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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VAUGHN R WALKER
UNITED STATES DISTRICT CHIEF JUDGE

STANDING ORDERS

_____ /

ALL CASES

1.0 Conformity to Rules. Parties are expected to consult and comply with all provisions of the applicable Federal Rules, the Local Rules, and these Standing Orders.

1.1 Court Calendar:

Criminal law and motion calendar and pretrial conferences are conducted **Thursdays at 2:00 pm**. Civil law and motion calendar is conducted on **Thursdays at 2:30 pm**. Civil case management and pretrial conferences are conducted on **Thursdays at 3:30 pm**.

1.2 Removed Cases. If the case was removed from a state court, and the applicable state law has not required the parties to make an express demand for a jury trial at the time of removal, any party claiming right to a jury trial must make the request therefor within ten days after service of the notice of removal. FRCP 81(c).

1.3 Motions. Before noticing a motion, check the scheduling information concerning available hearing dates and times. This information is available by calling (415) 522-2039 or from the court's website at www.cand.uscourts.gov. Civil motions practice shall be in accordance with Civil Local Rule 7. Criminal motions practice shall be governed by Criminal Local Rule 47. Memoranda exceeding seven pages filed in support of or opposition to a motion must contain a table of authorities. If unpublished opinions are cited in a memorandum, the case citation must include the Westlaw or Lexis citation. Exhibits must be tabbed and labeled. Citations to documents previously electronically filed in the same case must be in

1 the following format: "Doc # ___ at ___" with the page numbers cited being those assigned
2 by the ECF system and displayed in the running headers at the tops of pages, not the
3 conventional page numbers at the bottoms of the pages.

4 **1.4 Chambers Copies.** Compliance with General Order 45.VI.G is not required. Instead, within
5 two (2) days of filing, parties should deliver to the court, by mail or other means, chambers
6 copies of electronically filed documents in support of, opposition to or reply to motions.
7 Chambers copies are only required for other documents (such as pleadings) if there are one
8 or more attachments thereto. If hand-delivered, chambers copies shall be delivered to the
Clerk's Office, not directly to chambers. Chambers copies shall be clearly so denoted on the
first page and must include on each page the running header created by the ECF system.

9 **1.5 Discovery and Discovery Motions.** The court will not entertain motions under FRCP 26-37
10 without prior leave of court. Following the conference required by FRCP 37(a)(1)(A), a
11 party may seek leave by: (1) a letter not exceeding two pages, with copies served on all
12 parties, alerting the court to the dispute and suggesting a means for its prompt resolution;
13 or (2) a telephone conference with the court and all parties arranged through the courtroom
deputy. The court prefers that discovery-related telephone conferences be reported, but will
proceed without a court reporter with the parties' consent.

14 **PRO SE CASES (NON-PRISONER LITIGANTS ONLY)**

15 For cases in which any party is not represented by a lawyer, the court further orders as
16 follows:

17 **2.0 Pro Se Handbook/Service of Process.** A litigant bringing or defending a lawsuit without a
18 lawyer ("proceeding pro se") must obtain from the Clerk's Office, as soon as possible after
19 the case is filed, the Handbook For Litigants Without A Lawyer published by the court. Pro
20 se plaintiffs are responsible for obtaining a summons from the clerk and for serving the
21 complaint on all defendants in a timely fashion in accordance with Rule 4 of the Federal
22 Rules of Civil Procedure. Instructions for doing so are set forth in Chapter 5 of the
Handbook. Failure to comply with all parts of Rule 4 will result in dismissal of the case.

23 **2.1 Service of Standing Orders.** If a defendant represented by counsel is sued by a plaintiff
24 proceeding pro se, defendant must serve copies of these standing orders at once upon
25 plaintiff in accordance with the provisions of Federal Rules of Civil Procedure 4 and 5, and
must file with the Clerk's Office a certificate reflecting such service.

26 **2.2 Legal Help Center.** It is recommended that litigants proceeding pro se make an
27 appointment with the Legal Help Center at the courthouse. Information about the Legal
28 Help Center is available from the Clerk's Office.

ADA CASES

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For any action seeking accommodation or other relief, including attorney fees, under the Americans with Disabilities Act, 42 USC §§ 12181-89, the parties shall complete, in addition to the procedures set forth in General Order 56, the following requirements:

4.0 Plaintiff's Initial Demand. Each plaintiff shall, at least twenty-one (21) days before the joint inspection required by General Order 56(3), identify and serve upon each defendant a list of the architectural barriers sought to be removed and/or access to be provided, and, if restrooms are at issue, a conceptual plan for remediation, accompanied by a statement of attorney fees incurred to date (42 USC § 12205; Hensley v Eckerhart, 461 US 424, 429-30, 433-37 (1983));

4.1 Defendant's Response. Each defendant shall, at least ten (10) days before the joint inspection required by General Order 56(3), serve a response to the demand for the removal of barriers, (i) agreeing or disagreeing that such barriers exist, (ii) indicating whether any existing barrier has been removed and (iii) if a defendant believes that removal of an existing barrier is not readily achievable, specifying the factual basis for this belief;

4.2 Joint Case Management Statement. If, following completion of the steps required by General Order 56(1)-(7), a case management conference is scheduled, the joint case management statement shall contain, in addition to the information called for by FRCP 26(f), the information set forth in paragraphs 4.0 and 4.1 hereinabove.

IT IS SO ORDERED.



VAUGHN R WALKER
United States District Chief Judge