

U.S. Magistrate Judge Carolyn K. Delaney
United States District Court, Eastern District of California
501 I Street, Courtroom #24, 8th Floor
Sacramento, California 95914

Kyle Owen, Courtroom Deputy Clerk
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CONSENT TO PROCEED BEFORE MAGISTRATE JUDGE IN CIVIL CASES: In accordance with 28 U.S.C §636(c), F.R.Civ.P.73 and Local Rule 305, the United States Magistrate Judges of the Eastern District are available to exercise the court's case dispositive jurisdiction and to conduct any or all case dispositive proceedings, including motions to dismiss, motions for summary judgment, a jury or non-jury trial, and entry of a final judgment. Exercise of this jurisdiction by a Magistrate Judge is permitted only if all parties file a voluntarily consent form. The primary benefit of consent to magistrate judge jurisdiction is that the trial calendars of magistrate judges tend to be less congested and more flexible than those of district judges, because magistrate judges do not conduct felony criminal trials.

[Consent to Proceed Before a Magistrate Judge form](#)

CIVIL LAW AND MOTION: Civil law and motion is heard every Wednesday at 10:00 a.m. Available dates are listed below:

2013	
July	2, 9, 16, 30
August	6, 13, 20, 27
September	3, 10, 17, 24
October	1, 8, 15, 22, 29
November	5, 12, 19, 26
December	3, 10, 17, 24, 31
2014	
January	7, 14, 21, 28
February	4, 11, 18, 25
March	4, 11, 18, 25

CRIMINAL LAW AND MOTION: Criminal law and motion is heard every Thursday at 9:30 a.m.

CRIMINAL DUTY CALENDAR: The criminal duty calendar will be held at 2:00 p.m. before Judge Delaney on the following days:

2013	
July	7-11, 14-18
September	8-12, 15-19
October	6-10, 14-17
December	1-5, 8-12

SETTLEMENT CONFERENCES: As scheduled by Courtroom Deputy.

- a) Confidential Settlement Conference Statements are **mandatory** from each party and must be submitted to Judge Delaney's chambers at least seven (7) calendar days prior to the Settlement Conference. Electronic submission may be made to ckdorders@caed.uscourts.gov.
- b) Parties are instructed to have a principal with full settlement authority present at the Settlement Conference or to be fully authorized to settle the matter on any terms. The individual with full authority to settle must also have unfettered discretion and authority to change the settlement position of the party, if appropriate. The purpose behind requiring the attendance of a person with full settlement authority is that the parties' view of the case may be altered during the face to face conference. An authorization to settle for a limited dollar amount or sum certain can be found not to comply with the requirement of full authority to settle.
- c) Telephonic appearances are discouraged and will be permitted only in the rarest of circumstances, upon written request for good cause.

TELEPHONIC APPEARANCES: Other than for settlement conferences, telephonic appearances are generally acceptable. Please contact the courtroom deputy at least **two days prior** to a hearing date to make arrangements for a telephonic appearance.

PROPOSED ORDERS: As required by the Local Rules, counsel shall submit via email to ckdorders@caed.uscourts.gov, the proposed order accompanying any application, request, stipulation or motion in **Microsoft Word** format. Pursuant to Local Rule 131 (c), the document must include the attorneys' electronic signature(s) (i.e. /s/ First/Last name), as well as the date the document was signed.

DISCOVERY DISPUTES -- HEARINGS: Local Rule 251(a) (Fed.R.Civ.P. 37) requires the parties to file a Joint Statement re Discovery Disagreement ("Joint Statement"). Judge Delaney strictly enforces the deadline for filing Joint Statements. Any motion will be removed from calendar if the Joint Statement is not filed at least seven (7) days before the scheduled hearing (i.e., no later than the Wednesday before the customary Wednesday hearing). **Courtesy copies** of all Joint Statements, with declarations, exhibits and other **attachments tabbed**, are **mandatory** and should be delivered to the Clerk of Court at least seven (7) days before the scheduled hearing.

Judge Delaney also strictly enforces meet and confer requirements. Written correspondence between the parties, including email, is insufficient to satisfy the parties' meet and confer

obligations under Local Rule 251(b). Prior to the filing of a Joint Statement, the parties must **confer in person or via telephone or video conferencing** in an attempt to resolve the dispute.

DISCOVERY DISPUTES – INFORMAL TELEPHONIC CONFERENCES: Judge Delaney encourages early resolution of discovery disputes outside the formal Local Rule 251 procedures. Upon order of the court in an appropriate case, or by agreement of the parties, Judge Delaney will resolve discovery disputes by conducting an informal telephonic conference. The procedures for obtaining and participating in an informal telephonic discovery conference are set forth in Judge Delaney’s Policy re Informal Telephonic Discovery Conferences. These procedures include a meet and confer requirement (see above) and require a 2-page synopsis of the dispute in lieu of a formal Joint Statement.

[Informal Telephonic Conferences re Discovery Disputes](#)

COURTESY COPIES – EXHIBITS FOR USE AT TRIAL OR EVIDENTIARY HEARING: Courtesy copies of exhibits that a party intends to offer at trial or evidentiary hearing shall be provided pursuant to the applicable scheduling order, individually tabbed and contained in a three-ring binder.

TRANSCRIPT ORDERS: If you wish to order a transcript for a hearing held before Judge Delaney (or another magistrate judge in the Eastern District – Sacramento Division), you must complete the Electronic Court Reporter Transcript Order Form or the Appeal Transcript Designation and Order Form as appropriate. These forms can be found on the court’s internet home page, as well as the link provided below.

[Transcript Order Form](#)

Completed forms should be submitted to Jonathan Anderson, (916) 930-4072 or janderson@caed.uscourts.gov.

AUDIO/VISUAL EQUIPMENT: The Sacramento Clerk's Office has a variety of audio/visual equipment available to use for trial purposes. Available equipment may include: ELMOs, projectors, plasma screens, TVs and VCRs. In order to learn about the equipment provided by the court, you can access our internet home page and follow these procedures:

1. From the Court’s home page, select Attorney Info.
2. Select Sacramento.
3. Scroll down and select Electronic Courtroom.
4. Select Audio Systems or Video Systems as applicable.

Attorneys should arrange, through the Courtroom Deputy, a time to meet with court Information Technology staff for training on electronic equipment. Appointments should be scheduled at least one to two weeks prior to trial.

COURTROOM DEPUTY: If you have any questions or need further information, please contact Valerie Callen at (916) 930-4004 or kowen@caed.uscourts.gov .