

Judicial Practice Guide: 18 Common Situations

Chief Judge **Julia W. Brand** – August 2025

# 1	Communicating with Judge's Staff
<p>Email: You may communicate with Chief Judge Brand's chambers by calling (213) 894-6080 (main line); or (213) 894-4843 (Courtroom Deputy). Please note, however, that chambers staff will not provide you with legal advice.</p> <p>Response to Request for a Hearing on Less Than Regular Notice: In order to obtain a hearing on less than 48 hours' notice or on shortened time, following the procedures set forth in LBRs 9075-1(a) and (b). (Additional information concerning compliance with these rules can be found in the Central Guide at Hearings: Request Hearing on EMERGENCY – Less than 48-hours of Notice Central District of California United States Bankruptcy Court and Hearings: Apply to Set a Hearing on SHORTENED NOTICE Central District of California United States Bankruptcy Court.) A list of telephone numbers for Chief Judge Brand's chambers can be found at TCGSUPP9075-1(a) Judges-Emergency-Motion-Contacts.pdf.</p>	

# 2	Court Hearings --- Appearances, Check-In, Decorum
<p>Unless otherwise directed by the Court, you may choose to appear before Chief Judge Brand either in-person in Courtroom 1375, by phone or by video (through Zoomgov.com). Please refer to the posted tentative rulings at https://ecf-ciao.cacb.uscourts.gov/CiaoPosted/?jid=WB and the Court's website at the Phone/Video Appearances tab to determine if phone or video appearance (through Zoomgov.com) is permitted for your matter or whether in-person appearance is required.</p> <p>The Zoomgov.com connection information for each hearing will be provided in Chief Judge Brand's publicly-posted hearing calendar, which may be viewed online at: https://ecf-ciao.cacb.uscourts.gov/CiaoPosted/?jid=WB.</p> <p>If you are appearing by phone or video through Zoomgov.com, you must join 30 minutes prior to the hearing for check-in. If you do not join with sufficient time to be checked in, you may join by phone or audio only (through Zoomgov.com); you will not be permitted to join by video (through Zoomgov.com) unless you have been checked in.</p> <p>Your client or co-counsel have the option to appear by phone if desired, to listen only. The judge will ask for one counsel to speak. If your client's presence is required, the Court will notify you.</p>	

# 3	What to Find in a Tentative Ruling
<p>Section 3-05 of The Central Guide describes what may be found in a tentative ruling, and where to find the link to tentative rulings for any judge which is also provided here: Hearings: POSTED CALENDARS and TENTATIVE RULINGS: Free Access Central District of California United States Bankruptcy Court</p>	

Chief Judge Brand's procedures concerning the use of tentative rulings appear on the Court's website at the Instructions/Procedures tab under the following link: [Tentative Ruling Procedures.pdf](#).

Please note that, even if Chief Judge Brand has issued a tentative ruling for a given hearing, unless (1) Chief Judge Brand's chambers staff has confirmed that no appearance is necessary or (2) the tentative ruling itself states no appearance is necessary or that appearances have been waived, **appearances are required**. A moving party's failure to attend the hearing on its motion may result in denial of the motion for failure to prosecute and may result in the issuance of an order to show cause re sanctions. An opposing party who fails to attend the hearing on a motion that it has opposed may be deemed to have withdrawn its opposition to the relief requested in the motion.

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Does Chief Judge Brand Follow All the Local Bankruptcy Rules?

A list of instances in which Chief Judge Brand employs practices that vary from, or imposes requirements in addition to, the Central District's Local Rules is posted on Chief Judge Brand's section of the Court's website at the Instructions/Procedures tab and may be found here: [Judicial Variance Statement.pdf](#).

Judicial Variance Statements are also found at section 3-13 of The Central Guide. [VARIANCE: Judicial Variance Statements | Central District of California | United States Bankruptcy Court](#)

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Delivering a Judge's Copy of a Document that has been filed.

Chief Judge Brand waives application of LBR 5005-2(d) (requirement for service of judge's copies) for all documents, unless otherwise directed by the Court. Please do not serve a Judge's Copy. If a Judge's Copy is required, you will be contacted by Chief Judge Brand's chambers.

Section 3-02 of The Central Guide links to the LBRs pertaining to judge's copies and guidance on how to assemble and deliver a judge's copy may be found here: [Chambers: DELIVER a JUDGE'S COPY | Central District of California | United States Bankruptcy Court](#)

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Schedule a Hearing only on a day allowed

All judges in the district have "Self-Calendaring" instructions on their webpage. Chief Judge Brand's self-calendaring procedures may be found here: [Brand, J. | Central District of California | United States Bankruptcy Court](#). A calendar that reflects the specific days and times that Chief Judge Brand hears particular matters may be found here: [JB Self-Calendaring.pdf](#). Please **only use the day and time that is appropriate for the type of matter you wish to schedule**. If you are unsure regarding which day, time and date to select, please contact the courtroom deputy, **Lydia Gonzalez, for assistance at 213-894-4843**.

# 7	Does Chief Judge Brand Allow Digital Signatures that are Explained in LBR 9011-1?
<p>Section 9011-1 of The Central Guide at Signature Requirements; Types of Signatures Allowed; NEW Software-Generated Signatures Central District of California United States Bankruptcy Court explains the Court’s policy regarding software-generated signatures of clients and opposing counsel when a document is filed electronically via CM/ECF. Chief Judge Brand follows the signature procedures set forth in Section 9011-1 of The Central Guide.</p>	

# 8	“Ex Parte” Motions
<p>Sometimes parties use the term “ex parte” when they believe the court should enter an order quickly or hold a hearing right away. “Ex Parte” means “without notice.” It is very rare to obtain a Court order without notice. Nearly all motions require some form of notice. See section 2-05 of The Central Guide at: Hearings: LBR 9013-1(d): REGULAR NOTICE (7, 14, 21, 30 or 42 days of notice) Central District of California United States Bankruptcy Court</p> <ol style="list-style-type: none"> (1) Some motions may be determined without a hearing, See LBR 9013-1(p)-(q) and Section 2-09 of The Central Guide found at: Hearings: LBR 9013-1(p)-(q): NO HEARING UNLESS JUDGE REQUIRES Central District of California United States Bankruptcy Court. (2) Some motions can be heard on more than 48 hours – but less than regular notice – if the standard for shortened notice is met. See section 2-06 of The Central Guide. Hearings: LBR 9075-1(b): SHORTENED NOTICE (Fewer Than 21 Days) Central District of California United States Bankruptcy Court (3) Other motions can be heard within 48 hours if the standard for an emergency hearing is met. See section 2-07 of The Central Guide. Hearings: LBR 9075-1(a): EMERGENCIES (48 Hours of Notice) Central District of California United States Bankruptcy Court 	

# 9	Stipulations and Motions to Continue a Hearing
<p>Unless otherwise instructed by the Court, contacting chambers is not an effective method to obtain a continuance. When all parties agree to continue a hearing, follow LBR 9013-1(m)(2) and LBR 9071-1(a)(2), which requires that the parties file a stipulation to continue the hearing at least two court days prior to the date schedule for hearing:</p> <ol style="list-style-type: none"> (1) The parties must state clearly the proposed new date or range of dates for a new hearing, and the reason for the proposed date. (2) The stipulation must contain good cause for not using the original hearing date. (3) The parties must lodge a proposed order. <p>When a party files a motion to continue, Chief Judge Brand follows LBR 9013-1(m)(1), which requires that:</p> <ol style="list-style-type: none"> (1) The motion must be filed with a notice of motion under LBR 9013-1(p). (2) A motion must include a declaration under penalty of perjury; and (3) The motion must comply with the same standard for a stipulation to continue the hearing. 	

# 10	Submitting Exhibits as Evidence to a Motion or in a Trial
<p>In bankruptcy court, evidence is typically provided by written declaration instead of by oral testimony. Exhibits require authentication to be admissible. Testimony in a written declaration, made by a person who has personal knowledge and authority, is required to authenticate the contents of each exhibit.</p> <p>Section 9014(d)-(e) of The Central Guide describes how to submit exhibits as evidence to support a motion, an opposition, or a reply, as required by LBR 9013-1(c). CONTESTED MATTERS: Evidence Central District of California United States Bankruptcy Court</p>	

# 11	What to Put in An Order Granting a Motion
<p>Section 1-15 of The Central Guide provides guidance for lodging an order. See Orders: Judgments: Electronic LODGING: Attorneys: LOU Central District of California United States Bankruptcy Court.</p> <p>Additional guidance:</p> <ol style="list-style-type: none"> (1) Link the order to the proper motion, stipulation, or other request for relief (2) In the caption, indicate the document being ruled on, such as “order granting/denying motion” (3) Do not include the word, “Proposed” in the caption of the order. (4) Where possible, use the Court’s Lodged Order Upload Program: LOU (Lodged Order Upload) Central District of California United States Bankruptcy Court (5) File a notice of lodgment. (Filing the notice and lodging the order are two separate steps. Filing an order with a notice of lodgment attached is not the same thing as lodging the order. Filing an order will only cause the unsigned form of order to appear on the docket. It will not be presented to the judge for review, signature or entry.) 	

# 12	Procedures for Settlements, Including Dismissal of a Dispute
<p>Sometimes a dispute gets settled and the moving party decides not to continue pursuing relief. In such case, the movant can file a notice of voluntary dismissal unless a stipulation is needed. See section 9013-1(k) of The Central Guide found at: Motions: Voluntary DISMISSAL or Stipulation to Dismiss Central District of California United States Bankruptcy Court.</p> <p>FRBP 9019(a) provides that a trustee may settle a matter by filing a separate motion to approve a compromise. See LBR 9019-1, made effective on 10-21-2024, and Section 9019-1 of The Central Guide found at: Settlement; Compromise of Controversy; Motion Required; Notice on Related Adversary Proceeding Central District of California United States Bankruptcy Court.</p> <p>LBR 9019-1 clarifies that:</p> <ol style="list-style-type: none"> 1. The proceeding to settle or compromise a dispute qualifies as a contested matter. 2. The motion to compromise must be filed on the docket of the main case, even if the compromise will settle part or all of an adversary proceeding. 3. The notice of motion and the motion to compromise must indicate whether the compromise settles all claims against all parties, or whether any parties or claims remain in the dispute. 	

4. If the compromise is within an adversary proceeding, a notice must also be filed in the adversary proceeding to indicate that a motion to compromise has been filed on the main case docket.

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Procedures in Adversary Proceedings

Chief Judge Brand's procedures applicable to adversary proceedings may be found here: [Judicial Variance Statement.pdf](#).

Although LBR 7016-1(b)(3) contemplates two possible ways to propose a pretrial order, as set forth in Chief Judge Brand's Judicial Variance Statement, a **pretrial stipulation** must be **filed** on the docket but not separately lodged in LOU. A **separate proposed pretrial order** must be **lodged** in LOU.

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Procedures in Chapter 11 Cases

At the beginning of each chapter 11 case, Chief Judge Brand enters an Order Setting Initial Chapter 11 Status Conference that requires, among other things, service of the order and the filing of the case status report. At the initial status conference, Chief Judge Brand typically sets deadlines for filing proofs of claim. It is not necessary to file a motion asking Chief Judge Brand to set a bar date.

Form of Plans: Unless Chief Judge Brand expressly instructs a plan proponent to use a particular form of plan or disclosure statement, the use of a form plan or disclosure statement is not required.

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Procedures in Chapter 13 Cases

Chief Judge Brand requires in-person appearance for a hearing on chapter 13 plan confirmation. The chapter 13 confirmation calendar can be found on the Court's website at the Chapter 13 tab: [Chapter 13 Confirmation Hearing Calendar](#).

For a summary of important procedures in chapter 13 cases, please refer to LBR 3015-1. Also, please refer to the Court's website at the [Instructions/Procedures](#) tab, where you will find guidance about valuing or avoiding junior liens: [Guidelines for Valuing and Avoiding Liens in Chapter 13.pdf](#).

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What if My Opponent Won't Cooperate in Legal Discovery?

Chief Judge Brand requires parties to comply with requirements of LBR 7026-1(c) when a discovery dispute arises. See section 7026-1(c) of The Central Guide for more explanation. [DISCOVERY: Resolve Disputes about Discovery Process | Central District of California | United States Bankruptcy Court](#)

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Participating in the Court's Loan Modification Management Program

Our court has a program for debtors who own real property that is at risk of foreclosure. It is called the "**Loan Modification Management Program**" because there is a company that manages a portal where documents are submitted and stored. The short term for the program is "**LMM Program**." The

purpose of the program is for lenders and debtors to work together in a supervised manner to hopefully avoid the foreclosure process.

A debtor whose case is assigned to Chief Judge Brand may participate in the LMM program. See section 3-10 of The Central Guide for the LMM procedures and LMM forms. [Special Tab: LOAN MODIFICATION MANAGEMENT PROGRAM | Central District of California | United States Bankruptcy Court](#)

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Court Mediation Program vs. Judicial Settlement Conferences

The **Bankruptcy Court's Mediation Program** was created in coordination with local bar associations to help parties involved in a bankruptcy case or adversary proceeding to resolve their disputes for free or at low cost. The mediation program is available to parties who voluntarily agree to participation in mediation or who are ordered to participate in mediation by a Judge within the Central District of California. The applicable procedures and forms may be found in **section 1-14** of The Central Guide: [MEDIATION Program: Alternate Dispute Resolution | Central District of California | United States Bankruptcy Court](#)

In the right circumstances, the Court may order the parties to a judicial settlement conference.