

CHAPTER 17

DUTIES OF ATTORNEYS

17.01 NOTIFICATION OF SETTLEMENT

Whenever any case pending on the trial calendar is settled, the attorneys shall immediately notify the court. Failure to do so shall be deemed to be an unlawful interference with the proceedings of the court.

(Adopted October 1, 1998)

17.02 EXAMINATION OF WITNESSES

Only one (1) attorney on each side will be permitted to examine or cross-examine the same witness.

(Adopted October 1, 1998)

17.03 SUBSTITUTION

When an attorney withdraws from an action or proceeding and no other counsel is substituted, he shall endorse upon the withdrawal the address and telephone number of the client.

(Adopted October 1, 1998)

17.04 REPEALED

(Adopted October 1, 1998; Copies of judgments - Repealed July 1, 2005)

17.05 TIMELY FILING

It shall be the duty of counsel, on all filed documents, to indicate the date of any pending relevant court trial or hearing as part of or directly below the caption describing the nature of the document.

(Adopted October 1, 1998; Amended July 1, 2015; Amended July 1, 2016)

17.06 REPEALED

(Adopted July 1, 2005; Copies of Pleadings, Judgments and appealable orders – Repealed July 1, 2016)

17.07 JUDGMENT DEBTOR EXAMINATION

Judgment creditor must promptly notify the court forty-eight (48) hours prior to the scheduled court hearing, in writing, if the examination is not proceeding on the date scheduled.

(Adopted July 1, 2012)

17.08 ORDERS AND JUDGMENTS SUBMITTED AFTER HEARING

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- A. The party directed by the court shall prepare the findings and order after hearing, judgment and order in accordance with the court's decision, or stipulation put on the record and shall submit it to opposing counsel/party for objection or approval pursuant to California Rules of Court, rules 3.1312 and 5.125.
- B. The court may require any party submitting a proposed order after hearing who does not obtain approval as to form from opposing counsel to submit a transcript to the court with a cover letter explaining why it was submitted without such approval.
- C. If the parties require a transcript of the proceedings to resolve disputes over the form of order, the judge is to be advised that the transcript has been ordered and the expected date of availability of the transcript.
- D. Failure to submit orders after hearing in a timely manner may result in the imposition of sanctions.
- E. The judicial signature line shall be included following the text of an order. Signature lines may not be inserted on a blank page. Use footers on the signature page which would include the case name, case number and title of the document.
- F. California Rules of Court, rule 5.125(f), provides that “before signing a proposed order submitted to the court without the other party’s approval, the court must first compare the proposed order after hearing to the minute order, official transcript, if available, or other court record.” In cases when the Department of Child Support Services has made an appearance, a signature by the court on the finding and order after hearing constitutes notice that the court has complied with rule 5.125(f) of the California Rules of Court.

(Adopted July 1, 2012; Amended July 1, 2013; Amended July 1, 2014; Amended July 1, 2016)