



SAN MATEO COUNTY LAW LIBRARY

RESEARCH GUIDE #18

LONG CAUSE TRIAL

This resource guide only provides guidance and does not constitute legal advice. If you need legal advice you need to speak with an attorney. To find an attorney to assist you, you may contact the San Mateo County Lawyer Referral Service at (650) 369-4149.

WHAT IS A LONG CAUSE TRIAL?

[California Rules of Court 5.393\(a\)\(2\)](#), A "long-cause trial" is defined as a hearing on a request for order that lasts more than a single court day.

WHAT TO DO:

Use and rely on Local Court form, [Long Cause Trial Rules Checklist \(FL-23\)](#), and follow the clearly outlined steps listed in chronological order to be performed from a week before trial to the day of hearing/trial.

"A" Tasks must be done *Seven Court Days or More Before Trial*.

Make sure to complete all tasks in section **"A"** of the checklist.

NOTE: You will have to meet with and exchange trial briefs with opposing counsel or the other in pro se party. Read [California Rules of Court 5.394](#) to learn about the contents and service of brief. Writing a brief can be a long and involved process and requires significant time. You can find the link to a trial brief sample [here](#).

"A" Court Forms:

- [Income and Expense Declaration \(FL-150\)](#).
- [List of Proposed Exhibits \(FL-CV-09A\)](#).
- [List of Proposed Witnesses \(FL-11\)](#) and Microsoft Word version, [FL-11](#).

“**B**” Tasks must be done *Five Court Days or More Before Trial*.

Make sure to complete all tasks in section “**B**” of the checklist.

NOTE: First task includes telephoning opposing counsel to discuss any “*in limine*” motions. A “*motion in limine*” is a pretrial request to the court to exclude evidence or testimony. The purpose is to prevent the opposing side from presenting evidence that could be prejudicial or irrelevant. A judge will decide on a “*motion in limine*” at the long cause trial.

Here are some examples of when a motion in limine might be used in a family law case:

- **Child custody:** To limit the introduction of potentially harmful or irrelevant evidence
- **Prior claims:** To prevent the other side from referencing prior claims that could mislead
- **Criminal records:** To prevent the other side from referencing prior criminal records

“**B**” Court Forms:

- [Notice of Motions in Limine \(FL-10\)](#) and Microsoft Word version, [FL-10](#).

“**C**” Tasks must be done *Three Court Days Before Trial*.

“**C**” Court Forms:

- [Objections to Exhibits of Petitioner/Respondent](#) and Microsoft Word version, [FL-9](#).

“**D**” Tasks must be done *Two Court Days Before Trial*.

“**E**” Tasks must be done *The Day of Trial*.

Below please find a list of all the forms you might need. Also, find a Microsoft Word version of the local Court forms that are not fillable online and a trial brief sample.

- [Long Cause Trial Rules Checklist \(FL-23\)](#) and Microsoft Word version, [FL-23](#).
- [List of Proposed Exhibits \(FL-CV-09A\)](#).
- [List of Proposed Witnesses \(FL-11\)](#) and Microsoft Word version, [FL-11](#).
- [Income and Expense Declaration \(FL-150\)](#).
- [Notice of Motions in Limine \(FL-10\)](#) and Microsoft Word version, [FL-10](#).
- [Objections to Exhibits of Petitioner/Respondent](#) and Microsoft Word version, [FL-9](#).
- [Trial Brief Sample](#) and [Pleading Template](#).