

SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
ATTACHMENT 1 - PRE-TRIAL ORDERS – JURY TRIAL (Rev. 6/24/26)
SUMMARY OF DEADLINES¹

Deadline	Requirements
Ten (10) calendar days in advance of the Issue Conference	File and serve motions in limine
Five (5) calendar days in advance of the Issue Conference	File and serve Witness List File and serve oppositions to motions in limine
Seven (7) court days in advance of the trial	Exchange copies of all potential trial exhibits Exchange copies of proposed jury instructions and jury verdict forms
Three (3) court days in advance of the trial	Conduct Advance Trial Conference per Section III of these Pre-Trial Orders Notify department clerk regarding any party or witness needing an interpreter
4:00 pm one (1) court day in advance of the trial	Lodge binder(s) with motion in limine papers Parties to meet and confer on each motion in limine and advise the Court which, if any, motions are uncontested File and serve any written objections to discovery to be proffered in evidence at trial
First appearance for trial	Lodge joint statement of the case Lodge any stipulations reached regarding admissibility of trial exhibits or any other factual, evidentiary or procedural stipulations Lodge binder with copy of all expert designations and declarations Lodge proposed trial schedule Lodge other persons list Lodge list and copies of proposed jury instructions and jury verdict forms Lodge exhibit binders with master exhibit list

¹ The information in this chart is a brief summary of the primary deadlines in advance of trial. Please review these Pre-Trial Orders and the Court’s Local Rules for additional information and any other applicable deadlines.

1 providing such binder to the Court as to their own filed motions in limine (with any related
2 papers as set forth above). Failure to do so may result in denial of the motion. This provision
3 supersedes the provisions regarding lodging courtesy copies as set forth in Local Rule 3.11(b).
4 However, the Court encourages, but does not require, the parties to prepare a single binder
5 compiling all of the motion in limine papers.

6 **7. The Parties shall meet and confer on each motion in limine and advise the**
7 **Court by the Court Day Before Trial Deadline which, if any, motions are uncontested.** The
8 papers regarding any uncontested motions may be omitted from the binder(s). Uncontested
9 motions may be indicated by a notation on the binder index.

10 **8.** At first appearance for trial, the Parties should be prepared to discuss the filed
11 motions in limine in Chambers with the Court and/or argue them on the record as directed by the
12 Court.

13 **9.** The Court advises the Parties that the Court is generally not inclined to grant
14 blanket or boilerplate motions in limine where specific evidentiary objections can more
15 appropriately be made at the time that the subject testimony is elicited or the subject evidence is
16 proffered. Attempting to exclude evidence based on “relevancy” arguments are rarely
17 appropriate, as the Court generally is inclined to consider objections as to relevancy in the
18 context of the evidence that may be presented during trial. There are similar considerations as to
19 many other types of evidentiary objections. The Parties are admonished to limit motions in
20 limine to matters as to which Parties believe a ruling in advance is both necessary and
21 appropriate. **The Parties are also advised to review Local Rule 3.11(b) regarding the**
22 **standard motions in limine that the Court will typically issue.**

23 **III. ADVANCE TRIAL CONFERENCE BETWEEN THE PARTIES**

24 **10.** Not less than three (3) court days in advance of the trial date, the Parties shall
25 meet and confer in a face-to-face conference (the “Advance Trial Conference”) as to the
26 following:

27 **a. Preparation of Trial Exhibits.** The Parties shall meet and confer
28 regarding their respective trial exhibits. **This includes removing all duplicative**

1 **exhibits, pre-marking all exhibits, and updating and consolidating the exhibit lists**
2 **into a single master exhibit list (the “Master Exhibit List”).** Each exhibit on the
3 Master Exhibit List shall be designated by and pre-marked with a separate numerical
4 identifier. At trial, the Court expects that when an exhibit is used it will already be
5 marked and identified on the Master Exhibit List and that all Parties will have a pre-
6 marked copy. Each Party is responsible for providing, at first appearance for trial, at least
7 four binders, with copies of their trial exhibits (one for the Court, one for the witness
8 stand, and one for each side) conforming to the Master Exhibit List. The Court
9 encourages, but does not require, the Parties to prepare a single set of master exhibit
10 binders. **All parties are admonished that a failure to lodge a Master Exhibit List and**
11 **exhibit binders in conformance with the foregoing may result in a rescheduling of**
12 **the trial to a later date in the Court’s discretion.**

13 **b. Admissibility of Trial Exhibits and Other Stipulations.** The Parties
14 shall meet and confer regarding admissibility of their respective trial exhibits. The
15 Parties are encouraged to be liberal in considering mutual stipulations as to their
16 admissibility at trial. The Parties shall meet and confer regarding any factual, evidentiary
17 or procedural stipulations. The Parties are encouraged to discuss any additional
18 stipulations to further narrow contested trial issues. All stipulations shall be reduced to
19 writing and lodged at first appearance for trial.

20 **c. Joint Statement of the Case.** The Parties shall meet and confer regarding
21 a joint statement of the case to be read to the jury. A draft of any such statement, with
22 any disagreements highlighted, shall be lodged at first appearance for trial.

23 **d. Discovery to be Proffered in Evidence at Trial.** The Parties shall meet
24 and confer to identify any portions of videotaped or other depositions or discovery to be
25 proffered at trial as to which there are objections. All objections are to be filed and
26 served in writing by Court Day Before Trial Deadline.

27 **e. Audio or Visual Presentations.** The Parties shall meet and confer to
28 identify all those audio or visual presentations to be proffered at trial and any objections

1 thereto. All audio or visual presentations are to be tested before use in front of the jury.
2 All objections are to be submitted to the Court in writing by Court Day Before Trial
3 Deadline. The Parties are encouraged to contact the departmental clerk to schedule
4 access to the courtroom to test any audio-visual presentations prior to trial. Any such
5 access should be scheduled when all sides have a representative present.

6 **f. Experts.** The Parties shall meet and confer regarding any stipulations
7 regarding the qualification of any expert(s) and the preparation of a binder with all expert
8 designations and declarations which shall be provided in a binder and lodged at first
9 appearance for trial.

10 **g. Detailed Trial Schedule.** The Parties shall meet and confer regarding
11 preparation of a joint hour-by-hour proposed schedule for the trial (the “Proposed Trial
12 Schedule”). The Proposed Trial Schedule shall be lodged at first appearance for trial.

13 **h. Names of Other Persons/Entities.** The Parties should meet and confer
14 and prepare a list of the names of any other persons (or associated entities) not expected
15 to testify but whose names might come before the jury (the “Other Persons List”). A
16 courtesy copy of the Other Persons List shall be lodged at first appearance for trial.

17 **i. Proposed Jury Instructions.** The Parties shall meet and confer regarding
18 proposed jury instructions and jury verdict forms. See Section IV below.

19 **IV. PROPOSED JURY INSTRUCTIONS AND JURY VERDICT FORMS**

20 **11.** Not less than seven (7) court days in advance of the trial date, the Parties shall
21 exchange copies of proposed jury instructions and jury verdict forms.

22 **12.** The Parties shall review and comply with the provisions of the California Rules of
23 Court (“CRC”) regarding the form of proposed jury instructions. See CRC Rule 2.1050 *et seq.*

24 **13.** Following the Advance Trial Conference and the meet and confer regarding the
25 proposed jury instructions and jury verdict forms, the Parties shall lodge a list and copies of
26 proposed jury instructions and jury verdict forms at first appearance for trial. **The proposed**
27 **jury instructions and jury verdict forms shall be divided into two sets for the Court.** The
28 first set being agreed jury instructions and verdict forms and the other set being disputed jury

1 instructions and verdict forms. **No party shall file or lodge jury instructions and/or jury**
2 **verdict separately in any other manner.** Each Party's authorities on contested jury instructions
3 are to be noted on the instructions or verdict forms. No duplicates should be provided. No
4 "blank" or incomplete jury instructions or jury verdict forms should be provided.

5 **V. VOIR DIRE**

6 **14.** The Court will conduct the initial voir dire examination of the initial group of
7 prospective jurors using a "14 Pack" method (12 in the jury box and 14 in the first row of the
8 audience gallery) or such other number of prospective jurors as the Court may direct. The
9 Parties will have the opportunity to conduct further examination within reasonable time limits
10 (typically 30 minutes to one hour per side) by asking questions reasonably calculated to discover
11 bias or prejudice with regard to the circumstances of the particular case or the parties before the
12 Court, in accordance with Code of Civil Procedure section 223. The
13 Court may permit additional reasonable time to conduct examination of the prospective jurors for
14 good cause shown. A Party may not directly or indirectly argue their cases during voir dire.
15 While some reasonable introductory narrative may be appropriate and permissible in connection
16 with voir dire and framing hypothetical questions, the Parties are cautioned to avoid lengthy
17 recitations of the law and attempts to precondition the jury panel as to what the law may or may
18 not require.

19 **15.** Two alternates are normally selected on cases with average time estimates.

20 **16.** Any request pursuant to CRC Rule 3.1540 regarding additional questions that the
21 Court will put to the jurors shall be in writing, lodged at first appearance for trial.

22 **17.** The Parties are admonished to be mindful of the following in conducting voir dire
23 examination:

- 24 **a.** Do not repeat the Court's questions.
- 25 **b.** Use group questions to avoid undue consumption of time.
- 26 **c.** Do not ask questions regarding hardship or personal comfort of jurors.
- 27 **d.** The Court will not allow needless, repetitive questions, or permit pre-
28 instruction, or pre-argument by a Party. "If I prove..." questions will not be allowed.

1 **VI. GENERAL COURTROOM DECORUM**

2 **18.** All Parties are expected to conduct themselves with civility, dignity and decorum
3 at all times. Disruptive tactics or uncivil conduct are not acceptable.

4 **19.** Colloquy between the Parties on the record or at sidebar is not permitted. All
5 remarks should be addressed to the Court rather than to the opposing Party unless the Court
6 invites the Parties to confer directly on a matter.

7 **20.** The Parties shall not engage in any activity at their table, move about the
8 courtroom or otherwise engage in other conduct so as to cause distraction while the opposing
9 Party is arguing or questioning a witness. No Party should indicate approval, disapproval, or
10 otherwise react to any testimony or argument in a distracting or discourteous manner.

11 **VII. OPENING STATEMENTS**

12 **21.** All Parties must show or exchange and meet and confer regarding any visuals,
13 graphics, or exhibits to be used in the opening statements, allowing for time to work out
14 objections and any necessary revisions. Opening statements should be limited to a summary of
15 what a Party expects the evidence to show.

16 **VIII. WITNESSES**

17 **22.** Each Party is responsible for informing their witnesses of the substance of any in
18 limine orders potentially implicated by that witnesses' testimony, including, but not limited to,
19 advising the witness as to any matters that Court has ordered excluded or not to be addressed
20 during trial. The Parties are encouraged to request a sidebar in the event they believe a particular
21 line of inquiry may implicate any of the Court's prior rulings on motions in limine.

22 **23.** As a general rule, the side presenting evidence is to have witnesses available to
23 fill the entire court day. If a party "runs out of witnesses," the Court may use its discretion to
24 have witnesses testify out of order or impose other appropriate remedies, including deeming a
25 Party's presentation of evidence rested.

26 **24.** Each side is to notify the opposing side, no later than the end of each court day,
27 the names of all witnesses that the Party expects to call the following court day.

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1 **IX. OBJECTIONS**

2 **25.** Speaking objections are not permitted when the jury is present unless the Court
3 requests argument or clarification in open court. A Party seeking to present argument may
4 request a sidebar conference. The Court will permit a Party, upon request, to make a more
5 complete record of any objections at the appropriate time and outside the presence of the jury.

6 **X. CLOSING ARGUMENTS**

7 **26.** If a Party intends to publish the Court’s jury instructions or excerpts therefrom,
8 the published instruction or excerpt must be verbatim with a reference to the applicable jury
9 instruction number. Parties shall not display misquoted or incomplete jury instructions.

10 **XI. ADDITIONAL CASE SPECIFIC ORDERS**

11 **27.** Not Applicable.

12 **XII. NOTICE REGARDING COMPLIANCE WITH ORDERS**

13 **28.** All Parties are admonished that the failure to timely comply with any current
14 orders regarding the conduct of trial, including, but not limited to, the orders made herein, the
15 Court’s Local Rules, the CRC, the Code of Civil Procedure or any other applicable rules or
16 procedures (the “Applicable Rules”) may bar them from presenting evidence at the trial.

17 **29.** All Parties are further admonished that a failure to timely comply with all
18 Applicable Rules and/or conduct which frustrates or obstructs such orders may result in the
19 imposition of sanctions against you, including, but not limited to, monetary sanctions up to
20 \$1,500 pursuant to Code of Civil Procedure section 177.5. In addition, if you fail to comply with
21 such orders, the Court may make orders adversely affecting your rights and/or resulting in other
22 sanctions or penalties against you.

23 **30.** As relates to the filing, service or other presentation of papers in connection with
24 the trial, a failure to timely comply with all Applicable Rules may result in the Court
25 disregarding such paper(s) or denying the relief requested (or granting relief sought by an
26 opposing Party).

27 **IT IS SO ORDERED.**