

Definition of Personal Injury Case

Every unlimited civil tort action for bodily injury, wrongful death, or damage to personal property (hereinafter referred to as “Personal Injury Action”) must be filed in the Central District at the filing window at the Stanley Mosk Courthouse. A “Personal Injury Action” is an unlimited civil action described on the Civil Case Cover Sheet Addendum and Statement of Location (LACIV 109) as Motor Vehicle – Personal Injury/Property Damage/Wrongful Death; Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist; Product Liability (not asbestos or toxic/environmental); Medical Malpractice – Physicians & Surgeons; Other Professional Health Care Malpractice; Premises Liability; Intentional Bodily Injury/Property Damage/Wrongful Death); or Other Personal Injury/Property Damage/Wrongful Death. Actions for intentional infliction of emotional distress, defamation, civil rights/discrimination and malpractice other than medical malpractice are not included in this definition. Actions for injury to real property are not included in this definition.

Criteria for transfer to IC court

The complicated PI cases may be transferred to an IC court in the district in which the injury occurred. The transfer decision will be based on whether the case is better suited for an IC court rather than a court utilizing differential case management. The Court may consider the issues relating to the injury, the length of the trial, the number of the parties, the number of documents to be identified and used during discovery, the number of witnesses to be deposed during discovery and called at trial, the number of hearings before the Court, the number of expected demurrers and motions for summary judgment, the complexity of the legal issues in any demurrer or motion for summary judgment, the number of cross-complaints and the timing of the filing of the cross-complaints, expected discovery disputes and/or other issues which the judge finds relevant to the decision.