

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE
TRIAL RULES AND PROCEDURES FOR CIVIL TRIALS
DEPARTMENT 7
JUDICIAL SECRETARY: 951-955-1554

Counsel shall comply with the following requirements for Trial:

1. Joint Statement of the case to be read to the jury (to be presented to the court at the Trial Management Conference – hereinafter the “TMC”).
2. Joint Witness List with name, place of residence and occupation (filed at the TMC).
3. Jury Instructions in three stacks: agreed, disputed, and a clean set for all instructions with no caption, title or brackets suitable for copying and distributing to jurors. These instructions should only contain text as you wish it delivered by the Court to the Jury (filed at the TMC).
4. Joint Exhibit List (filed at the TMC).
5. Exhibits premarked with exhibit tabs obtained from the department clerk. Exhibits that are 8 by 11 inches or less shall be placed in four (4) loose-leaf binders (one for the witness, opposing counsel, the court and the court clerk). Of course this number will increase for every additional party. Counsel may also show photos, charts and other exhibits on the ELMO visual device. Exhibits shall be numbered, each party taking a block of numbers (e.g. plaintiff will use numbers 1-200, defendant 201-400, a third party 401-600, etc.) However, enlarged exhibits may be marked with the number from which they are enlarged and a letter (e.g., exhibit “4A” would be an enlargement of Exhibit 4)
6. All Motions in Limine to be served 15 days before the date of the Trial on each party to the action (the in limine motions and opposition thereto are to be filed at the TMC and not before). Lead counsel for the plaintiff is responsible for arranging an issues conference at a mutually agreeable time and place. At the Issues Conference in advance of trial, jury or nonjury, the parties shall:
 - Prepare a joint witness list; exhibit list, jury instructions (agreed and disputed) and a joint statement of the case.
 - The parties will exchange all exhibits and motions in limine at the issues conference and/or minimally 15 days before trial.
 - The parties shall discuss all potential stipulations and provide the stipulations to the court at the TMC
 - Prepare an agreed upon verdict form and make available to the court at the TMC
7. Jury fees of \$150 are to be deposited at least 25 days prior to trial or a jury trial is waived. At commencement of trial, counsel is to provide two blank checks to the department clerk, made payable to the “Clerk of the Court” for payment of the jury fees and court reporter fees.

8. Court will usually be in session from 9:30 a.m./10:00 a.m. to noon and from 1:30 p.m. to 4:30 p.m.
9. At trial, the following rules shall apply:

- During jury selection, counsel are to identify all speakers for the record.
- Preconditioning of jurors is not permitted. Pursuant to Judicial Standard of Administration 8.5(c) (Improper questions on Voir Dire): “When any counsel examines the prospective jurors, the trial judge should not permit counsel to attempt to precondition the prospective jurors to a particular result or allow counsel to comment on the personal lives and families of the parties or their attorneys. Nor should (he) (she) allow counsel to question the jurors concerning the pleadings, the applicable law, the meaning of particular words and phrases, or the comfort of the jurors, except in unusual circumstances, where, in the trial judge’s sound discretion, such questions become necessary to ensure the selection of a fair and impartial jury.”
- Each side shall be allowed ample time to voir dire as long as the questioning is relevant to the selection of a fair jury.

Additionally, the following rules shall apply:

- Counsel are free to move about the courtroom without seeking leave of Court, including approaching a witness (after initially asking to approach the witness). If a witness appears to be uncomfortable with counsel’s proximity, counsel will be asked to inquire from the lecturer.
- Speaking objections will not be allowed and will be subject to reminder to counsel, admonishment of the jury, and sanction.
- All adults are to be addressed and referred to by last names. Minors may be addressed and referred to by first names.
- Counsel are to prepare the necessary equipment for their presentations, including document camera, monitors, easels, etc., prior to the beginning of trial. A party providing evidence that requires equipment to view is responsible for providing the necessary equipment for use by the jury during deliberations (i.e., cassette tape player, etc.) except for television/VCR.
- Unless otherwise ordered, audio and video recordings played for the jury will not be transcribed by the court reporter as they are played. The offering party shall provide approved transcripts for all jurors.
- After testifying, all witnesses will be excused unless a party requests that the witness is subject to recall.

Unless otherwise ordered, while the jury is in deliberation all counsel and parties may return to their homes or offices as long as they are available to be in the court within **20** minutes for questions or verdicts.

Dated: December 10, 2007

Mac R. Fisher
Judge of the Superior Court