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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF PLACER

_____ , Plaintiff(s),  v.  _____ , Defendant(s).
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Case No.: \_\_\_\_\_  
STIPULATION AND [PROPOSED]  
CONSENT ORDER FOR EXPEDITED  
JURY TRIAL (Code Civ. Proc., §§ 630.01 et  
seq; Cal. Rules of Court, rules 3.1545-  
3.1552)  
  
(To be used with Judicial Council Form EJT-010-INFO)

The parties to this proceeding and their legal representatives, if any, make the following representations and agree and stipulate to the following rules and procedures governing expedited jury trials as set forth in California Code of Civil Procedure sections 630.01 et seq. and in California Rules of Court, rules 3.1545-3.1552:

1. The parties and their legal representatives have read, understand and agree to the requirements, restrictions and procedures set forth in California Code of Civil Procedure sections 630.01 et seq. and in California Rules of Court, rules 3.1545-3.1552.

- 1 2. The parties and their representatives have received copies of Judicial Council Form EJT-  
2 010-INFO and understand the information provided by the form.
- 3 3. Each insurance company (if any) responsible for providing coverage or defense on behalf  
4 of a party to this proposed consent agreement, individually identified in this proposed  
5 consent order, has been informed of the rules and procedures for an expedited jury trial,  
6 has been provided with a Judicial Council Information Sheet (EJT-010-INFO) concerning  
7 expedited jury trials, has agreed to take part in or not object to the expedited jury trial  
8 process, and has agreed to all of the specific provisions set forth in this proposed consent  
9 order.
- 10 4. This stipulation and proposed consent order is entered into after a dispute has arisen and  
11 after an action has been filed.
- 12 5. The parties and their representatives stipulate and agree to all of the following:

13 **General Rules**

- 14 a. Expedited jury trials do not receive special priority for trial assignment purposes.
- 15 b. All trial and pretrial matters will proceed under subparagraphs (A) through (D),  
16 inclusive, of Code of Civil Procedure section 630.03(e)(2), and, unless the parties  
17 expressly agree otherwise in this proposed consent order, under all other  
18 provisions of Chapter 4.5 of Title 8 of Part 2 of the Code of Civil Procedure  
19 (Code Civ. Proc., §§ 630.01 et seq.) and in the implementing rules of court (Cal.  
20 Rules of Court, rules 3.1545-3.1552).
- 21 c. Except as provided in subdivision (d) of Code of Civil Procedure section 630.03,  
22 this agreement to participate in the expedited jury trial process is, when approved  
23 and signed by the court, binding upon the parties, unless (1) all parties  
24 subsequently stipulate to end the agreement to participate, or (2) the court, on its  
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1 own motion or at the request of a party on noticed motion, finds that good cause  
2 exists for the action not to proceed under the rules of Chapter 4.5 of Title 8 of Part  
3 2 of the Code of Civil Procedure.

- 4 d. The Presiding Judge will assign a judicial officer to conduct the expedited jury  
5 trial. The Presiding Judge may assign a temporary judge appointed by the court  
6 under rules 2.810-2.819 to conduct an expedited jury trial. A temporary judge  
7 requested by the parties under rules 2.830-2.835, whether or not privately  
8 compensated, will not be appointed to conduct an expedited jury trial.
- 9 e. Unless the court otherwise allows, to be eligible to participate in an expedited jury  
10 trial, the parties must submit to the court, no more than 30 days before any  
11 assigned trial date, this proposed consent order granting an expedited jury trial.
- 12 f. This proposed consent order may include other agreements of the parties,  
13 including those specified in California Rules of Court, rule 3.1547, subdivision  
14 (b).
- 15 g. *To the extent permitted by Chapter 4.5 of Title 8 of Part 2 of the Code of Civil*  
16 *Procedure (Code of Civ. Proc., §§ 630.01 et seq.) and by the rules of court which*  
17 *implement Chapter 4.5 (Cal. Rules of Court, rules 3.1545-3.1552), the parties*  
18 *may propose to modify the laws and rules governing the proposed expedited jury*  
19 *trial in the particular ways set forth below in writing or in an attachment to this*  
20 *proposed consent order which is separately signed by the parties and their legal*  
21 *representatives.*
- 22 h. The court shall issue the consent order as proposed by the parties, unless the court  
23 finds good cause why the action should not proceed through the expedited jury  
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1 trial process, in which case the court shall deny the proposed consent order in its  
2 entirety.

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4 **Pretrial Rules**

- 5 a. The settlement conference judge will serve as the pretrial conference judge and  
6 the settlement conference and the pretrial conference will be held simultaneously.  
7 b. All rulings on admissibility will be deferred until the day of trial.

8 **Trial Rules**

- 9 a. The rules of evidence apply in expedited jury trials, unless the parties stipulate  
10 otherwise.  
11 b. The right to issue subpoenas and notices to appear to secure the attendance of  
12 witnesses or the production of documents at trial shall be in accordance with the  
13 California Code of Civil Procedure.  
14 c. Any stipulation to use relaxed rules of evidence may not be construed to  
15 eliminate, or in any way effect, the right of a witness or party to invoke any  
16 applicable privilege or other law protecting confidentiality.  
17 d. Each side shall have up to three hours in which to present its case.  
18 e. The jury shall be composed of eight or fewer jurors with no alternates.  
19 f. Approximately one hour will be devoted to voir dire, with 15 minutes allotted to  
20 the judicial officer and 15 minutes to each side. The parties will be encouraged to  
21 submit a joint form questionnaire to be used with prospective jurors to help  
22 expedite the voir dire process. (Cal. Rules of Court, rule 3.1549.)  
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- 1 g. Each side shall be limited to three peremptory challenges, unless the court permits  
2 an additional challenge in cases with more than two sides as provided in Code of  
3 Civil Procedure section 630.04.
- 4 h. The jury may deliberate as long as needed.
- 5 i. A vote of six of the eight jurors is required for a verdict, unless the parties  
6 stipulate otherwise.
- 7 j. The verdict in this expedited jury trial case is binding, subject to any written  
8 high/low agreement (as defined in Code of Civil Procedure section 630.01(b) and  
9 as permitted by California Rules of Court, rule 3.1547(a)(2)) or other stipulations  
10 concerning the amount of the award agreed upon by the parties.
- 11 k. All statutes and rules governing costs and attorney fees shall apply in expedited  
12 jury trials, unless the parties agree otherwise in this proposed consent order.

13 **Post-Trial Rules**

- 14 a. All parties waive all rights to appeal and to move for directed verdict or make any  
15 post-trial motions (as defined in Code of Civil Procedure section 630.01(c)),  
16 except as provided in Code of Civil Procedure sections 630.08 and 630.09.

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1 **Proposed Modifications of the Laws and Rules Governing Expedited Jury Trials**

2 Pursuant to the authority granted by Chapter 4.5 of Title 8 of Part 2 of the Code of Civil  
3 Procedure (Code Civ. Proc., §§ 630.01 et seq.) and by the rules of court which implement  
4 Chapter 4.5 (Cal. Rules of Court, rules 3.1545-3.1552), the parties elect to modify the laws and  
5 rules governing the proposed expedited jury trial in this case in the particular ways set forth  
6 below in writing or in an attachment to this proposed consent order which is separately signed by  
7 the parties and their legal representatives:

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1 IT IS SO STIPULATED AND AGREED.

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3 Date: \_\_\_\_\_

\_\_\_\_\_

Plaintiff

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5 Date \_\_\_\_\_

\_\_\_\_\_

Attorney for Plaintiff

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8 Date: \_\_\_\_\_

\_\_\_\_\_

Plaintiff

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10 Date \_\_\_\_\_

\_\_\_\_\_

Attorney for Plaintiff

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14 Date: \_\_\_\_\_

\_\_\_\_\_

Defendant

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16 Date \_\_\_\_\_

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Attorney for Defendant

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19 Date: \_\_\_\_\_

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Defendant

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21 Date \_\_\_\_\_

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Attorney for Defendant

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1 Date: \_\_\_\_\_  
Insurance Company for Defendant

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3 Date \_\_\_\_\_  
Attorney for Insurance Company

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5 Date: \_\_\_\_\_  
Insurance Company for Defendant

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7 Date \_\_\_\_\_  
Attorney for Insurance Company

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9 Date: \_\_\_\_\_  
\_\_\_\_\_

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11 Date: \_\_\_\_\_  
\_\_\_\_\_

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13 **ORDER**

14 The court finds that this case is suitable for an expedited jury trial and approves the  
15 foregoing agreement and stipulation. The case management schedule shall be as follows:

16 The parties shall serve on all other parties the items specified in California Rules of  
17 Court, rule 3.1548(b), no later than \_\_\_\_\_.

18 The parties may serve on any other party additional documentary evidence and a list of  
19 additional witnesses whom the party intends to use at trial pursuant to California Rules of Court,  
20 rule 3.1548(c), no later than \_\_\_\_\_.

21 The parties shall file all motions in limine and lodge with the court the documents  
22 specified in California Rules of Court, rule 3.1548(d), no later than \_\_\_\_\_  
23 \_\_\_\_\_.

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1 The Court will hold a mandatory pre-trial conference on \_\_\_\_\_  
2 at \_\_\_\_\_ a.m. in Department \_\_\_\_\_.

3 Beginning the week of \_\_\_\_\_, this case will be placed on 2-hour stand-by status  
4 for trial.

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6 IT IS SO ORDERED.

7 Date \_\_\_\_\_  
8 \_\_\_\_\_  
9 JUDGE OF THE SUPERIOR COURT

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