

# California Court Reference

## Keep Your Case Moving with a Temporary Judge or Referee from JAMS

**Stipulating to the appointment of a respected JAMS neutral as a temporary judge or referee** offers distinct advantages to parties in disputes of all types, including, but not limited to: business/commercial, class action/mass tort, construction, employment, entertainment, energy, family law, health care, insurance, personal injury and real property matters.

**Timely hearings available in person or via videoconference or telephone.** Our neutrals offer early, reliable hearing dates and are readily accessible to quickly review briefs and hear motions.

**Process flexibility.** Parties select the decision-maker and determine the capacity in which he or she will serve, from deciding discrete issues to managing discovery, holding a full bench trial and handling post-settlement allocation. Parties may also choose whether the process is binding or recommended.

**Full procedural rights.** Temporary judges and referees operate under established rules of evidence and the right of appeal is preserved.

**Comprehensive services, full-time neutrals.** Our retired judges and attorney-neutrals have decades of trial and ADR experience in virtually every practice area—and they're supported by unmatched case management and a network of convenient, spacious hearing facilities.

### Pre-Dispute

**Include a clause in your contracts or file a stipulation with the court** providing for a JAMS neutral to serve as a temporary judge (Cal. Const. Art. 6, § 21) or as a consensual or all-purpose referee (CCP § 638). Parties typically retain a temporary judge to decide the entire dispute, but they may also choose a temporary judge or referee from JAMS to make determinations on discrete issues.

### Law and Motion

**JAMS neutrals have issued law and motion rulings in thousands of cases** ranging from two-party disputes to complex multi-party matters and class actions, including:

- motion for summary judgment
- motion for class certification
- motion in limine
- motion for approval of settlement terms and agreement
- motion to dismiss
- motion for attorneys' fees and costs
- motion to compel

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**Local Solutions. Global Reach.®**



# CALIFORNIA COURT REFERENCE

## CONTINUED

### Discovery and E-Discovery

Our panel features **knowledgeable discovery referees with vast subject matter expertise, including e-discovery and technology.**

JAMS referees devise and manage discovery plans and supervise ongoing issues, including monitoring depositions and resolving discovery disputes. They determine what electronically-stored information (ESI) is reasonably accessible or recoverable and rule on questions such as search parameters, native formats, disclosure of meta data and determinations about technology assisted review (TAR).

### Trial and Settlement

As temporary judges appointed under all-purpose references, **JAMS neutrals handle all aspects of a case, from pre-trial rulings to full bench trials.** Under consensual references, they act as liaisons between the parties and the court and apply their expertise to a wide range of discrete issues, including:

- reviewing and summarizing expert witness reports
- acting as coordinating masters to drive uniformity and efficiency in cases that are pending in both state and federal courts
- analyzing and allocating damages, in consultation with each party's economic experts
- determining attorneys' fee splits, applicability of interest, expert fees
- serving as settlement referees to drive a global settlement in large, complex, multi-party disputes

### Post-Settlement

JAMS referees have an **extensive track record of post-settlement adjudication/allocation** and frequently handle matters including:

- collaborating with attorneys, courts and claims administrators to design and implement efficient settlement plans
- administering and allocating private, court-ordered and government settlement funds for claims both large and small
- serving as settlement compliance dispute officers to resolve disputes arising out of class action settlement agreements

### Appeal

**JAMS appellate referees** can review an initial evidentiary record and recommend a final decision in an appellate hearing.

*For more on the benefits of using JAMS neutrals in general and special references, including discovery references, as well as sample language for pre-dispute and post-dispute clauses and stipulations to referees under CCP § 638 or to temporary judges pursuant to Cal. Const. Art. 6, § 21, visit [jamsadr.com/CACourtreference](http://jamsadr.com/CACourtreference).*

