



## The Los Angeles PI Hub courts

SEVENTH AMENDED STANDING ORDER, EFFECTIVE MAY 16, LIMITS TYPES OF CASES TO BE FILED; INTENDED TO DECREASE THE TIME TO HEARING ON THE MOST COMMON MOTIONS

In the July 2021 *Advocate*, the Honorable Stephanie Bowick and I described how the Los Angeles County Superior Court’s Personal Injury (PI) Hub and Independent Calendaring (IC) courts handle personal-injury cases, and the interplay between the two courts. (*Advocate* July 2021.) Since then, there have been a number of changes to the Personal Injury Hub courts in order to reduce the times to hearings in those courts.

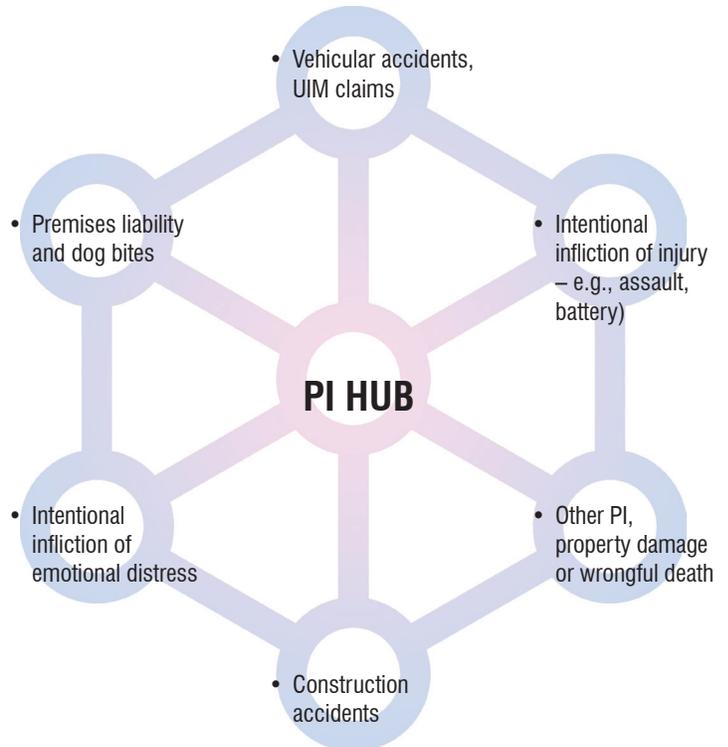
First, Presiding Judge Eric Taylor and Supervising Civil Judge David Cowan added an additional Personal Injury Hub court to the mix, bringing the number of courts from five to six. This reduced the number of cases handled by each judge in the Hub from approximately 9,000 to 7,500 each. Second, Judge Cowan has issued a Seventh Amended Standing Order, effective May 16, 2022. This order limits the types of cases filed in the PI Hub, advances the PI Hub courts’ hearing of an Order to Show Cause re delays in prosecution from a matter’s 3-year anniversary to its 2-year anniversary, and limits stipulations to continue trial made without showing good cause to those requesting a trial date within the 2-year anniversary of the filing of the case. These changes were designed to reduce the time to motion hearings and trial dates in the PI Hub.

### PI Hubs – a brief history

The PI Hub courts were created in 2013 in response to the California Legislature’s drastic cuts to the budgets of all the State courts. In response, the Los Angeles County Superior Court determined that it needed to reduce the number of open courtrooms in the county. Determined to continue to provide the services previously offered to the public with reduced resources, Court Leadership searched for a way to do more with less. Court Leadership analyzed the Court’s case inventory and observed that PI cases tended to work their way through the litigation process with far fewer judicial contacts than other types of litigation. Based upon this realization, Court Leadership elected to transfer its IC courts’ personal-injury cases to a hub of courts handling only personal-injury cases, freeing up the IC courts to handle more non-PI cases and allowing the Court to reduce the number of IC courts. At the same time, the Court created Trial courts, whose primary assignment would be to try the personal-injury cases from the PI Hub. Even with the addition of the PI Hub and Trial courts, the reduction in the number of IC courts enabled Court Leadership to reduce the total number of open Civil courtrooms.

One downside to the PI Hub model was that the case volume created in the PI Hub caused calendar delays. Even with the addition of the sixth Personal Injury Hub court, the number of cases in each court means that the courts’ available motion slots in the Court Reservation System fill up fast.

Sensitive to this issue, Los Angeles County Superior Court Presiding Judge Eric Taylor and Supervising Civil Judge David



Cowan have worked with the PI Hub court judges and the Personal Injury Bar to develop changes to the PI Hub courts’ design to reduce the types of cases handled there in order to decrease the time to hearing on the most common motions. These changes are reflected in the new Seventh Amended Standing Order for Procedures in the Personal Injury Hub Courts.

Prior to the Seventh Amended Standing Order, practice in the PI Hub was governed by a collection of amended and supplemental orders. No longer. The Seventh Amended Standing Order supersedes all prior standing orders in the PI Hub courts and is the ultimate word on practicing in the PI Hub. Download it, print it, give it to your staff, memorize it. Everything you need to know about practicing in the Personal Injury Hub, from filing the complaint to your trial assignment is now prescribed in this one order.

### The Seventh Amended Standing Order

The Seventh Amended Standing Order makes a number of changes to how cases are handled in the PI Hub. It limits the types of cases assigned to the Personal Injury Hub. Whether your case will be assigned to the PI Hub or to an IC court will

depend on the case type you identify on the Civil Case Cover Sheet Addendum filed with your complaint. Effective May 16, 2022, the only types of cases assigned upon filing to the PI Hub will be:

- Vehicular accidents and uninsured motorist claims (Civil Case Cover Sheet Addendum #A2201 and #A4601)
- Premises liability – e.g., dangerous conditions of property, slip/trip and fall, dog bites, etc. (Civil Case Cover Sheet Addendum #A2301)
- Intentional infliction of injury – e.g., assault, battery, vandalism, etc. (Civil Case Cover Sheet Addendum #A2302)
- Intentional infliction of emotional distress (Civil Case Cover Sheet Addendum #A2303)
- Other PI or property damage or wrongful death (Civil Case Cover Sheet Addendum #A2304)
- Construction accidents (Civil Case Cover Sheet Addendum #A2307)

The following types of cases will be assigned to an IC court upon their being filed:

- Elder abuse and claims against skilled nursing facilities (Civil Case Cover Sheet Addendum 2305)
- Cases involving claims of childhood sexual abuse (Civil Case Cover Sheet Addendum 2306)
- Habitability claims – e.g., mold, bedbugs, etc. (Civil Case Cover Sheet Addendum 2308)
- Products liability (Civil Case Cover Sheet Addendum 2401 and 2402)
- Medical and other professional malpractice claims (Civil Case Cover Sheet Addendum 4501 and 4502)

The Court has revised the Civil Case Cover Sheet Addendum to make these distinctions clear. Whether a case is assigned to the PI Hub or to an IC court depends on which box counsel checks on Civil Case Cover Sheet Addendum, so counsel should pay close attention to revised Civil Case Cover Sheet Addendum to ensure that their cases get properly assigned.

The Court anticipates these changes will benefit practitioners in at least two ways. First, limiting the types of cases assigned to the PI Hub should reduce law and motion work in the PI Hub courts and reduce the time to hearings for motions there. Second, by clarifying at the time of filing which cases go to the PI Hub and which go to IC courts, the Court hopes to avoid the delay and inconvenience posed when a PI Hub court first encounters a non-PI matter on the eve of a motion hearing, sometimes months after the motion was filed, only to then have to transfer the matter out of the PI Hub.

Please note that this change only affects cases filed after May 16, 2022. Regardless of type, cases already assigned to the PI Hub will remain there unless the PI Hub court and Department I determine that the case should never have been filed in the PI Hub or find some other good cause to transfer it to an IC court.

Also, please note that a case assignment to an IC court is an assignment for all purposes pursuant to Code of Civil Procedure section 170.6.

### **Orders to show cause on the second anniversary of filing**

Also effective May 16, 2022, the PI Hub courts will now set hearings on the two-year anniversary of the filing of a complaint to show good cause why the matter should not be dismissed pursuant to Code of Civil Procedure sections 583.410 and 583.420, subdivision (1). Previously, the court had set a hearing on the three-year anniversary of filing to show cause why the matter should not be dismissed pursuant to Code of Civil Procedure sections 583.210 and 583.250. This change will enable the PI Hub courts to remove from their inventory those cases which are not being prosecuted sooner than before.

### **Limitation on the age of cases in which parties may stipulate to continue trial**

Finally, the Seventh Amended Standing Order limits the age of cases in which parties may stipulate to continue trial. Though not previously explicitly forbidden, parties were using the PI Hub Court's stipulation form to continue cases regardless of age, regardless of the length of continuance, and regardless of the PI Hub courts' calendars, a practice contrary to the Court's intent when the stipulation process was created. Now, parties may submit up to two stipulations to continue trial for a total continuance of six months only up to the two-year anniversary of the filing of the complaint. In other words, the parties may not stipulate to continue a trial beyond its two-year anniversary. Parties wishing to continue a trial a third time or to a date beyond a matter's two-year anniversary will need to bring a noticed motion and show good cause (pursuant to California Rule of Court, rule 3.1332) for the continuance.

### **A speedier resolution of your clients' issues**

The PI Hub is the product of the Court's making the best of a bad situation. The Seventh Amended Standing Order reflects the Court's continued commitment to providing the highest level of service possible within its available resources. Hopefully, the Seventh Amended Standing Order will result in decreased times to hearings and a speedier resolution of your clients' issues.

*Hon. Daniel M. Crowley was appointed by Governor Jerry Brown in 2018. He sits in Dept. 28 of the Los Angeles Superior Court, which is one of the Court's Personal Injury Hub courts. Prior to his appointment, he was a trial attorney with Booth, Mitchel & Strange, LLP, where he was Managing Partner.*