
Draft Definition of "Personal Injury"	2
Transfer of Current Personal Injury Cases	3
Exercise of 170.6	3
Case Management Conference Eliminated	3
Highlights of Other Changes	4

Special points of interest:

- › The Civil Department is most affected
- › Every department of LASC will be impacted by the upcoming changes.
- › Criminal and traffic courts will be closing 12 courtrooms and redistributing their cases among the remaining courthouses.
- › All probate cases will be centralized at the Stanley Mosk Courthouse in Downtown Los Angeles.
- › Over 10,000 civil harassment cases will be added to the family courts' docket.

Los Angeles County Superior Court Will Undergo Major Changes as a Result of the Severe Budget Crisis Facing the Court

Significant changes are in store for the Los Angeles County Superior Court (LASC) due in large part to the continuing financial crisis.

When the crisis began in fiscal year 2008-2009, California courts were given permanent budget reductions totaling \$652 million. But now, it seems LASC will be the target of even more cuts. As the crisis continues with little improvement, LASC alone must permanently cut its budget by an additional \$55 to \$86 million in expenditures before June 30, 2013.



These most recent budget cuts come on the heels of significant staffing reductions. LASC has already reduced more than 300 courtroom staff and restructured several dozen courtrooms. Now, LASC will be required to make even more reductions in all areas of its operations before the June 30, 2013 deadline.

Honorable Daniel Buckley, the Supervising Judge for Civil at LASC, has been tasked with overseeing and coordinating the restructuring of the civil court under the ongoing budget restrictions. Judge Buckley has put together a Personal Injury Case Advisory Committee ("Committee") to work with him in implementing the changes.

Details of the implementation plans are still being worked out with the understanding that the plans may change substantially if there are even more budget cuts. According to Judge Buckley, "the implementation plans that have been approved are still subject to revisions and modifications based on a number of factors, including input from our justice partners and law enforcement and information uncovered as the plans are put into action."

A summary of changes, and their impact, are detailed in this newsletter.

Courthouse Closures

LASC has announced that it will close the following ten courthouses:

- | | |
|----------------------------------|-------------------|
| › Beacon Street | › Beverly Hills |
| › Catalina | › Huntington Park |
| › Kenyon Juvenile Justice Center | › Malibu |
| › Pomona North | › San Pedro |
| › West Los Angeles | › Whittier |

The judicial officers currently assigned to these courthouses will be redeployed to different locations and/or assignments.

All New Personal Injury Cases (Including Wrongful Death and Medical Malpractice) Must Be Filed at the Stanley Mosk Courthouse in Downtown Los Angeles Under the New Consolidation Plan

Effective March 18, 2013, all new “personal injury” cases will be required to be filed at the Stanley Mosk Courthouse in Downtown Los Angeles under the new consolidation plan.

The definition of a “personal injury” case will include wrongful death, products liability, premises liability, and medical malpractice. Asbestos and toxic tort cases will not be affected.

The personal injury cases will be randomly assigned to one of three Personal Injury departments (Dept. 91, 92 or 93). Those three Personal Injury departments will be staffed by the following judges:

Under the new consolidation plan, we will not know where the case will be venued or the judge for trial until the date of the trial. Assignment will be based on availability of a stand-alone trial court.

- > Judge Samantha Jessner
- > Judge Amy Hogue
- > Judge Daniel Buckley
- > Judge Rafael Ongkeko
- > Judge Teresa Beaudet
- > Judge Elia Weinbach

The judges will rotate between the three courtrooms. The judges will have designated assignments, such as types of law and motions, ex partes, and informal discovery meetings.

Each Personal Injury courtroom judge is expected to have as many as 8,000 cases under his or her jurisdiction at any one time.

At the time a complaint is filed, the case will receive dates for the following appearances:

- > Trial
- > Trial Readiness Conference
- > “Three-year-plus-one-day” date

Currently, the Committee anticipates the trial date will be set approximately 18 months from the date of filing and the Trial Readiness Conference will be set approximately 8 days before the trial date. The “three-year-plus-one-day” date will operate as an Order to Show Cause hearing date, on which the case will be dismissed if the plaintiff has not pursued the case.

On the date of trial, all cases will report to Department 1 at the Stanley Mosk Courthouse. The cases answering “ready for trial” may be assigned to any available stand-alone trial court in the county.

Definition of a “Personal Injury” Case

The personal injury cases affected by the new consolidation plan is defined as follows:

“An unlimited civil action described on the Civil Case Cover Sheet Addendum and Statement of Location (LACIV 109) as Motor Vehicle – Personal Injury/Property Damage/Wrongful Death; Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist; Product Liability (not asbestos or toxic/environmental); Medical Malpractice-Physicians & Surgeons; Other Professional Health Care Malpractice; Premises Liability; Intentional Bodily Injury/Property Damage/Wrongful death); or Other Personal Injury/Property Damage/Wrongful Death. Actions for intentional infliction of emotional distress, defamation, civil rights/discrimination and malpractice other than medical malpractice are not included in this definition. Actions for injury to real property are not included in this definition.”



31 Stand-Alone Trial Court Locations

Chatsworth	1 courtroom
Long Beach	2 courtrooms
Stanley Mosk	10 courtrooms
Pasadena	2 courtrooms
Pomona	1 courtroom
Santa Monica	5 courtrooms
Torrance	3 courtrooms
Van Nuys	7 courtrooms



With the new changes, the parties will not know the trial judge or venue until the date of the trial.

Los Angeles County Superior Court Upcoming Changes Transfer of Current Personal Injury Cases

The Committee's goal is to begin the transfer of currently active personal injury cases in mid-March. Between March 11 and 18, 2013, the court will issue a notice as to whether a currently pending case will be transferred to one of the three Personal Injury departments at the Stanley Mosk Courthouse in Downtown Los Angeles. The following is a breakdown of the dates and number of cases being transferred to the three Personal Injury departments:

Courthouse	Date of Transfer of Pending Cases	No. of Cases to be Transferred
Stanley Mosk	March 18	6,400
Chatsworth	April 2	1,300
Norwalk	April 2	1,200
Pasadena	April 8	900
Torrance	April 8	1,300
Compton	April 15	700
Long Beach	April 15	1,000
Antelope Valley	April 22	600
Burbank	April 22	800
Pomona	April 22	1,200
Glendale	April 29	700
Santa Monica	May 6	2,100
Van Nuys	May 13	1,800



Exercise Of Peremptory Strike (C.C.P. §170.6)

Exercise of 170.6 challenge must be made on the day we report to Dept. 1 to be assigned to a trial judge, unless it has already been used to challenge a judge hearing a motion.

When the case reports to Department 1 at the Stanley Mosk Courthouse for trial assignment, that will be the last opportunity the parties will have to exercise their peremptory strike of the judge under California Code of Civil Procedure section 170.6 or else they will forfeit their opportunity to do so.

Under the new plan, the use of the peremptory strike will become more strategic and complicated.

If a motion is set in one of the three Personal Injury courtrooms, the moving party will be notified of the name of the judge assigned to hear the motion in advance for purposes of exercising the 170.6 peremptory strike.

However, if the peremptory strike is used for the judge hearing a dispositive motion such as a motion for summary judgment, the 170.6 strike will not be available when the case is assigned to a trial judge.

Case Management Conferences Are Likely To Be Eliminated

It is anticipated that there will be a change to the California Rules of Court regarding Case Management Conferences. The Committee is seeking to eliminate Case Management Conferences altogether. However, the parties may be able to apply for a Case Management Conference to request a transfer to the Independent Calendar court in the district where the injury occurred. Details are not finalized, but transfer requests will not be liberally granted and stipulations of the parties to transfer will not be accepted.





355 South Grand Avenue
 Fifteenth Floor
 Los Angeles, California 90071

Tel: (213) 362-7777
 Fax: (213) 362-7788
 www.yukelaw.com



MARCH 2013						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24/31	25	26	27	28	29	30

- › All new personal injury cases must be filed at Stanley Mosk Courthouse in downtown LA
- › All stand-alone trial courts will be operational
- › First batch of pending personal injury cases will be transferred

Highlights of Other Changes

- › An on-line reservation system will be in place for the selection and reservation of dates for hearings.
- › The civil ADR program provided and managed by the court will be terminated.
- › Civil settlement courts will be maintained.
- › Mandatory Settlement Conferences may be required between the Final Status Conference and Trial dates.
- › Discovery motions will require informal meetings with a judge, and, if the discovery dispute remains unresolved, the motion will be decided without an appearance unless requested by the judge.
- › Ex partes will be subject to a limited number per day per each of the three Personal Injury departments.
- › Jury fees due no later than 365 calendar days after the filing of the complaint pursuant to C.C.P. § 361(b) and (c).
- › When a limited jurisdiction case is filed, the only dates assigned to the case will be the trial date and the “three-year-plus-one” date. No Trial Readiness Conference date will be assigned.
- › No more court reporters.