

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

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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.

