

SUPERIOR COURT of CALIFORNIA, COUNTY of VENTURA

DEPARTMENT 44 RULES & PROCEDURES

(Effective January 2, 2026)

The [California Rules of Court](#) are referred to herein as the “CRC”. The [Ventura County Superior Court Local Rules](#) are referred to herein as “LR”. The [Code of Civil Procedure](#) is referred to herein as “CCP”. The CCP, CRC, LR, and these local rules and procedures are updated from time to time. Parties and counsel are responsible to follow the current statutes, rules, and procedures.

I. PRE-TRIAL RULES & PROCEDURE

A. General. The Court hears case management, ex parte, and law and motion matters each Monday through Friday beginning at 8:30 a.m., except as specified below. Ex Parte hearings are generally heard before other matters on calendar.

Law & Motion Hearing Schedule:

1. Monday: Motions to Compel Arbitration
2. Tuesday: Pleadings Challenges
3. Wednesday: Discovery & Miscellaneous Motions
4. Wednesday at 1:30 p.m.: Motions for Class and PAGA Settlement Approval
5. Thursday: Motions for Summary Judgment/Adjudication & Class Certification

B. Case Management.

1. Purpose. One of the Court’s primary objectives in managing its caseload is to ensure each case is at issue so that a trial date can be set. If all parties have not been served and filed answers as of the Case Management Conference (“CMC”), the conference will be continued. If the continuance is due to a failure to adhere to applicable deadlines, the Court is likely to set an OSC re: the imposition of sanctions. (CRC 3.110(i).)

2. Common Issues to Avoid. Common issues that arise at CMCs and may result in the setting of OSC hearings re: imposition of sanctions against counsel are:

- a. Appearance counsel’s failure to be properly informed about the case and/or failure to file a meaningful CMC Statement at least 15 days before the hearing.
- b. Delay in service, delay in filing proof thereof with the court, or both. (CRC 3.110(a)-(f) & 3.740; Gov’t Code. § 68616(a).) Litigants should move promptly to comply with applicable service deadlines, including by seeking authorization to employ alternative methods of service if appropriate.
- c. Delay in requesting entry of default and/or default judgment. (CRC 3.110(g)-(h).)
- d. Discrepancies between how a defendant is named in the complaint and the name used by the defendant in the answer. Such issues can be avoided by answering the

pleading with the defendant's correct name and indicating the name under which defendant was erroneously sued.

e. Failure to timely post jury fees. (Code Civ. Proc. § 631.)

3. **Case Dates.** If a case is at issue, the Court may set, as appropriate, a mediation completion deadline, a Pretrial Conference, and a trial date. All other deadlines are set per CCP and CRC. Trial dates are firm. Requests for continuances are disfavored and any such requests must adhere to CRC 3.1332.

4. Song-Beverly Case Management.

Please see the rules applicable to case management generally.

5. Complex Case Management.

Cases designated as complex under CRC 3.400 shall be set for a case management conference within 120 days of approval of the complex designation by the assigned judge. The Court may calendar all events, such as service on unserved parties, discovery completion dates, settlement conference dates, and trial dates at the case management conference.

In lieu of a case management statement (CM-110), the parties are required to file a joint complex status report, in pleading format, at least 15 court days prior to the first case management conference.

For certain complex cases, the Court will issue a Complex Track Case Management Conference Order ("Complex Track CMC Order"). If a Complex Track CMC Order issues, the parties are required to provide the Court with information specified in the Order. If no Complex Track CMC Order issues, the parties must timely provide a Joint Complex Track CMC Report as required by LR 3.08.

6. Class Action Case Management.

All Joint Reports filed in class action cases must include information sufficient to establish a litigation plan, as applicable, for: mediation, resolution of arbitrability issues, and class certification to include, phased discovery proceedings, the timeline for the completion of such discovery, and any other matters counsel wish to call to the court's attention. If the parties anticipate that the filing of the class action certification motion will be more than 12 months after the case is initiated, the Joint Report must include a detailed explanation of the reasons for the delay.

As a general rule, the Court will order discovery be completed in phases to accord with class certification and merits discovery.

7. Writ Proceedings.

The Court may issue a case management conference order in anticipation of the initial mandatory case management conference.

The Court schedules trials on writ proceedings on Tuesdays at 1:30 p.m.

8. California Environmental Quality Act Cases.

See L.R., Chapter 28.

C. Ex-Parte Applications (See also CRC 3.1200 et seq. & LR 15.00 et seq.)

1. **Heard Daily.** Ex-part Applications in Department 44 are heard each court day at 8:30 a.m. with a limit of 2 per day.

2. **Reservation Procedure.** Parties shall reserve their ex-part application with the Judicial Secretary by calling 805-289-8791.

3. **Filing Deadline.** Moving papers are to be filed no later than noon the court day prior to the hearing. If the documents are received after the filing deadline, your hearing may be continued to the next available date.

4. **Appearances.** Parties may appear for an ex parte hearing in person or via Zoom. If appearing by Zoom, notification of your intent to appear via Zoom must be made in accordance with section D, Remote Appearances.

D. Remote Appearances (See also CCP 375.75, CRC 3.670 & 2.672 & LR 7.06)

1. Department 44 permits Zoom appearances. The Department is not able to accommodate Court Call appearances.

2. **Zoom Appearances.** Zoom appearances are permitted by the Court as a courtesy. Those appearing by Zoom must:

a. **Required Notice.** Provide Notice to the Court **by 4:00 p.m. the day before the hearing.** To provide notice, email the court by 4:00 p.m. the day before your hearing at courtroom44@ventura.courts.ca.gov, with a subject line that includes "NOTICE TO APPEAR VIA ZOOM," and include the case number, title, & remotely appearing person's name in the email, copied to all self-represented parties and counsel. Your entrance to the hearing via Zoom will be denied if you fail to provide e-mail notice in accordance with these rules.

b. The Notice shall identify only the attorney(s), and party or parties who will appear at the hearing. DO NOT, for example, simply provide the Court with a list of all the attorneys in the firm who may appear.

c. Follow Department 44 Zoom Appearance Instructions available on the Court's website.

3. All persons appearing remotely shall:

a. Conduct yourself as though appearing in court in person, to include court-appropriate demeanor, dress, and conduct. If you are appearing via Zoom, you will be required to turn your camera on during your appearance.

b. Ensure you have sufficient technical capability, including a reliable internet connection.

c. Eliminate background noise and distractions.

d. If appearing via Zoom, identify yourself by name and title (e.g., John Brown, Counsel for Plaintiff, OR John Brown, Plaintiff (if self-represented), and NOT "John's iPhone" or "Samsung 3475.").

e. Not record any part of the proceedings. (CRC 1.150 & Pen. Code §

f. Mute yourself until your case is called.

4. No Remote Appearance at Evidentiary Hearings or Trials without Court Authorization.

Unless otherwise authorized by the Court, all parties, counsel, and witnesses are required to appear in person for trials or evidentiary hearings. An evidentiary hearing is any hearing at which sworn oral testimony is provided, to include default prove-up hearings. To the extent witnesses are authorized to appear remotely via Zoom, the party for whom the Remote Appearance is made is responsible to ensure that:

- a. Remote proceedings do not delay court proceedings;
- b. Any remotely appearing witness has access to all documents relevant to that witness, and,
- c. All parties have sufficient notice of the remote appearance.

5. Standing Order/Agreement Regarding Remote Appearances.

The topic of how remote proceedings are governed in any case may, at the request of a party, be addressed as part of the case management conference. (See e.g., CMC-110, ¶ 16). Alternatively, the issue of remotely appearing witnesses may be raised at the pre-trial conference, by written motion, or by a stipulated request for a court order.

6. Revocation of Remote Appearance. Notwithstanding any of the above requirements related to remote appearances, the Court may require an in-person court appearance consistent with CCP 367.75(b) and CRC 3.672(d).

E. Informal Discovery Conferences (“IDC”)

1. Joint Request for IDC. The Court encourages the parties to request an IDC in accordance with L.R. 8.10, which may obviate the need for a formal discovery motion. Such requests must be made **jointly** by the parties in writing by email to Courtroom 44 at Courtroom44@ventura.courts.ca.gov, and copied to all attorneys and self-represented litigants.

2. Scheduling IDCs. The Court sets IDCs at 1:30 pm, Tuesdays through Fridays.

3. Time Limit for IDCs. IDCs are limited to 15 minutes for basic discovery disputes and 30 minutes for complex disputes.

F. Law & Motion

1. Court Schedule. Law and motion matters are heard Tuesday through Friday at 8:30 am. Law and Motion matters can be reserved by calling 805-289-8525 and pressing option 3.

2. Briefing Procedure & Form. The Court adheres strictly to the motion practice statutes and rules set forth in the Code of Civil Procedure and the Rules of Court, including the format and content of pleadings, page limitations, and required notice. (See e.g., CRC 2.256(b).)

3. Law & Motion Exhibits. Exhibits submitted in support of or in opposition to a motion must be tabbed at the bottom of the pleadings if presented to the Court in hard copy. Exhibits submitted electronically must be book marked, and text searchable if possible. Exhibits must be identified and authenticated by a supporting declaration. Parties

should limit exhibits to only those relevant and necessary to the motion. If an exhibit is more than five (5) pages, please highlight the relevant portions of the exhibit.

G. Motions for Summary Judgment/Adjudication & Class Certification Motions

1. Two Motion Limit Per Week. The Court hears no more than a combination of two motions for summary judgment/adjudication and/or class certification each week, which are set on Thursdays at 8:30 a.m. Class certification and summary judgment motions may be heard on a calendar date other than a Thursday as approved by the Court on a showing of good cause.

2. Courtesy Chambers Copies. The Court requires courtesy copies of all papers filed in support of and in opposition to a motion for summary judgment/adjudication and class certification. All courtesy copies must be delivered to Courtroom 44 at 8:30 a.m. at least two weeks in advance of the hearing date.

H. Sua Sponte Hearing Continuances. From time to time, as the Court may deem necessary, the Court may ask the Court's research attorney to contact the attorneys (or self-represented litigants) concerning the need to continue a hearing to permit the Court and its research staff additional time to read and consider a motion.

I. Tentative Rulings. The Court may issue written tentative decisions, time permitting. Tentative decisions are published prior to the hearing on the Ventura County Superior Court website. Parties appearing for oral argument should address the tentative decision. Parties may submit on the tentative decision by email, with a copy to all other parties in the matter, to courtroom44@ventura.courts.ca.gov before 8:00 a.m. on the day set for the hearing, with a subject line that includes "SUBMISSION ON TENTATIVE", Case Number, Title and Party. If fewer than all parties submit on the tentative, the hearing will proceed, and the tentative ruling is subject to change. The clerk cannot advise if you should still appear or not. The decision of whether to appear for a hearing is to be made by the parties and their counsel.

J. Pretrial Conferences ("Pretrial Conference"). The Court may set a Pretrial conference. Pretrial Conferences **must be attended by counsel of record who will be trying the case and all self-represented parties.** The parties must meet in advance of the Pretrial Conference for the purpose of preparing a joint Pretrial Conference Statement. The Joint Pretrial Status Conference Statement shall be filed and served at least 5 court days before the Pretrial Conference, and shall contain the following information:

1. A brief summary of the nature of the case; the causes of action asserted in the complaint/cross-complaint, the primary damages or relief sought, and primary defenses asserted.

2. A summary of all resolution efforts by the parties to date.

3. Additional steps the parties plan to take to resolve the case, and whether the Court can assist in those efforts.

4. The parties' readiness for trial and identification of issues that may require court involvement, such as bifurcation, consolidation, or particularly complicated evidentiary issues that should be decided before trial.

II. Trial Rules & Procedures

A. **No E-Delivery of Trial Documents.** The Court does not accept e-delivery of trial documents. Once submitted, there is no need to resubmit trial documents if the trial trails.

B. **COURTESY COPIES OF ALL TRIAL DOCUMENTS.** The Court requires courtesy paper copies of all trial documents (i.e., witness lists, exhibit lists, trial briefs, motions in limine, any proposed jury questionnaires). All courtesy copies must be delivered to Courtroom 44 by 8:30 a.m. on the court day after they are emailed to the Court.

C. JOINT Witness & Exhibit Lists.

1. **Joint Witness List.** The Court relies on joint witness lists to determine how many court days to allocate to your trial. The parties' joint witness list shall identify:

- a) the name of the witness;
- b) the witnesses' relationship to the case;
- c) a brief offer of proof; and
- d) the time estimates for direct examination, cross-examination, and redirect.

2. **Joint Exhibit Lists.** The parties shall meet and confer to create a joint exhibit list that removes duplicate exhibits, provides a brief description of each exhibit and whether any party objects to the admission of the exhibit with the grounds stated.

3. **Deadline for Exchange of Lists Among the Parties.** The parties shall exchange witness and exhibit lists at least 14 days prior to trial for the purpose of creating joint lists for submission to the Court five court days prior to the start of trial.

4. **Deadline for Submission to Court.** The joint exhibit and witness lists shall be emailed to courtroom44@ventura.courts.ca.gov at least five court days before trial.

D. **Trial Briefs.** Trial briefs shall be no more than 5 pages and shall be served on all parties and emailed to courtroom44@ventura.courts.ca.gov at least five court days before trial.

E. Motions in Limine.

1. The parties shall meet and confer on the necessity of any motions in limine and are encouraged to stipulate to any undisputed matters. Motions that seek orders compelling compliance with existing law are strongly discouraged.

2. The parties should agree on an acceptable schedule for the service of the motions, oppositions thereto and any reply briefs in support of the motion (if necessary) such that the briefing on the entirety of the motions in limine will be completed at least 5 days before trial.

3. All motions in limine shall be emailed to courtroom44@ventura.courts.ca.gov 5 days before trial. Motions in limine shall not exceed 5 pages, and the exhibits attached thereto shall not exceed 20 pages total without leave of court.

4. No party shall bring more than 5 motions in limine without leave of court.

F. **Jury Fees.** All jury fees must be posted as required by the CCP, CRC and LR. When your case is called for trial, the parties shall be prepared to confirm whether the case will

proceed as a jury or court trial. Where the parties choose to proceed with a jury trial, a check shall be remitted to the judicial assistant on the first day of trial by any parties who have agreed to pay jury fees.

G. Court Reporter. A court reporter will be present at trial only if arranged and paid for by the parties except as provided herein. If the parties waive a court reporter, challenges to the sufficiency of the evidence to support the verdict or any ruling by the Court will be deemed waived on appeal. (*Aguilar v. Avis Rent-A-Car System, Inc.* (1999) 21 Cal.4th 121, 132.) Indigent parties who have received a fee waiver are entitled to a court reporter without charge upon timely written request in compliance with [Ventura County Superior Court Administrative Order No. 18.06](#), which is available on the court's website and in the clerk's office.

H. Remote Appearances. See the rules that apply to remote appearances generally.

I. Trial Exhibits.

1. **Format.** All exhibits shall be pre-marked using numbers, with each party assigned a unique number range to avoid duplication. The parties shall agree on a master set of exhibits, excluding impeachment materials, and shall place such exhibits into numerically tabbed binders, with the spine of the binder labeled to indicate the number range of the exhibits contained in each binder. The parties are responsible to ensure that each party has a complete set of exhibits. On the first day of trial, the parties shall also provide two copies of all exhibits: one copy to the judicial assistant for use by the Court, and one copy shall be placed on or adjacent to the witness stand for use by testifying witnesses.

2. **Numbering.** Multipage exhibits shall be numbered at the bottom of the page by exhibit number and page number of the exhibit (e.g., Exh. 1-001 or Exh. 1 p. 1). The Court will not admit standalone pages from an exhibit; to the extent a party wishes to admit only portions of an exhibit, the excerpts shall be marked as a separately numbered and tabbed exhibit.

J. Deposition Transcripts. Deposition transcripts on which the parties intend to refer to during trial must be lodged with the Court on the first day of trial. A notice of lodging shall be prepared for all lodged deposition transcripts.

K. Jury Instructions. Counsel shall meet and confer as to jury instructions and verdict forms. A joint set of agreed-upon jury instructions and verdict forms shall be lodged with the judicial assistant no later than the first day of trial. To the extent possible, CACI-approved instructions and CACI-approved verdict forms shall be used. Unless otherwise agreed, the plaintiff shall prepare, serve, and lodge the final set of instructions and verdict forms. Special jury instructions may be prepared, served, and lodged by the party seeking the special instruction(s).

L. Jury Questionnaires. If either party intends to request the use of a jury questionnaire, the requesting party(ies) shall first meet and confer with other parties and attempt to reach an agreement as to the questions, any sharing of costs, and the logistics of completing, copying, and distributing copies to the parties and Court. The requesting party(ies) shall email the joint proposed jury questionnaire (including all written instruction to jurors) at least five court days in advance of trial to courtroom44@ventura.courts.ca.gov. The parties shall specify whether they are requesting that jury questionnaires are proposed 1) to be used to pre-screen prospective jurors or 2) as a set of questions to be asked by the Court during voir dire. The Court will not prepare or copy questionnaires.

M. Abbreviated Opening Statements. Any party may request court approval to provide abbreviated opening statements in accordance with CCP 222.5(d). Abbreviated statements shall not exceed 2 minutes per party and shall include only neutral non-argumentative descriptions of each party's claims and defenses.

N. Jury Selection.

1. **Six-Pack Jury-Selection Method.** The Court uses a "six-pack" jury-selection method. For cause challenges can be made as to any of the 18 prospective jurors outside the presence of the jury. Peremptory challenges may be made to the remaining 18 jurors from counsel table. As new prospective jurors are seated to fill the remaining 18 seats, voir dire will proceed as to newly seated prospective jurors only until a jury is empaneled. Once a jury is empaneled, the Court will determine the number of alternate jurors to be selected, and voir dire will proceed as to the selection of alternate jurors. In general, the Court will select two alternate jurors for trials lasting 10 days or less.

2. **No Preconditioning Jurors.** Counsel or self-represented litigants shall refrain from preconditioning the jury by asking hypothetical questions during voir dire or by telling personal stories or anecdotes. Additionally, the Court does not permit counsel or self-represented parties to summarize jury instructions or the law without leave of Court.

3. **Bench Conferences.** The parties should make every effort to address all anticipated evidentiary or legal issues affecting the presentation of evidence in limine, at the pre-trial conference, or outside the presence of the jury. Bench conferences conducted in the presence of the jury are not reported.

O. Audio/Visual: Parties are responsible for their own audio/visual needs at trial. All equipment must be tested in advance to avoid delay, and the Court will not provide technical support. Any party showing a PowerPoint or similar presentation to the jury in opening statements or closing arguments shall provide a hardcopy of same to all other parties and the Court clerk at least 15 minutes prior to the presentation. The clerk shall mark the presentation as a special court exhibit for purposes of appellate review. Any objections to a presentation shall be made outside the presence of the jury.

P. Trial Schedule. Schedule permitting, trial hours are Monday through Thursday from 10:00 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m. with a 10-minute break in the morning session and a 15-minute break during the afternoon session. The Court expect the parties, counsel, witnesses, and court reporter to be on time. Requests or discussions that take place outside the presence of the jury should take place outside of trial hours so that jurors are not kept waiting.

Q. Entry of Judgment. The Court will direct the prevailing party to serve and file a proposed judgment consistent with the jury's verdict and in conformity with the CRC and CCP.