

# Judicial Practice Guide: 20 Common Situations

Judge **Victoria S. Kaufman** – June 2025

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| <b># 1</b>   | <b>If and How the Judge's Staff Communicates with Attorneys</b> |
| <p><b>The Judge's Staff may communicate with you in the following ways:</b></p> <p><b>Notice to Filer</b> -- You may receive an NEF from court staff with "Notice to Filer" instructions that pertain to a document that was filed.</p> <p><b>LBR 9075-1 Emergency Motions and Applications for Orders Setting Hearings on Shortened Notice:</b> Chapter 11 first-day motions may be scheduled by calling Judge Kaufman's courtroom deputy at (818) 587-2850 or by calling chambers at (818) 587-2823 or (818) 587-2826.</p> <p>For all other emergency motions or applications for an order setting a hearing on shortened notice, the applicable moving papers must first be filed on the docket and a judge's copy must be delivered to Judge Kaufman's bin on the first floor of 21041 Burbank Blvd., Woodland Hills, California 91367 before the matter will be considered. The moving party should then call chambers to leave a message indicating that the papers have been filed and delivered. A law clerk may call to respond to your request and if applicable include further instructions.</p> |   |

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| <b># 2</b>  | <b>Court Hearings --- Appearances, Clients, Decorum</b> |
| <p>In most cases, Judge Kaufman issues tentative rulings 24 to 48 hours prior to the date scheduled for a hearing. Notwithstanding the issuance of a tentative ruling, unless (A) Judge Kaufman's chambers or calendar clerk has confirmed that no appearance is necessary or (B) the tentative ruling itself states that no appearance is necessary, <b>appearances are required</b>. Where the tentative ruling states that no appearance is required, parties may still appear. A moving party's failure to attend the hearing on its own motion may result in denial of the motion for failure to prosecute and in the imposition of sanctions. An opposing party that fails to attend the hearing on a motion that it has opposed will be deemed to have withdrawn its opposition to the motion and to have consented to the relief requested.</p> <p>Judge Kaufman requires in-person appearances for all trials and evidentiary hearings with live testimony. All other matters can be attended in-person or by ZoomGov audio or video (unless notice is given for an in-person hearing). For additional instructions regarding audio and video appearances, please see the instructions at the link on the <b>PHONE/VIDEO APPEARANCES</b> tab of Judge Kaufman's page of the court's website.</p> <p>When <b>attending by ZoomGov audio or video</b>, conduct yourself with the same dignity as if you are in the courtroom. Silence your phone until the judge calls your matter. <b>DO NOT INTERRUPT others when they are speaking, particularly the judge</b>. 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> |   |

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.

# 3

### What to Find in a Tentative Ruling

**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](#)

Judge Kaufman posts tentative rulings that may do any the following:

- (1) Inform of the court's intended ruling;
- (2) Discuss whether appearances are waived;
- (3) Instruct a party to file supplemental documents; or
- (4) Discuss that the hearing is continued to another date and/or time.

Additional information regarding Judge Kaufman's tentative rulings is found here: [Tentative Ruling Procedures](#).

# 4

### Does Judge Kaufman Follow All the Local Bankruptcy Rules?

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").

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**".

Here is Judge Kaufman's Judicial Variance Statement: [Judicial Variance Statement](#). **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](#)

# 5

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

**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](#)

Judge Kaufman requires judge's copies in accordance with the Central Guide, Section 2-02. Judge Kaufman has waived service of judge's copies for documents that **(A) are 25 pages or less; and (B) have a maximum of one exhibit**.

If service of judge's copies is required, then all exhibits to the judge's copy must be tabbed. The copies must contain durable tabs and be securely bound with a staple, prong fastener, or other method that is unlikely to be disturbed during the normal processing of paperwork. Binder clips and rubber bands are not sufficiently secure to bind judge's copies. Regular post-it notes are not sufficiently durable to serve as appropriate tabs. Judge's copies should be single-sided with one page of text per page, and should be identical to the filed version of the document.

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| # 6   | <b>Schedule a Hearing Only on a Day Allowed</b> |
| <p>Every judge has "Self-Calendaring" instructions on their webpage. Judge Kaufman's calendar of dates and calendaring instructions with the specific days and times that Judge Kaufman hears particular matters may be found here: <a href="#">Kaufman, V.   Central District of California   United States Bankruptcy Court</a>. <b>ONLY use the day and time appropriate to your calendar matter. No exceptions.</b> If you are unsure regarding which day, time and date to select, please contact Judge Kaufman's courtroom deputy for assistance at <b>818-587-2850</b>.</p> <p>Certain matters otherwise subject to LBR 9075-1 may be set without prior entry of an Order Setting Hearing on Shortened Notice. Please see the instructions at the link on the <b>SELF-CALENDARING</b> tab of Judge Kaufman's page of the court's website, which are also provided here: <a href="#">Kaufman, V.   Central District of California   United States Bankruptcy Court</a>.</p> |   |

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| # 7   | <b>Does Judge Kaufman Allow Digital Signatures that are Explained in LBR 9011-1?</b> |
| <p><b>Section 9011-1 of The Central Guide</b> at <a href="#">Signature Requirements; Types of Signatures Allowed; NEW Software-Generated Signatures   Central District of California   United States Bankruptcy Court</a> contains <b>authorization</b>, 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 Kaufman follows the signature procedure stated within <b>Section 9011-1 of The Central Guide</b>.</p> |  |

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| # 8  | <b>It is very rare to grant an "Ex Parte" Motion.</b> |
| <p>Sometimes parties use the term "<b>ex parte</b>" when they believe the court should <b>enter an order quickly or hold a hearing right away</b>. "<b>Ex Parte</b>" means "<b>without notice</b>." <b>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</b> at: <a href="#">Hearings: LBR 9013-1(d): REGULAR NOTICE (7, 14, 21, 30 or 42 days of notice)   Central District of California   United States Bankruptcy Court</a></p> <ol style="list-style-type: none"> <li>(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: <a href="#">Hearings: LBR 9013-1(p)-(q): NO HEARING UNLESS JUDGE REQUIRES   Central District of California   United States Bankruptcy Court</a>.</li> <li>(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. <a href="#">Hearings: LBR 9075-1(b): SHORTENED NOTICE (Fewer Than 21 Days)   Central District of California   United States Bankruptcy Court</a></li> </ol> |   |

- (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?**

Contacting chambers is not an effective method to obtain a continuance. When all parties agree to continue a hearing, Judge Kaufman follows **LBR 9013-1(m)(2)** and **LBR 9071-1(a)(2)**, which requires that the parties **file a stipulation to continue the hearing**:

- (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.

When a party files a motion to continue, Judge Kaufman follows **LBR 9013-1(m)(1)**, which requires that:

- (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**

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.

**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](#)

# 11

**What to Put in An Order Granting a Motion**

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](#)

Additional guidance:

- (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) In the body of the order, include the date and time of the hearing and if appearances were made or excused by the court in advance of the hearing.

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| # 12 | <b>Procedures for Settlements, Including Dismissal of a Dispute</b>   |
|      | <p>Sometimes a dispute gets settled and the moving party decides not to continue pursuing relief. In such case, the movant can file a <b>notice of voluntary dismissal</b> unless a stipulation is needed. See section 9013-1(k) of The Central Guide found at: <a href="#">Motions: Voluntary DISMISSAL or Stipulation to Dismiss   Central District of California   United States Bankruptcy Court</a></p> <p><b>FRBP 9019(a)</b> 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 <b>Section 9019-1 of The Central Guide</b> found at: <a href="#">Settlement; Compromise of Controversy; Motion Required; Notice on Related Adversary Proceeding   Central District of California   United States Bankruptcy Court</a></p> <p>LBR 9019-1 clarifies that:</p> <ol style="list-style-type: none"> <li>1. The proceeding to settle or compromise a dispute qualifies as a contested matter.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol> |

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| # 13 | <b>Procedures in Adversary Proceedings</b>   |
|      | <p>Judge Kaufman's procedures applicable to adversary proceedings may be found on the <b>INSTRUCTIONS/PROCEDURES</b> tab of Judge Kaufman's page of the court's website and are attached here: <a href="#">Status Conference Instructions</a>.</p> <p>The Status Conference Instructions include Judge Kaufman's instructions regarding, among other things:</p> <ol style="list-style-type: none"> <li>1) Service of the complaint;</li> <li>2) Parties' requirement to meet and confer under Fed. R. Civ. P. 26(f);</li> <li>3) Initial disclosures under Fed. R. Civ. P. 26(a)(1);</li> <li>4) Status reports;</li> <li>5) Entry of default; and</li> <li>6) Demand for trial by jury.</li> </ol> <p>Attached to the Status Conference Instructions is the LBR form 7016-1.STATUS.REPORT. Judge Kaufman will issue an order setting procedures regarding trials and evidentiary hearings.</p> |

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| # 14 | <b>Procedures in Chapter 11 Cases</b>  |
|      | <p>At the beginning of each chapter 11 case, Judge Kaufman enters an order setting an initial chapter 11 case status conference that discusses actions the court may take at the status conference, or at any continued status conference, and sets forth requirements for filing and serving documents, including case status conference reports.</p> |

At the initial status conference, Judge Kaufman typically sets a subsequent status conference and the deadline for filing proofs of claim. Additionally, Judge Kaufman may set deadlines to file a chapter 11 plan and a proposed disclosure statement (if required) and to confirm a chapter 11 plan.

# 15

#### Procedures in Chapter 13 Cases

A summary of procedures regarding hearings in chapter 13 cases and the chapter 13 calendar are found at the **CHAPTER 13** tab of Judge Kaufman's webpage. In addition, Judge Kaufman's [Judicial Variance Statement](#) contains information regarding certain Local Bankruptcy Rules and LBR forms which may be relevant to matters in a chapter 13 case, including but not limited to:

- 1) Relief from stay, including relief the judge does not grant;
- 2) Avoiding junior liens and judicial liens; and
- 3) Fee applications.

# 16

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

Judge Kaufman 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](#)

# 17

#### Procedures for Professionals to be Employed in Chapter 7 or 11 Cases

Standards to follow when filing an application to be employed by the estate may be found on the **INSTRUCTIONS/PROCEDURES** tab of Judge Kaufman's page of the court's website.

# 18

#### Property Valuation

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.

A debtor may provide an opinion of value, which should be supported by an analysis of comparable sales or other relevant materials in support of the debtor's opinion of value, such as valuation guides for vehicles.

Regarding appraisals as evidence of fair market value, written appraisals are inadmissible hearsay unless accompanied and authenticated by a declaration under penalty of perjury by the appraiser.

# 19

#### 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 which may avoid the foreclosure process.

A debtor whose case is assigned to Judge Kaufman 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](#). Additional information regarding the LMM Program is found at: [Loan Modification Management Program | Central District of California | United States Bankruptcy Court](#).

# 20

**Court Mediation Program vs. Judicial Settlement Conferences**

The **bankruptcy court 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](#)

Judge Kaufman 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.