

Judicial Practice Guide: 20 Common Situations

Judge Vincent P. Zurzolo – June 2025

# 1	Does the Judge's Staff Communicate by email with Attorneys?
<p>The Judge's Staff may communicate with you by email in the following ways:</p> <p>Notice to Filer -- You may receive an NEF from court staff with "Notice to Filer" instructions that pertain to a document that was filed.</p> <p>Response to Court Appearance Registration Email– You will receive an email from court staff acknowledging that you registered for a court hearing and, if relevant, asking for more information.</p> <p>Response to Request for a Hearing on Less Than Regular Notice: LBR 9075-1(a)(b) -- Follow the instructions in the attached VZ Instructions-Request Emergency or Short Notice Hearing.pdf which may also be found on the Instructions/Procedures tab of Judge Zurzolo's section of the Court's website. Then, make your request as appropriate pursuant to the LBR and the instructions. A law clerk will call or email to respond to your request and if applicable include further instructions.</p>	
# 2	Court Hearings --- Pre-registration, Appearances, Clients, Decorum
<p>All attorneys, trustees and self-represented parties must register to appear in person or by phone. Appearance instructions are attached here: VZ Telephonic Procedures.2.pdf, and may be found on the Phone/Video Appearances tab of Judge Zurzolo's section of the website. The information is also provided in tentative rulings for matters requiring appearance.</p> <p>When making a phone appearance, conduct yourself with the same dignity as if you are in the courtroom. Silence your phone until the judge calls your matter. DO NOT INTERRUPT others when they are speaking, particularly the Judge. Do not engage in conversations with anyone else who is on the phone. The Judge will indicate when you should speak by calling for your appearance or for your comments or arguments regarding the matter being heard.</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> <p>Judge Zurzolo posts tentative rulings that may do any the following:</p> <ol style="list-style-type: none">(1) Instruct parties to register to make a court appearance;(2) Inform of the Court's intended ruling and that appearances are waived;(3) Instruct a party to file supplemental documents; or(4) Lodge an order using the LOU Procedure.	

# 4	Does Judge Zurzolo Follow All the Local Bankruptcy Rules?
<p>The term, "Local Local Rules" is frequently used to describe when a judge varies from a procedure called for by the Local Bankruptcy Rules, the Local Bankruptcy Rules Forms, and in The Central Guide (former Court Manual) (collectively, the "Central District Procedures").</p> <p>However, "Judicial Variance" is the accurate term for when a judge varies from Central District Procedures by (1) waiving compliance with a LBR or a requirement to use a LBR form, (2) REPLACING a LBR procedure or REPLACING a LBR form with a different form, or (3) by ADDING requirements or forms to those called for by the LBR and LBR forms. The accurate name for these modifications is "Judicial Variance".</p> <p>Here is Judge Zurzolo's Judicial Variance Statement: Statement of Rules Non-Compliance. 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</p>	

# 5	Delivering a Judge's Copy of a Document that has been filed.
<p>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</p> <p>If a matter, not initiated by the Court, is on calendar for any type of hearing, the initiating party must serve a copy on Judge Zurzolo of pleading that began the hearing process. A judge's copy, served as required by the LBR or specific instruction from Judge Zurzolo, is required for all responsive documents that are 25 pages or more. Parties may be instructed to serve a copy to the Judge by sending it to the chambers email box.</p>	

# 6	Schedule a Hearing only on a day allowed
<p>Every judge has "Self-Calendaring" instructions on their webpage. Judge Zurzolo's calendar of dates and calendaring instructions with the specific days and times that Judge Zurzolo hears particular matters may be found here: Zurzolo, V. Central District of California United States Bankruptcy Court. ONLY use the day and time appropriate to your calendar matter. No exceptions. If you are unsure regarding which day, time and date to select, please contact the courtroom deputy, Ms. Tina Johnson, for assistance: 213-894-5855.</p>	

# 7	Does Judge Zurzolo 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 contains authorization, features and explanations of the court's policy regarding software-generated signatures of clients and opposing counsel when a document is to be filed electronically via CM/ECF.</p> <p>Judge Zurzolo follows the signature procedure stated within Section 9011-1 of The Central Guide.</p>	

# 8	It is very rare to grant an “Ex Parte” Motion.
<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	What to put in your stipulation or motion to continue a hearing?
<p>Contacting chambers is not an effective method to obtain a continuance. When all parties agree to continue a hearing, Judge Zurzolo follows LBR 9013-1(m)(2) and LBR 9071-1(a)(2), which requires that the parties file a stipulation to continue the 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: “We are discussing settlement” is not necessarily good cause, as the parties must show real progress towards settlement if that is the reason given. (3) The parties must lodge a proposed order. <p>When a party files a motion to continue, Judge Zurzolo 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> <p>When exhibits are to be used along with live testimony in an adversary proceeding trial or in a contested matter, parties should follow the instructions in this document: VZ TRIAL.Briefs.EXHIBITS.pdf</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) Keep wording readable – long sentences with many conjunctions are difficult to follow. (4) Words like “hereby” are not needed. 	

# 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. 	

# 13	Procedures in Adversary Proceedings
<p>Judge Zurzolo’s procedures applicable to adversary proceedings may be found on the ADVERSARY PROCEEDINGS tab of Judge Zurzolo’s section of the Court’s website and are attached here: VZ_Order Setting Procedure for Adv Proc Status Conferences.pdf</p> <p>Also on the ADVERSARY PROCEEDINGS TAB, You will find Judge Zurzolo’s mandatory forms and instructions:</p> <ol style="list-style-type: none"> 1) Status report 2) Pre-trial stipulation 3) Procedures regarding trials and evidentiary hearings 	

# 14	Procedures in Chapter 11 Cases
<p>The CHAPTER 11 tab of Judge Zurzolo’s section of the Court’s website contains links to three sets of forms that Judge Zurzolo requires when filing a disclosure statement and plan, related notices, and related motions and orders. Judge Zurzolo mandates use of forms specific to the following categories of Debtors:</p> <ol style="list-style-type: none"> 1) debtors who are individuals with primarily consumer debts 2) debtors that are either not individuals, or are individuals with substantial nonconsumer debt 3) subchapter V debtors. <p>At the beginning of each chapter 11 case, Judge Zurzolo enters an Order Setting Initial Chapter 11 Status Conference that sets forth requirements for filing and serving documents, and at the initial status conference, Judge Zurzolo typically sets deadlines for filing proofs of claim and holding hearings on objection to claims, and serving and filing forms related to disclosure and plan of confirmation.</p>	

# 15	Procedures in Chapter 13 Cases
<p>A summary of important procedures in chapter 13 cases is attached here: VZ Chapter13Cases.pdf and is found at the CHAPTER 13 tab of Judge Zurzolo’s webpage, where you will find guidance about:</p> <ol style="list-style-type: none"> 1) Relief from stay and continuing the stay, including relief the judge does not grant 2) Avoiding junior liens 3) Using the motion process, including voluntary dismissal 4) Vacating a dismissal order 5) Setting a hearing on a Monday, Tuesday or Thursday 6) Fee applications 7) Advancing a hearing on plan confirmation 8) Filing a reply and setting a hearing when using the LBR 9013-1(o) process 	

# 16	What if My Opponent Won’t Cooperate in Legal Discovery?
<p>Judge Zurzolo 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</p>	

# 17	Procedures for Attorneys to be Employed or Compensated in Chapter 7 or 11 Cases
<p>Standards to follow when filing an application to be employed or compensated by the estate may be found on the INSTRUCTIONS / PROCEDURES tab of Judge Zurzolo’s page of the Court’s website.</p>	

# 18	Appointing a Neutral Expert to Value Property
<p>Property valuation is often an issue in plan confirmation, in adversary proceedings, and in contested matters such as an objection to claim, motion to use cash collateral, and motion for relief from stay.</p> <p>To establish a property's value, a party may file a motion to value property using the court's LBR forms that are located in The Central Guide at: Valuation of Collateral: Real Property: Personal Property: Equipment Central District of California United States Bankruptcy Court</p> <p>When parties dispute the value of a property, and more than one party offers evidence of value, Judge Zurzolo will commonly issue an Order to Appear and Explain why the court should not appoint a neutral appraiser selected together by all parties to the dispute. The identity of the appraiser and terms of payment and related deadlines will be set forth in a stipulation filed by all parties. The form Stipulation may be found on the ADVERSARY PROCEEDINGS tab of Judge Zurzolo's section of the Court's website.</p>	

# 19	Participating in the Court's Loan Modification Management Program
<p>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.</p> <p>A debtor whose case is assigned to Judge Zurzolo 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</p>	

# 20	Court Mediation Program vs. Judicial Settlement Conferences
<p>The bankruptcy court mediation program was created in coordination with local bar associations to help parties involved in a 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</p> <p>Judge Zurzolo does not serve as a mediator in the court's mediation program and does not act as a settlement judge over disputes presided over by other bankruptcy judges.</p>	