

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 COUNTY OF CONTRA COSTA  
3 DEPARTMENT 7  
4 JUDGE PETER CHANG  
5 FAMILY LAW DIVISION

6 **Long-Cause Pre-Trial Order**

7 Before the long-cause trial of any issue, the parties are ordered to comply with the  
8 following requirements. Failure to comply may result in sanctions, including issue sanctions.

9 **50 Days before trial:**

10 **Expert Witness Disclosures:** Unless otherwise stipulated, or demanded earlier pursuant  
11 to Code of Civil Procedure section 2034.230, any expert witnesses must be disclosed. The  
12 written disclosure shall include a summary of the expected testimony, a time estimate for  
13 expected testimony, a summary of the expert's qualifications and CV, and a copy of the expert's  
14 report if one has been prepared.

15 **45 Days before trial:**

16 **Declarations of Disclosure:** Unless the requirements are mutually waived or not  
17 required by Family Code § 2106, parties must exchange declaration of final disclosure at least 45  
18 days before trial.

19 **30 days before trial:**

20 **Discovery:** Discovery must be completed 30 days before trial, except that expert witness  
21 may be deposed as late as 15 days before trial.

22 **15 days before trial:**

23 **Discovery Motions:** All discovery motions must be **heard** 15 days before the trial date.  
24 (Cal. Code of Civ. Proc. Section 2024.020.) Continuances for any party's failure to timely  
25 schedule discovery motions will not be granted absent good cause.  
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1           **Witnesses:** The parties are to serve and file with the court a list of all witnesses. Expert  
2 witnesses, if any, are to be identified as such.

3           **Meet and confer:** No later than 15 days before trial, the parties are to meet and confer  
4 on potential factual stipulations, admissibility or authenticity of evidence, potential joint exhibits,  
5 potential motions in limine, and a list of the disputed issues for trial. Importantly, regarding  
6 material evidentiary issues, potential motions in limine, and disputed issues for trial, parties are  
7 to meet and confer to resolve them at least 15 days before trial so the parties' positions on any  
8 remaining issues may be submitted to the Court at least seven days before trial (see below).  
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10           **Income & Expense Declarations:** The parties are to serve and file income & expense  
11 declarations if any form of financial relief is sought.  
12

13 **7 days before trial:**

14           **Disputed issues for trial:** The parties are to meet and confer on disputed issues for trial  
15 and to jointly file a list of the disputed issues for trial. A courtesy copy is to be lodged.  
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17           **Trial briefs:** The parties are to exchange and file trial briefs addressing the disputed fact  
18 and legal issues for trial, summarizing anticipated evidence in support of the filing party's  
19 contentions, and a statement of the relief requested. Trial briefs must not exceed 20 pages  
20 without leave of court. A courtesy copy is to be lodged.  
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22           **Motions in Limine:** Parties shall jointly file motions in limine, opposition, and any reply  
23 in a single document. Each motion or issue should be identified by the moving party and a  
24 number (e.g., "Petitioner's Motion No. 1"), followed by the other party's opposition (e.g.,  
25 "Respondent's Opposition to Motion No. 1"), and followed by the movant's reply, if any (e.g.,  
26 "Petitioner's Reply to Motion No. 1"). A courtesy copy is to be submitted.  
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1           **Section 4320 Analysis (if applicable):** Exchange and file updated Family Code § 4320  
2 analysis. An FL-157 form may be filed in lieu of a brief.

3           **Exhibits:** Parties are to serve exhibits on the other party and lodge them with the Court,  
4 not filed with the Clerk’s Office. Each party must prepare at least three hardcopy sets of  
5 exhibits—one for the witness stand, one for the other party, and one for the Court. (For trials in  
6 which there are no non-party witnesses, only two hardcopy sets of exhibits must be prepared.)  
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8           A party may alternatively lodge exhibits in electronic form; however, one hard copy set  
9 of exhibits must still be lodged for the witnesses to use on the witness stand. For trials with  
10 voluminous exhibits, the Court prefers electronic exhibits.  
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12           The exhibits are to be pre-marked with exhibit markings (numbers for Petitioner, letters  
13 for Respondent). The case number must be on each exhibit marking (e.g., MSD20-00001 Pet.  
14 Exh. 008). Exhibits should be “Bates” stamped or numbered through a sequential numbering  
15 program. (PDF generated page numbers are acceptable) so that each page is numbered. In lieu of  
16 page numbering pages of individual exhibits, parties may Bates stamp all exhibits from start to  
17 finish. If the original exhibit is in color, any duplicate must be in color.  
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19           Exhibits in hardcopy form are to be in binders no thicker than 3-inches, separated by  
20 tagged dividers with exhibit numbers or letters. Format of exhibit numbers or letters are as  
21 described in prior paragraph. Exhibits must be submitted in binders with an exhibit list. If  
22 multiple binders are submitted, the exhibit list must identify which binder the exhibit is in.  
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24           Exhibits in electronic form are to be on an USB drive. The exhibits must be Bates  
25 labeled in the same manner as described above for hardcopy exhibits. The file names of each  
26 exhibit must contain the exhibit label (e.g., MSD20-00001 Resp. Exh. A).  
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1 Each party is to prepare a table of their exhibits with two columns, labeled “Identified”  
2 and “Admitted” for the Courtroom Clerk on the day of trial.

3 Each party is to provide either an electronic or hard copy of the exhibits for witnesses  
4 who appear remotely.  
5

6 Any party seeking to admit an electronic recording must comply with CRC 2.1040 and  
7 provide a transcript of the electronic recording to the Court and the opposing party.

8 Any exhibits intended for potential use on rebuttal or for impeachment need not be  
9 lodged with the Court and served on the opposing party in advance of the trial. Such exhibits  
10 must be pre-marked. For trials conducted in person, sufficient hard copies must be brought to  
11 Court (one for the witness and one for the Court) and an electronic copy to be provided to the  
12 Court. For trials conducted remotely, the exhibit must be in electronic format and readily  
13 available to be placed on a “share screen.”  
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15 The Court will destroy all exhibits not admitted into evidence at the close of the trial.  
16 The parties may submit a self-addressed stamped envelope or box for the return of unadmitted  
17 exhibits, or arrange to retrieve them.  
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19 **Additional Requirements:**

20 1. **Meet and Confer / Stipulations:** Before and during trial, the parties shall continue to  
21 meet and confer to stipulate to facts, and admissibility and authenticity of documentary evidence,  
22 and attempt to resolve disputes about evidence, motions in limine, order of witnesses and  
23 sequencing of the case.  
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25 2. **Manner of Service:** Any document served on another party less than seven days before  
26 trial must be served by hand delivery, or by email, if receiving party has agreed to such service.  
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1           3. **Electronics:** For in-person trials, the Court has AV carts and a projector with a screen  
2 for use by the parties. Please arrange with court staff to set-up all of your technology ahead of  
3 time. Counsel may share their screen for remote trials conducted via Zoom.

4           4. **Have Witnesses Ready.** Have your witnesses sitting in the court room, or out in the  
5 hallway. For trials via Zoom, witnesses will placed into a break-out room until called to testify.  
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7           5. **Scheduling Issues.** Notify the Court as soon as possible of any scheduling problems for  
8 any witness, interpreter, party or lawyer. Any need for an Evidence Code § 402 or other pre-trial  
9 hearing should be raised at the pre-trial conference.  
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11           6. **During Trial.** Counsel should seek permission to enter the well or approach a witness.

12           7. **Objections.** Do not object during opening statements unless the objections relate to a  
13 violation of motions in *limine*, or other substantive legal grounds which will violate the rights of  
14 your client, or provide grounds for reversible error. Speaking objections are not allowed.  
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16           8. **Professional Demeanor:** Treat each other with respect and courtesy at all times. The  
17 Court will not tolerate unprofessional conduct.

18           9. **Closing Trial Briefs:** In lieu of, or in addition to closing arguments, counsel are to  
19 submit a closing trial brief summarizing the issues presented at trial and referencing the evidence  
20 supporting the relief requested. Closing trial briefs shall not exceed 20 pages without leave of  
21 the court. Each party may submit an optional rebuttal brief not exceeding 10 pages. The Court  
22 will set deadlines for the closing trial briefs and rebuttal briefs after trial.  
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24           10. **Statement of Decisions.** Pursuant to Code of Civil Procedure section 632 and Rules of  
25 Court Rule 3.1590, et. seq., the parties may make a timely written request for a statement of  
26 decision where applicable. If a party submits a timely request for a statement of decision, all  
27 parties shall submit a proposed statement of decision no later than 30 days after the request is  
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1 made. If a statement of decision is requested, the Court will not deem the matter submitted until  
2 all parties file and serve the proposed statement of decision.  
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Hon. Peter Chang  
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