

Honorable Joel R. Wohlfeil, Presiding

Phone Numbers

Courtroom: 619-450-7073

Calendar: 619-450-7006- Phone hours: 8:00 a.m. to 3:00 p.m.

1 Conformity with Local Rules. Unless otherwise indicated herein, Department 73 adheres to the San Diego Superior Court Local Rules, Division II.

2 Calendars

2.1 General. Counsel are expected to appear timely for all scheduled hearings. If for any reason you will be late for an appearance, please contact the Calendar Clerk in advance at 619-450-7006.

2.2 Ex Parte. Ex Parte appearances are scheduled Tuesday, Wednesday and Thursday at 8:30 a.m., by reservation only. Papers are due by noon the day prior to the hearing with the appropriate fee. To reserve an ex parte hearing, contact the calendar clerk at the number provided above. Comply with CRC 3.1200 et seq.

2.3 Petitions for appointment of a Guardian Ad Litem and Applications for Orders for Publication of Summons may be made ex parte without the necessity of an appearance. The Court may set a hearing if such a hearing is deemed necessary.

2.4 Joint Trial Readiness Conferences. Joint Trial Readiness Conferences are pursuant to the local rules; counsel shall bring the Joint Trial Readiness Conference Report to the hearing. A copy of the Advance Trial Review Order is available in Department 73. If for any reason that you cannot appear in person you must seek permission from the Court to appear remotely.

2.5 Trial Call. Trials are called on Fridays at 8:30 a.m. and at such other times as the Court may designate. If for any reason that you cannot appear in person, you must seek permission from the Court to appear remotely.

2.6 Trials. Trial hours are Monday through Thursday, 9:00 a.m. until 12:00 p.m. and 1:30 p.m. until 4:30 p.m., unless otherwise ordered.

2.7 Remote Appearances via MS Teams: Unless otherwise ordered by the Court, proceedings in Department 73 will be conducted remotely, in person, or in combination of the two, at the discretion of the counsel, witness, or self-represented litigant making the appearance. To appear by MS teams, go to Court's website www.sdcourt.ca.gov, click on how to appear for your hearing, click on Civil Independent Calendar hearings then scroll down to find the Dept link or call the Dept Conference number. Please check in on Microsoft Teams 15 minutes prior to appearance time as this allows the Courtroom Clerk to correctly document the appearances for the minutes. Be prepared to have your name listed as your sign in, if not able, have name ready for the Courtroom Clerk. Please mute your device after you have identified yourself. Please check your equipment before appearing remotely and make sure you only appear through one device.

3 Law and Motion

3.1 Reservations Required. This department hears motions by reservations only. To reserve a date, contact the calendar clerk at the number provided above or use the online scheduling tool. Note: the online scheduling tool tends to provide hearing dates further into the future than the calendar clerk can provide. Absent a Court Order, Department 73 hears regular motions no later than 60 calendar days after the motion is reserved, and hears summary judgment motions no later than 120 calendar days after the motion for summary judgment is reserved.

3.2 Discovery Motions: The Court generally hears discovery motions on Thursdays at 1:30 p.m. Please call the calendar clerk to schedule hearing. This department does not set informal discovery hearings. Note: The online scheduling tool should not be used to schedule discovery hearings.

3.3 Tentative Rulings. This department issues tentative rulings pursuant to the California Rules of Court. Counsel may obtain tentative rulings prior to the noticed hearing date, via the internet at: www.sdcourt.ca.gov.

If neither party appears on the date and at the time noticed for the hearing, the tentative ruling will be adopted as the final ruling of the Court. Parties wishing to argue before the Court must appear on the date and time noticed for the hearing. Failure to file timely motion and / or opposition papers may constitute a waiver of the right to orally argue.

3.4 Motions / Applications for Good Faith Settlement. A proposed order must accompany an application for Good Faith Settlement pursuant to the Code of Civil Procedures. The order should state "This determination bars any other joint tortfeasor or co-obligor from any further claims against the settling parties for equitable comparative contribution or partial or comparative indemnity based on comparative negligence or comparative fault." The application and order will be held the requisite 25 days, and if no motion in opposition to the application for good faith settlement is filed, the order will be signed and processed. The clerk will file the order signed by the judge after the 25-day period has elapsed. A copy may be obtained from the Register of Actions.

3.5 Minor's Compromise: Motions are heard on Friday's at 2:30pm. Please contact the calendar clerk to schedule a hearing. Please submit the application and Order for Court's review at least one week prior to hearing.

4 Orders The Court's minute order is the final order of the Court. No further order need be prepared unless the Court directs counsel to prepare and submit an order.

5 Stipulations. The Court will accept Stipulations with a proposed Order to continue trial dates.

5.1 Filing Required. This Court adheres to the time limits as set forth in the Code of Civil Procedure regarding the time in which to answer, demur, cross-complaint, etc. Stipulations to extend statutory time to respond must be in writing and filed with this Court in order to be effective.

5.2 Approval Required. No procedure or deadline or date established by this Court may be modified, extended or avoided by stipulation or agreement of the parties or counsel, unless the stipulation is approved by this Court in advance of the date sought to be altered. Stipulations to extend discovery cut-off dates should contain the following language:

"This order shall not form the basis to extend any other cut-off dates, to add any new parties, causes of action or defenses, or to continue the trial date."

[Dept. 73 - Advance Trial Review Order](#)