

SUMMARY OF JULY 2025 LOCAL RULE REVISIONS

2.00.06 COMPLAINTS AGAINST COURT STAFF, COMMISSIONERS, REFEREES, AND JUDGES PRO TEMPORE

- A. Complaints about the conduct of a subordinate judicial officer or judge pro tempore will be processed in accordance with the procedures set forth in California Rules of Court, rule 10.703. A person having a complaint regarding the professional conduct of and/or procedures employed by a subordinate judicial officer or judge pro tempore shall make the complaint in writing to the presiding judge. Persons who are unable to file a written complaint because of a disability may present an oral complaint, which the presiding judge must commit to writing. The presiding judge, or another judge designated by the presiding judge, will conduct an investigation of the matter, which may include consultation with the judge pro tempore or subordinate judicial officer. Within 90 days of receipt, the complainant will be informed in writing of the results of the investigation.

(1) Written complaints against subordinate judicial officers can be submitted via mail to:
El Dorado County Superior Court
Attn: Presiding Judge c/o Court Administration
2850 Fairlane Court, Ste 110
Placerville, CA 95667

- B. Concerns regarding a court staff member, court procedure, or a suggestion on improving a process, other than those related to a particular case, can be submitted in writing to the Court Executive Officer. Written concerns must be signed and include an address where the Court's response can be sent.

(1) Written complaints against court staff can be submitted via mail to:
El Dorado County Superior Court
Attn: Court Executive Officer
2850 Fairlane Court, Ste 110
Placerville, CA 95667

(Revised July 1, 2025~~13~~)

2.00.08 LOCATION FOR FILING AND ~~SCHEDULE OF~~ COURT SESSIONS

A. LOCATION

- (1) In the Western Slope of El Dorado County, also referred to as the Western Slope area (excludes the Tahoe Basin), sessions of the court may be held in the following locations:
- a. Placerville Main Street Branch, 495 Main Street, Placerville, CA 95667
 - b. Placerville Building C Branch, 2850 Fairlane Court, Placerville, CA 95667

- c. Placerville Fair Lane Branch, 295 Fair Lane, Placerville, CA 95667
- d. Cameron Park Branch, 2927 Meder Road, Cameron Park, CA 95682
- (2) In the City of South Lake Tahoe, also referred to as the South Lake Tahoe area as described in section C below, all sessions of the court are held at:
 - a. South Lake Tahoe Branch, 1354 Johnson Blvd., South Lake Tahoe, CA 96150
- (3) The court may conduct sessions at any appropriate location within the County of El Dorado as directed by the judicial officer presiding at the hearing.
- (4) Unless otherwise ordered by the court, all papers must be filed directly with the clerk's office in the courthouse where the case is assigned, except that filings for Department 8 must be filed in Building C at 2850 Fairlane Court, Ste. 120, Placerville, CA 95667.

(Revised July 1, 202549)

2.00.09 TRANSFERRING CASES BETWEEN PLACERVILLE AND SOUTH LAKE TAHOE SESSIONS

- A. Transfers shall be handled with regard for the present statutory requirements concerning cases entitled to preference. Cases may only be transferred with the specific consent of the presiding judge.
- B. If a case has been venued in the Placerville session, all filings in that case must be made in Placerville only.
 - (1) If a case has been venued in the South Lake Tahoe Session, all filings in that case must be made in South Lake Tahoe only.
 - (2) Pursuant to 2.00.08(A)(4), unless otherwise ordered by the court, all papers must be filed directly with the clerk's office in the courthouse where the case is assigned, except that filings for Department 8 must be filed in Building C at 2850 Fairlane Court, Ste. 120, Placerville, CA 95667.
- C. The judge in the receiving court shall be the authority on whether a transfer is to take place. Before a case may be transferred, the judge in the receiving court must be consulted as to the cases pending in that court on the date in question.
- D. If the judge in the transferring court disagrees with the judge of the receiving court's decision, the presiding judge shall rule as to:
 - (1) Whether the case shall be transferred;
 - (2) Whether it shall take precedence over the cases then pending in the receiving

court; and

- (3) Whether the case being transferred, if it is not to be heard during the trial week it was set for in the transferring court, shall be given precedence over the cases pending in the receiving court.

- E. The judge in the receiving court shall have full authority over the case once transferred and any change in trial status or reported settlement shall be made through the receiving court.
- F. The judge of the transferring court shall notify counsel of the transfer immediately and shall advise counsel that all further communications and inquiries concerning the case should be made to the judge of the receiving court assigned to try the case or the calendar clerk of that court.
- G. The presiding judge may transfer any case between the 2 sessions for reasons of court convenience, including the availability of a courtroom, the availability of a judicial officer, or for other reasons promoting judicial efficiency as determined by the presiding judge.

(Revised July 1, 2025)~~Effective January 1, 2006~~

2.01.00 LOCAL COMMITTEE ON THE ELIMINATION OF BIAS

The court, in cooperation with the El Dorado County Bar Association, establishes a Committee on the Elimination of Bias (“the Committee”), as required by the California Rules of Court, Standard 10.20, Title 10, Standards of Judicial Administration.

- A. **POLICY.** The court is dedicated to preserving the integrity and impartiality of the judicial system, to ensuring that courtroom proceedings are conducted in a manner that is fair and impartial to all participants, and to eliminating explicit and implicit bias in all court proceedings.

In all courtroom proceedings, except where such conduct is relevant to the issues in the proceeding, all court staff, courtroom clerks, court reporters, bailiffs (collectively “court staff”), judicial officers, attorneys, jurors, witnesses, and all other participants shall refrain from engaging in any conduct or comment that exhibits bias, including but not limited to, bias based on ancestry, race, national origin, ethnicity, gender, sexual orientation or identity, religion, age, disability, marital status, or socioeconomic status whether that bias is directed toward counsel, court staff, witnesses, parties, jurors, or any other participants.

Judicial officers shall ensure that all orders, rulings, and decisions are based on the sound exercise of judicial discretion and the balancing of competing rights and interests and are not influenced by stereotypes or biases.

- B. **COMMITTEE COMPOSITION AND FUNCTION**

- (1) The presiding judge, or the judge's designee, shall appoint the members of the Committee, with the intent to create a diverse representation of the community at large. The Committee Chair shall be a judge of the court. The other Committee members should be drawn from the court community and its justice partners, including but not limited to judges, lawyers, court administrators, members of any local bar association, community organizers, and representatives and individuals from nonprofit agencies.
- (2) The Committee aims to sponsor or support educational programs designed to eliminate bias within the court and legal communities.

~~(1) INTENT OF THE COMPLAINT PROCEDURE. The intent of this procedure is to educate with the purpose of improving and preserving the integrity and impartiality of the judicial system. Under the California Rules of Court, Standard 10.20, Title 10, Standards of Judicial Administration, the Committee has no authority to take disciplinary action, however it may refer the complainant to the appropriate disciplinary authority as warranted.~~

C. COMPLAINTS ~~PROCEDURE~~

- (1) Any person who believes that they have been subjected to conduct by a judicial officer, court staff, or any other courtroom participant in violation of paragraph (A) above, may submit a written complaint to the ~~following Committee~~.
 - a. Written complaints against subordinate judicial officers can be submitted via mail to:
El Dorado County Superior Court
Attn: Presiding Judge c/o Court Administration
2850 Fairlane Court, Ste 110
Placerville, CA 95667
 - b. Written complaints against court staff or other courtroom participants can be submitted via mail to:
El Dorado County Superior Court
Attn: Court Executive Officer
2850 Fairlane Court, Ste 110
Placerville, CA 95667
 - c. Complaints against a judicial officer should be directed to the Commission on Judicial Performance.
- (2) Anonymous complaints are prohibited. To the extent possible and unless disclosure is required by law, the ~~Court Committee~~ will protect the confidentiality of the complainant, the person who is the subject of the complaint, and other interested persons.

~~(2)(3)~~ Under the California Rules of Court, Standard 10.20, Title 10, Standards of Judicial Administration, the Committee has no authority to take disciplinary action, however it may refer the complainant to the appropriate disciplinary authority as warranted.

~~(3) One or more members of the Committee must receive and screen complaints. No Committee member may participate in the review or investigation of any complaint if that person is the subject of the complaint or a percipient witness to the complained-of conduct. The Committee's focus will be on incidents that do not warrant discipline but should be corrected.~~

~~(4) In determining whether a complaint raises an appearance of bias, or if there is incomplete information, the Committee may contact the complainant for additional information.~~

~~(5) If the Committee concludes that a complaint raises the appearance of bias, the Committee will educate the offending party for the purpose of ameliorating the problem.~~

~~(6) The complainant must be advised of the results of the Committee's review and subsequent action taken, if any.~~

~~(7) With respect to those incidents that, if substantiated, would warrant discipline, the Committee will advise the complainant of the appropriate disciplinary authority.~~

~~(8) Nothing in this procedure in any way limits the ability of any person to submit a complaint of misconduct to the appropriate disciplinary body.~~

~~(9)~~(4) To the extent possible and unless disclosure is required by law, retention of written records of complaints received is prohibited. Collection of data on types of complaints or underlying anecdotes that might be useful in educational programs is permitted.

(Effective July 1, 202~~5~~⁴)

5.00.03 CRIMINAL COMPLAINTS: TIME AND PLACE FOR FILING

- A. All criminal actions or proceedings wherein the subject matter arises in the South Lake Tahoe area as defined in Local Rule 2.00.09(C) shall be filed in the South Lake Tahoe Session. All other criminal actions or proceedings shall be filed in the Placerville Session. The court, in its discretion, with the concurrence of the presiding judge, may transfer an action between sessions.
- B. All criminal complaints and petitions charging in-custody defendants shall be filed at the earliest time possible, but in no case later than 11:00 a.m. on the date set for the arraignment of the defendant on those charges. The clerk may accept documents for filing after 11:00 a.m. only upon permission of the judge assigned to the arraignment,

or any other judicial officer if the judge assigned is unavailable.

- C. All criminal complaints charging out-of-custody defendants shall be filed with the clerk no later than 2 five (5) court days before the time of the defendant's first appearance on those charges. The judge assigned to the criminal calendar may authorize the filing of late documents.

(Revised ~~January~~ July 1, 2025)

5.10.01 REQUESTS FOR BAIL OR RELEASE ON OWN RECOGNIZANCE

Once bail has been set, counsel may request that bail be modified. ~~Due a~~ Written notice of a request to modify bail shall be given to all parties and the court, no less than two (2) court days prior to the hearing, so that the issue may be fully litigated.

(Revised July 1, 2025 ~~Effective January 1, 1994~~)

5.11.00 TRIAL SETTING AND READINESS CONFERENCES

Each criminal case pending trial shall receive a date certain for trial and readiness conference. At the time a trial date is assigned, counsel shall advise the court of the estimated length of trial.

Prior to the Readiness Conference, counsel is required to personally meet and confer in an attempt to resolve the matter and resolve any discovery issues.

(Revised July 1, 2025 ~~Effective January 1, 1994~~)

5.11.01 ~~STATUS CONFERENCES~~ RESERVED FOR FUTURE USE

~~Status conferences shall be held in criminal cases for the purpose of resolving discovery issues and other matters on a date set by the Court. Counsel is required to personally meet and confer in an attempt to resolve any outstanding discovery issues prior to the status conference.~~

(Revised July 1, 2025 ~~2006~~)

5.12.01 CONTINUANCES

A continuance of a criminal trial or hearing shall require the approval of the court. Counsel are required to file a noticed motion requesting a continuance, or ~~by stipulating to a continuance, provided a court order approving that stipulation is filed.~~ written stipulation to a continuance. The written stipulation shall include a good cause finding and shall be signed by all counsel and defendant(s) with an approval line for the Court. The stipulation shall include a time waiver by defendant(s).

~~If necessary, defense counsel shall provide a written time waiver by the defendant.~~

(Revised July 1, 2025 ~~Effective January 1, 1994~~)

5.13.00 FELONY BAIL SCHEDULE

The court will periodically adopt a bail schedule. The CEO of the Superior Court shall maintain copies of the current schedule and make it available on the court website.

(Revised July 1, 2025 ~~July 1, 1998~~)

5.14.02 RECEIPT OF EXHIBITS

A. No exhibits shall be accepted by the exhibits custodian unless:

- (1) All containers of liquid substances shall be clearly marked as to the type of liquid and the amount;
- (2) All containers of controlled substances shall be clearly marked identifying the substance and its weight, and are sealed to prevent pungent or strong-smelling odors and leaks;
- (3) All cash, whether individually or packaged, shall be specifically identified as to the total amount of cash and the number of bills of each denomination;
- (4) All firearms shall be secured by means of a nylon tie or trigger ~~guard~~lock;
- (5) All hypodermic needles shall be placed in containers that safeguard personnel handling the exhibit from accidental injury.

B. All exhibits must be individually tagged with the appropriate exhibit tag. Each exhibit tag must be properly completed and securely attached to the exhibit.

C. No exhibit shall be received by the court if it poses a security or storage problem or a risk to health or safety. Unidentified liquids, containers, or suspect substances shall be returned to the party who offered the exhibit. Types of exhibits which will not be received include, but are not limited to, the following:

- (1) Any type of explosive powder;
- (2) Explosive chemicals, including toluene and ethane;
- (3) Explosive devices, including grenades, pipe bombs;
- (4) Flammable liquids, including gasoline, kerosene, lighter fluid, paint thinner, and ethyl ether;
- (5) Canisters containing tear-gas, mace, or similar substances;
- (6) Rags that have been soaked in flammable liquids;
- (7) Liquid drugs, including phencyclidine (PCP); ~~—~~methamphetamine, fentanyl, corrosive liquids, pyrrolidine, morpholine, and piperidine; or
- (8) Samples of blood, urine, other bodily fluids, and any substance requiring refrigeration or humidity-controlled storage.

D. Exhibits toxic by their nature that pose a health hazard to humans shall be introduced to the court in the form of a photographic record and a written chemical analysis

certified by competent authority. Where the court finds that good cause exists to depart from this procedure, toxic exhibits may be brought into the courtroom and introduced. Upon conclusion of a trial, exhibits containing toxic or hazardous materials, including but not limited to bodily fluids, controlled substances (including marijuana), weapons, and any other exhibit the court determines may present a hazard shall be returned to the originating agency for storage pending appeal.

E. Any exhibit that is improperly tagged, marked, weighed, or otherwise improperly identified, will not be accepted by the court.

F. The court, in its discretion, may admit any exhibit in the interests of justice.

G. Original photographs shall be substituted for any photographically enlarged exhibits.

H. The court, in its discretion, may order a representative sample and/or a photograph substituted for large or bulky exhibits that pose a storage problem.

(Revised July 1, ~~2025~~2015)

5.14.04 VIEWING EXHIBITS

A. While a case is active, only the attorneys of record and court personnel may view the exhibits. ~~Any other person interested in viewing an exhibit must first obtain an order of court permitting a view.~~ Viewing of exhibits by the attorneys of record shall take place in the presence of the exhibit's custodian. Exhibits may not be altered or taken apart, except upon order of the court.

~~B. Viewing of exhibits shall take place in the presence of the exhibit's custodian. Exhibits may not be altered or taken apart, except upon order of court. Special viewing equipment shall not be permitted except upon prior order of court.~~

(Revised July 1, 2025~~Effective January 1, 1994~~)

5.15.05 JURY INSTRUCTIONS

No later than the first day of trial in a criminal case, the prosecution shall submit proposed jury instructions for use in that case ~~in a condition to go to the jury. The jury instructions will be completely and appropriately filled in and all necessary deletions made.~~

(Revised July 1, 2025~~July 1, 2014~~)

7.02.00 REMOTE PROCEEDINGS

Pursuant to Code of Civil Procedure section 367.75 and California Rules of Court ("CRC"), rule 3.672, remote appearances may be authorized at the discretion of the court. This rule applies to all civil cases, except as set forth in Code of Civil Procedure section 367.75, subdivision (a)(2).

A "civil case" is as defined in CRC, rule 1.6(3), and includes all cases except criminal cases and petitions for habeas corpus, other than petitions for habeas corpus under the Lanterman-Petris-Short Act (Welf. & Inst. Code section 5000, et seq.), which are governed by this rule.

“Remote technology” means technology that provides for the transmission of video and audio signals or audio signals alone, including a computer, tablet, telephone, cellphone, or other electronic or communications device.

A. COURT DISCRETION TO REQUIRE IN-PERSON APPEARANCE

- (1) Except as otherwise required by law, the Court may require a party or witness to appear in person at a proceeding in any of the following circumstances:
 - (a) If the Court determines on a hearing-by-hearing basis that an in-person appearance would materially assist in the determination of the proceeding or in the effective management or resolution of the case.
 - (b) If the Court does not have the technology to conduct the proceeding remotely, or if the quality of the technology prevents the effective management or resolution of the proceeding.
 - (c) Although the Court has the requisite technology, the quality of the technology or audibility at the proceeding inhibits the court reporter’s ability to accurately prepare a transcript of the proceeding, or prevents an attorney from being able to provide effective representation to a client, or inhibits a court interpreter’s ability to provide language access to a court user or authorized individual.
 - (d) If, at any time during a remote proceeding, the Court determines that an in-person appearance is necessary, the Court may continue the matter and require such an appearance. Such determination may be based on the factors listed in Code of Civil Procedure section 367.75(b).
- (2) Notwithstanding subdivision (A)(1)(a), an expert witness may appear remotely absent good cause to compel in-person testimony.

B. REMOTE PROCEEDINGS OTHER THAN AN EVIDENTIARY HEARING OR TRIAL

- (1) Required Notice and Notice Process
 - (a) For matters set with at least three (3) court days’ notice, the requesting party must file and serve Notice of Remote Appearance (Judicial Council form RA-010) at least two (2) court days prior to the hearing date of the proceeding. Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least two (2) court days before the proceeding. This notice process does not apply to Case Management Conferences (“CMC”) or Ex Parte proceedings.

- (b) For matters set with less than three (3) court days' notice, including Ex Parte applications, the requesting party must file and serve form RA-010 no later than 2:00 p.m. on the court day before the proceeding. Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received no later than 2:00 p.m. on the court day before the proceeding.
- (c) CMCs are currently conducted remotely~~only~~. The parties are not required to file a notice to appear remotely prior to a CMC. This rule does not limit the right of a party to appear in person at a CMC.
- (d) If the requesting party intends to appear remotely throughout the case, the requesting party only needs to file form RA-010 once (check item 2a). However, if any party appears in the case after this notice has been given, form RA-010 must be served on that party. Service may be by any means authorized by law.

C. REMOTE PROCEEDINGS FOR AN EVIDENTIARY HEARING OR TRIAL

An "evidentiary hearing or trial" is any proceeding at which oral testimony may be provided, including small claims, unlawful detainers, civil harassment restraining order hearings, domestic violence restraining order hearings, and gun violence restraining order hearings. (CRC, rule 3.672(c)(2).)

(1) Required Notice and Notice Process

- (a) For matters set with at least 15 court days' notice, the requesting party must file and serve Notice of Remote Appearance (Judicial Council form RA-010). Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least 10 court days before the proceeding.
- (b) For matters set with less than 15 court days' notice, the requesting party must file and serve Notice of Remote Appearance (Judicial Council form RA-010). Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least two (2) court days before the proceeding.
- (c) In response to receiving from a party or witness a notice of a remote proceeding for an evidentiary hearing or trial, other parties in the action may oppose the remote appearance by serving and filing Opposition to Remote Proceeding at Evidentiary Hearing or Trial (Judicial Council form RA-015). The opposition must be accompanied by a proposed order. The party opposing the remote appearance may use Order Regarding Remote Appearance (Judicial Council form RA-020). The opposition must be filed and served on all parties or other persons entitled to receive notice of the proceedings at least five (5) court days

prior to the hearing or trial date, unless the hearing is set with less than 15 days' notice, in which case the opposition must be filed and served by 12:00 p.m. on the court day preceding the hearing or trial.

- (d) In determining whether to conduct an evidentiary hearing or trial, in whole or in part, through the use of remote technology over opposition, the Court must consider the factors in Code of Civil Procedure section 367.75(b) and (f), and any limited access to technology or transportation asserted by a party. The Court may not require a party to appear through remote technology for an evidentiary hearing or trial.

D. REMOTE PROCEEDINGS IN JUVENILE DEPENDENCY

(1) General Provisions

- (a) This subdivision does not apply to juvenile justice proceedings.
- (b) The definitions of CRC, rule 3.672(c) apply, except that, for purposes of this subdivision, a "party" is any of the following persons and that person's counsel:
 - (i) A child or nonminor dependent subject to the proceeding.
 - (ii) Any parent, Indian custodian, or guardian of a child subject to the proceeding.
 - (iii) The social worker who filed the petition to commence the juvenile dependency proceedings on behalf of the county child welfare department.
 - (iv) The tribe of an Indian child subject to the proceeding if the tribe has intervened.
 - (v) A de facto parent of a child subject to the proceeding to whom the Court has granted party status.

(2) Conducting a Remote Proceeding

Any juvenile dependency proceeding may be conducted, in whole or in part, through the use of remote technology, as long as the following conditions are met:

- (a) Any party or person authorized to be present at the proceeding may request to appear remotely.
- (b) The Court may not require any party to appear remotely.

- (c) All statutory confidentiality requirements applicable to a juvenile dependency proceeding held in person apply equally to a remote proceeding.

(3) Required Notice and Request Process

- (a) Any person entitled under CRC, rule 5.530(b) or authorized by court order to be present at a proceeding may request to appear remotely by filing and serving Request to Appear Remotely–Juvenile Dependency (Judicial Council form RA-025) with the court at least three (3) court days prior to the hearing date of the proceeding. Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least three (3) court days before the proceeding.
- (b) Any party may ask the Court to compel the physical presence of a party or witness by filing the request in writing with the Court and serving a copy of the request on each party by any means authorized by law reasonably calculated to ensure receipt no later than two (2) court days prior to the proceeding. The party opposing the remote appearance may use Request to Compel Physical Presence–Juvenile Dependency (Judicial Council form RA-030).

(4) Determination of Request

- (a) A witness must appear in person unless all parties to the proceeding have consented to the witness's remote appearance.
- (b) The Court may require any person to appear in person if the Court determines that:
 - (i) One or more of the factors listed in Code of Civil Procedure section 367.75(b) or (f) or in this rule, including the person's limited access to technology, requires the person's physical presence; or
 - (ii) The Court cannot ensure that the person's remote appearance will have the privacy and security necessary to preserve the confidentiality of the proceeding; or
 - (iii) A remote appearance by the person is likely to cause undue prejudice to a party.
- (c) A parent, child, nonminor dependent, or Indian tribe as defined in Welfare and Institutions Code section 224.1, may utilize remote technology for the appearance of an expert witness without the consent

of all parties.

(d) The Court must consider a person's limited access to technology as well as ability to appear in person at a proceeding, including any limits to the person's access to transportation, before ordering the person to appear in person.

E. WAIVER OF NOTICE

At any time during a case, all parties to an action may stipulate to waive notice of any other participant's remote appearance. This stipulation may be made orally during a proceeding or in writing filed with the Court.

F. OTHER RULES REGARDING NOTICE

- (1) Any party may choose to appear in person, even if the party gave notice of the intent to appear remotely or was authorized to appear remotely.
- (2) Notwithstanding the other provisions of this rule, a party may ask the Court for leave to appear remotely without the notice provided for under subdivisions B, C and D. The Court may permit the party to appear remotely upon a finding of good cause, unforeseen circumstances, or that the remote appearance would promote access to justice.

G. VENDORS OR PLATFORMS

A list of the vendors or platforms that must be used for remote appearances are located on the Court's website at www.eldorado.courts.ca.gov/remote-appearances.

H. REMOTE APPEARANCE FEES

- (1) Fees for each telephonic appearance in civil cases are charged pursuant to CRC, rule 3.670(k). Fees for each videoconference appearance will be charged pursuant to CRC, rule 3.72, and Government Code section 70630, and will not exceed the total fee charged for telephonic appearances.
- (2) Parties who, by statute, are not charged filing fees or fees for court services may not be charged a remote appearance fee under Government Code section 70630. (CRC, rule 3.672(k)(1).)
- (3) Parties with a fee waiver shall not be charged fees for remote appearances. To obtain remote appearance services without payment of a fee, the party must advise the vendor or the Court that they have received a fee waiver from the Court. If a vendor requests, the party must transmit a copy of the order granting the fee waiver to the vendor.

(Revised Effective July 1, 2025)

7.03.00 INTERPRETER FEES FOR LATE CANCELLATIONS OR CONTINUANCES

If a party requested an interpreter for a hearing, and the hearing is canceled or continued with less than 48 hours' notice, the ~~C~~ourt system incurs a cost for canceling or rescheduling the interpreter's appearance. Accordingly, absent a showing of good cause, the party responsible for the untimely cancellation or continuance shall be responsible for payment of any interpreter fees incurred as a result of the cancellation or continuance, as well as for any costs associated with rescheduling an interpreter. A party shall not be responsible for costs incurred where the cancellation or continuance is due to the Tentative Ruling calendar.

~~In the request for cancellation or continuance, the responsible party shall submit to the court, in writing, the good cause basis as to why the party should not be responsible for payment of the costs. The responsible party shall submit to the Court, in writing, or orally in the Court's discretion, the good cause basis as to why the party should not be responsible for payment of the costs for the cancellation or continuance.~~
(Revised July 1, 2025 Effective January 1, 2022)

7.08.00 ELECTRONIC SUBMISSION OF FILINGS

~~Electronic filing (eFiling) is available in Civil, Family Law, Probate, and Small Claims matters.~~

- A. Use of Electronic Filing (eFiling) is ~~permissive-mandatory~~ in Adoptions, Civil, Family Law, Family Support, Probate, and Small Claims pursuant to Code of Civil Procedures section 1010.6(g) and CRC, rule 2.253(b) for all represented parties and justice partners, and in-person filings will continue to be accepted at the Clerk's office. ~~eFiling can be changed to a mandatory requirement at any time through further orders of this Court.~~ Self-represented parties, as defined in CRC, rule 2.250(b)(10), are exempt from mandatory eFiling.
- B. Any documents received electronically by the Court between 12:00 a.m. and 11:59 p.m. on any court day, are deemed filed that same day. Any documents received electronically on a non-court day (i.e., weekend or holiday) are deemed filed on the next court day.
- C. Filings will not be accepted by this Court through any other electronic methods (i.e., email or fax).
- D. eFilings must be submitted through an authorized Electronic Filing Service Provider (EFSP). Each EFSP may charge a transaction fee. EFSP fees are waived for parties with an active fee waiver and government entities. A list of authorized EFSPs is maintained on the Court's website.
- E. Justice partners may eFile using an EFSP or court interface.
- F. Documents submitted through eFiling must be in PDF Format, text searchable,

and viewable on any standard PDF viewer.

(1) All documents equal to or exceeding 10 pages and containing multiple exhibits or sections must be bookmarked with the title of the corresponding exhibit or section.

(2) All documents submitted electronically must include page numbers.

G. The following documents are excluded from eFiling and must be submitted in paper format:

(1) Original will and codicil

(2) Bonds/undertaking

(3) Exhibits to be lodged for hearings or trials.

(4) Subpoenaed documents

(5) Copy requests

(6) CARE Act Filings

(7) Any document ordered by The Court to be submitted in paper format.

(Revised July 1, 2025 Effective January 1, 2024)

7.10.00 LAW AND MOTION CALENDAR

(Revised July 1, 2025 Effective January 1, 1994)

7.10.02 MOTIONS: IN GENERAL

A. All civil law and motion calendar dates will be assigned by the ~~court~~ clerk, upon the filing of the appropriate papers. Civil law and motion matters will be heard at a time set by the Ccourt.

B. ~~Failure to timely serve and file. The responsive papers in opposition to a calendared motion must be filed with the clerk by 3:00 p.m. no later than nine (9) court days prior to the date of hearing excluding the date of filing but including the date of the hearing, see Code of Civil Procedure section 12. Any reply papers to the opposition must be filed by the moving party no later than five (5) court days prior to the designated hearing date (not counting the day of the hearing). These requirements do not apply to orders shortening time or ex parte applications (see rule 7.10.10) and do not affect the timing requirements of the summary adjudication statute, Code of Civil Procedure section 437c. If opposition papers may be deemed are not timely filed, the court, in the Court's discretion its discretion, may deem it as a waiver of any objections and may be treated -it as an admission that the motion or other application is meritorious. The Ccourt, in its discretion, may also grant the motion. In that case, a party desiring to further oppose the motion will be required~~

to bring a properly noticed motion for reconsideration, motion for new trial, or other appropriate motion, and comply with any specific requirements of the motion so brought.

- C. Failure to timely serve and file a paper or file a proof of service may, in the Court's discretion, constitute a sufficient basis for denial of the motion or application or to disregard the untimely filed document. This subsection is not intended to limit the Court's authority to exercise discretion in any other appropriate manner, including, but not limited to, the granting of continuances or the imposition of sanctions.

~~D. Any motion which seeks exclusively to advance or continue a civil cause for trial or arbitration, or which pertains exclusively to calendaring the matter and which seeks no other form of relief, shall be noticed and calendared for hearing in the department of the judge assigned to hear the matter.~~

~~E.D.~~ Papers and materials lodged with the clerk shall be accompanied by an addressed return envelope with sufficient postage.

~~F.E.~~ Each exhibit submitted in support of or in opposition to a motion or other application must be identified as an exhibit, attached to a declaration, and made a part thereof by reference.

All exhibits submitted in support of or in opposition to a motion ~~to be heard on the law and motion calendar~~ shall be separately tabbed and identified, ~~either~~ numerically by the ~~plaintiff or alphabetically by defendant~~ parties. All references to an exhibit in the memorandum of points and authorities shall identify the exhibit referred to and state the page and line numbers of the exhibit to which reference is made. ~~(See California Rules of Court, rule 3.1113(k).)~~

~~G.F.~~ Each exhibit shall be separated by an 8-1/2" x 11" sheet with hard paper or plastic tabs extending below the bottom of the page and bearing the exhibit designation. An index to exhibits shall be provided if there are five or more exhibits. Exhibits written in a foreign language shall be accompanied by an English translation, certified under oath by a qualified interpreter.

~~H.G.~~ Memoranda of points and authorities shall be submitted in accordance with ~~California Rules of Court, rule 3.1113~~. If a California administrative regulation, administrative decision, or opinion of the attorney general is relied upon and cited, a copy of that authority shall be attached to the memorandum.

~~I.~~ Unless a statute authorizes a declaration on information and belief, a the declaration shall set forth statements of evidentiary facts to which the declarant could testify if called as a witness and shall include a declaration by the declarant under penalty of perjury to that fact. If a statute authorizes a statement on information and belief and such a statement is made by the declarant, the facts

~~upon which the declarant bases such information and belief shall be included. All declarations under penalty of perjury submitted in support of or in opposition to a motion or other application to the court for an order shall state the date and place of execution of the declaration and shall otherwise comply with Code of Civil Procedure section 2015.5.~~

H.

~~Unless a statute authorizes a declaration on information and belief, the declaration shall set forth statements of evidentiary facts to which the declarant could testify if called as a witness and shall include a declaration by the declarant under penalty of perjury to that fact. If a statute authorizes a statement on information and belief and such a statement is made by the declarant, the facts upon which the declarant bases such information and belief shall be included.~~

~~(1) — A duplicate copy of the law and motion document, to which shall be attached a copy of all documents in the court's file to which reference has been made, shall be delivered to the clerk at the time of the filing for use by the judge who will hear the matter. (Revised July 1, 2025 January 1, 2021)~~

7.10.03 RESERVED FOR FUTURE USE

(Revised July 1, 2025)

7.10.04 RESERVED FOR FUTURE USE

(Revised July 1, 2025)

7.10.03 PLEADINGS RESERVED FOR FUTURE USE

~~A. The heading for each separate cause of action shall set forth the theory of the cause of action and the parties against whom it is brought; e.g., "First Cause of Action against defendants John Doe, Richard Roe, and Does I through III for Negligence." (See California Rules of Court, rule 2.112.) The court, in its discretion, may strike pleadings for non-compliance with this rule.~~

~~B. Amendment of pleadings shall be in compliance with the California Rules of Court. In addition, the following principles shall apply:~~

~~(1) — Amendment to designate a party wrongly named by the correct name does not require an order following noticed motion, and may be obtained by an ex parte order, unless the court determines that the substantial rights of the party to be designated are adversely affected thereby.~~

~~(2) — An amended pleading is required instead of an amendment to a pleading in all other cases. The court shall deem a motion to file an amendment to be a motion to file an amended pleading, and shall require that the entire prior pleading, together with the proposed amendments that have been approved by the court and incorporated into the prior pleading, be filed and served.~~

~~(3) — In addition to attaching a copy of the proposed pleading (e.g., "proposed~~

~~first amended complaint”) to the moving papers, the party seeking leave to amend a pleading shall bring the original of the proposed amended pleading to the hearing on the motion. The original shall not include the word “proposed” on its face and, if the motion is granted, will in the ordinary case be ordered filed and served forthwith.~~

~~C. Motions to strike shall comply with California Rules of Court, rule 3.1322. The court will exercise its inherent power to strike an unauthorized pleading or a pleading filed in violation of a court order.~~

~~(Revised July 1, 2025 January 1, 2007)~~

7.10.04 CONTINUANCESRESERVED FOR FUTURE USE

~~A. Litigants may request a change of date for a law and motion matter one time only; no other continuances will be allowed.~~

~~B. Notification of stipulated continuances of motions calendared on the law and motion calendar, and any other stipulations in law and motion matters, shall be made through the calendar clerk no later than 26 hours before the hearing or two (2) hours before the tentative decision is published, whichever is earlier. By calling and representing the continuance is by stipulation, counsel, or the moving party if appearing in propria persona, is representing to the court that all parties affected by the motion have agreed to the continuance. The continuance shall be to a date certain, and shall be confirmed promptly by letter to the clerk. The continuance shall be reflected in the court file. The moving party is responsible for giving notice to all parties of the date to which a law and motion matter has been continued.~~

~~C. All other continuances shall be deemed discretionary continuances and may be granted by a judge or commissioner only for good cause shown. If a continuance is granted, interim orders on all or certain issues are favored and any remaining issues shall be continued on the law and motion calendar or referred to the calendar clerk for setting as a long cause matter.~~

~~D. Failure to comply with this rule may result in the calendared matter being heard and ruled upon by the court on the date the matter was originally set for hearing.~~

~~(Revised July 1, 2025 Effective January 1, 1994)~~

7.10.05 TENTATIVE RULING SYSTEM FOR WESTERN SLOPE AND SOUTH LAKE TAHOE

A. GENERAL. The Superior Court for El Dorado County has adopted the following tentative ruling system pursuant to California Rules of Court (CRC), rule 3.1308, subdivision (a)(1) for all matters set on the regularly scheduled law and motion calendars of both the Western Slope and South Lake Tahoe Branches. The tentative rulings can be obtained in two ways:

- (1) Online: The tentative rulings and complete written rationale for each tentative ruling will be posted on the El Dorado County Superior Court website at www.eldorado.courts.ca.gov by no later than 2:00 p.m. on the

court day preceding the date the matter is set on the law and motion calendar. The tentative ruling and the rationale can be viewed on the web site by clicking on the "Tentative Rulings" link. The tentative rulings are listed by department and calendar date. Simply click on the tentative rulings for the assigned department and then click on the date you wish to view.

- (2) By Telephone: The tentative rulings providing the disposition of the matter only, without the rationale, can also be obtained by calling (530) 621-6551 (Western Slope Branch) or (530) 573-3042 (South Lake Tahoe Branch) beginning at 2:00 p.m. on the court day preceding the date the matter is set on the law and motion calendar.

B. TENTATIVE RULING PROCEDURE

- (1) Acceptance of tentative ruling
 - a. If you wish to accept the tentative ruling which has been issued, or do not wish to oppose it, you do not need to do anything. If no notice of intent to appear and request oral argument is received from any party to the matter by 4:00 p.m. on the day the tentative ruling is issued, the tentative ruling will automatically become the final order of the court pursuant to ~~California Rules of Court~~CRC, rule ~~3.1308, subdivision~~ (a)(1).
 - b. If you do not wish to accept the tentative ruling in its entirety, you must give notice of your intent to appear and request oral argument as to the specific aspects of the tentative ruling you wish to challenge to both the ~~C~~ourt and all parties to the action through the procedures listed below by 4:00 p.m. on the day the tentative ruling is issued. If you do not give such notice and request oral argument by 4:00 p.m., the tentative ruling will become the final order of the ~~C~~ourt as provided in ~~California Rules of Court~~CRC, rule 3.1308, subdivision (a)(1).
- (2) Notice of Intent to Appear and Request Oral Argument
 - a. A notice of intent to appear and request oral argument must be transmitted to the ~~C~~ourt either electronically through the court's website, or via telephone call by 4:00 p.m. on the day the tentative ruling is issued.
 - b. Electronic requests must be sent directly from the tentative rulings link of the ~~C~~ourt's web site by clicking on the "Request for Oral Argument" button on the department's tentative ruling page.
 - c. Phone requests must be placed to the Western Slope Branch at (530) 621-6551 or the South Lake Tahoe Branch at (530) 573-3042 and must provide all of the information required on the request form found on the ~~C~~ourt's web site.

d. Notice to all parties of your intent to appear must be made by telephone or in person pursuant to ~~California Rules of Court~~CRC, rule 3.1308, subdivision (a)(1).

a._____

~~D.~~(3) Scheduling of Oral Argument

~~a. Matters in which the parties' total time estimate for argument is 15 minutes or less will automatically be set for hearing on the law and motion calendar on the court day following the issuance of the tentative ruling unless otherwise notified by the court. The 15-minute time limit for argument heard on the law and motion calendar will be strictly enforced. The court will endeavor to set long cause oral argument requests for hearing within 10 court days of the issuance of the tentative ruling, or as soon thereafter as the matter can be heard. Matters in which a party requests oral argument will automatically be set for hearing on the law and motion calendar on the court day following the issuance of the tentative ruling unless otherwise notified by the Court.~~

~~b. Notification of the selected Hearing Date for matters not automatically set for oral argument on the next day's law and motion calendar will be provided to the requesting party by 5:00 p.m. on the date the tentative ruling is issued.~~

~~c. Notification to all other parties of the hearing date for matters not automatically set for oral argument on the next day's law and motion calendar is the sole responsibility of the requesting party.~~

~~(3)~~(4) Appearances

~~d.a.~~_____ Except where the tentative ruling states that "appearances are required" or, having received a request for oral argument ~~of 15 minutes or less~~, the matter has been automatically scheduled for hearing on the next day's law and motion calendar, no other appearances will be required nor permitted at the law and motion calendar on the day following the issuance of the tentative ruling.

~~e.b.~~_____ Unless otherwise indicated in the tentative ruling, appearances for oral argument may be made either in person or remotely in accordance with Local Rule 7.02.00.

C. NOTIFICATION OF TENTATIVE RULING SYSTEM IN THE NOTICE OF MOTION. All noticed motion proceedings for which a tentative ruling will issue shall contain the following statement in all notices of motion:

(1) For motions heard in the Western Slope Branch:

“Pursuant to Local Rule 7.10.05(A), the Court will issue a tentative ruling for this matter on the court day before the hearing. The complete text of the tentative ruling will be available beginning at 2:00 p.m. aton the Court’s web-site, www.eldorado.courts.ca.gov. The tentative ruling providing the disposition of the matter only, without the rationale, can be obtained by calling (530) 621-6551 (Western Slope Branch) beginning at 2:00 p.m. on the court day before the hearing. The tentative ruling shall become the final ruling on the matter and no hearing will be held unless oral argument is timely requested or the tentative ruling indicates otherwise. Requests for oral argument must be made either through the Court’s web site or by calling (530) 621-6551 no later than 4:00 p.m. on the court day before the hearing.”

- (2) For motions heard in the South Lake Tahoe Branch:

“Pursuant to Local Rule 7.10.05(A), the Court will issue a tentative ruling for this matter on the court day before the hearing. The complete text of the tentative ruling will be available beginning at 2:00 p.m. aton the Court’s web-site, www.eldorado.courts.ca.gov. The tentative ruling providing the disposition of the matter only, without the rationale, can be obtained by calling (530) 573-3042 (South Lake Tahoe Branch) beginning at 2:00 p.m. on the court day before the hearing. The tentative ruling shall become the final ruling on the matter and no hearing will be held unless oral argument is timely requested or the tentative ruling indicates otherwise. Requests for oral argument must be made either through the Court’s web site or by calling (530) 573-3042 no later than 4:00 p.m. on the court day before the hearing.”

(Revised July 1, 2025~~2~~)

7.10.06 LENGTH OF HEARING; ~~LONG CAUSE MATTERS~~

~~(1) Matters on the law and motion calendar are intended to be set for no more than a total of 15 minutes for argument. When a matter is called on the law and motion calendar and it appears that argument will exceed a total of 15 minutes, the Court, in its discretion, may reschedule the matter to a date and time convenient to the Court. it shall be deemed a long cause matter. The court, in its discretion, may reset the matter at a date and time convenient to the court for long cause hearing.~~

~~(2) If counsel believe that a matter will take more than 15 minutes to argue, that matter should not be placed on the regularly scheduled law and motion calendar. In such a case, counsel should contact the calendar clerk and request that the matter be scheduled as a long cause hearing.~~

(Revised July 1, 2025~~14~~)

7.10.07 DEFAULTS OR UNCONTESTED MATTERS; PROVE-UPS

- A. No defaults or uncontested matters shall be set for hearing by the clerk unless and until the judgment and all pleadings and documents necessary for hearing and

disposition of the matter are on file in the clerk's office.

- (1) In all cases of a request for entry of a default judgment, whether the request is for a clerk's judgment, court judgment, or the matter is set for prove-up, it is this Court's general policy to require evidence in support thereof shall be provided in written form, unless prohibited by law (Code of Civil Procedure section 585(c)). It is the policy of this Court to require an evidentiary declaration from the plaintiff or plaintiff's agent in all cases of default.
- (2) Affidavits and declarations presented in support of a prove-up application shall comply with the requirements of Code of Civil Procedure sections 585 and 585.5.
- (3) At a default prove-up, allegations in the complaint or cross-complaint, if applicable, are not deemed proved because of the failure of the adverse party to answer. In all cases, proof must be presented by competent evidence on each and all essential elements of the causes of action sought to be proved; conclusions, whether legal or factual, are insufficient. Affidavits and declarations must affirmatively show that the affiant or declarant is competent to testify to the statements made therein. In general, the Court will use the same standards for assessing the quality and sufficiency of the evidence as would be applied in a contested proceeding. (Code of Civil Proc., ~~edure section~~§ 585, subd. (d); see *Harris v. Cavasso* (1977) 68 Cal.App.3d 723; *Devlin v. Kearny Mesa AMC* (1984) 155 Cal.App.3d 381.)

B. In actions on promissory notes and contracts providing for the payment of attorney's fees, whenever a prevailing party is entitled to the recovery of reasonable attorney's fees, the following schedule shall be considered by the Court, in its discretion, in awarding such fees:

25% of the first \$1,000;
20% of the next \$4,000;
15% of the next \$5,000;
10% of the next \$10,000;
5% of the next \$30,000; and
2% of the amount over \$50,000.

(Revised- July 1, 2025~~January 1, 2000~~)

7.10.08 RESERVED FOR FUTURE USE ~~MOTIONS TO BE RELIEVED AS COUNSEL~~

~~A. All motions and declarations to be relieved as counsel shall be on the mandatory Judicial Council forms (MC-051 and MC-052).~~

~~(1) In accordance with California Rules of Court, rule 3.1362(e), withdrawal will be effective on the date the withdrawing attorney files proof of service of the formal,~~

~~signed order on the client and all parties who have appeared in the case.~~
(Revised ~~July 1, 2025~~ January 1, 2012)

7.10.09 JUDICIAL ARBITRATION

A. Upon stipulation of the parties, or election of the plaintiff(s), if the matter in controversy is less than \$50,000, a case may be referred to arbitration. The Arbitration Program shall be administered in accordance with the provisions of the Code of Civil Procedure section 1141.11, et seq., and California Rules of Court, rule 3.810, et seq.

B. When a case has been assigned to arbitration, notice of assignment to arbitration shall be sent to all parties by the Court.

(Revised ~~July 1, 2025~~ January 1, 2012)

7.10.10 EX PARTE MOTIONS AND APPLICATIONS; ORDERS SHORTENING TIME

A. The moving papers in support of an ex parte application shall be filed with the Court at the first reasonable opportunity, no later than 2:00 p.m. the court day preceding the ex parte application ~~in accordance with California Rules of Court, rule 3.1206~~. The moving papers shall be served by ~~facsimile or~~ electronic transmission where possible.

~~B. After filing, all ex parte applications, including applications for an order shortening time, will be reviewed by the court clerk for signatures, verifications, form of motion, verification that all exhibits are attached, and for general compliance with the California Rules of Court prior to presentation to a bench officer.~~

C.B. In accordance with California Rules of Court, rule 3.1201, the applicant for an ex parte order shall submit:

- (1) The application;
- (2) A declaration, or Local Form M-1, stating that notice has been given to all parties no later than 10:00 a.m. the court day prior to the ex parte hearing, including the date, time, and to whom notice was given, absent a showing of exceptional circumstances that justify a shorter time for notice (California Rules of Court, rule 3.1203). ~~In construing the term "exceptional circumstances" in the case of applications for an ex parte temporary restraining order regarding harassment, the court will ordinarily require at least 4 hours' notice to the opposing party or parties.~~
- (3) A declaration in support of the application, based upon personal knowledge and competent evidence, that makes an affirmative factual showing of irreparable harm, immediate danger, or other good cause for not using the noticed motion procedure. (California Rules of Court, rule 3.1202(c).);
- (4) A Memorandum of Points and Authorities in support of the application; and

(5) A proposed order.

~~D.C.~~ If an application for an order to shorten time to hear a motion or other request has been granted, the moving papers supporting that motion shall be served on the opposing party at least ~~two~~2 court days prior to the hearing, unless otherwise ordered by the Court.

~~E.D.~~ Applications for entry of judgment ex parte pursuant to stipulation due to a debtor's default on a conditional settlement agreement, or other applications for entry of judgment or termination of a stay of execution upon failure to perform express conditions, must provide notice pursuant to this rule and California Rules of Court, rule 3.120~~30, et seq.~~, unless there is an express waiver of notice in the stipulation. The application shall be supported by a declaration stating the amount of any payments made by the debtor, or other compliance with the agreement by the defendant, as well as the specific facts supporting the alleged failure to perform.

~~F.E.~~ An application for an ex parte stay of execution of a judgment shall only be made to the trial judge who entered the judgment. If there is no trial judge, the application may be presented to the judge assigned to the law and motion calendar.

~~G.F.~~ If the applicant has previously made an ex parte application which has been denied or in part denied, and a subsequent application is made for the same or similar order, either to the judge who originally denied the application or to a different judge, whether on the same or a different set of facts, the applicant shall submit a declaration that states that a previous application has been made, the date of the application, the name of the judge who denied the previous application, a copy of the order on the previous application, and the declaration shall set forth facts on competent evidence demonstrating the change of circumstances which warranted the subsequent application.

(Revised July 1, 202~~50~~)

7.10.11 RESERVED FOR FUTURE USE~~MOTION FOR SUMMARY JUDGMENT AND SUMMARY ADJUDICATION~~

~~(2) POLICY. It is this court's policy to adhere strictly to the evidentiary and procedural requirements governing motions for summary judgment and summary adjudication as set forth in the Evidence Code, Code of Civil Procedure section 437c, and other applicable provisions of that Code, as well as the California Rules of Court, rule 3.1350, et seq. These requirements apply as well to all affidavits and declarations submitted in support of or in opposition to the motion.~~

~~A. MOTIONS FOR SUMMARY JUDGMENT OR ADJUDICATION; SEPARATE STATEMENT REQUIREMENT. While a motion for summary adjudication made in the alternative may make reference to and depend on the same evidence submitted in support of the motion for summary judgment, a motion for summary adjudication requires its~~

~~own separate statement that identifies the issue or issues to be summarily adjudicated and sets forth the facts contended to be undisputed and the evidence in support of those facts. Incorporation by reference of the separate statement submitted in support of the motion for summary judgment, or references in the separate statement in support of the motion for summary adjudication to facts or evidence in the separate statement submitted in support of the motion for summary judgment, do not comply with the California Rules of Court and may result in denial of the motion.~~

~~B. MOTIONS FOR SUMMARY JUDGMENT OR ADJUDICATION; SEPARATE STATEMENT IN OPPOSITION. California Rules of Court, rule 3.1350(f), imposes a requirement that the opponent's response in a separate statement in opposition "must unequivocally state whether the fact is 'disputed' or 'undisputed.'" Objections to evidence in a separate statement should be made in the format provided in California Rules of Court, rule 3.1354 and not argued in the separate statement. Other objections to a fact in a party's separate statement of facts, such as objections that the fact is incomplete, misstates a fact, etc., are legal argument and belong in the Memorandum of Points and Authorities, not in the separate statement.~~

~~(3) SUPPLEMENTAL BRIEFING. Code of Civil Procedure section 437c, subsections (a) and (b), set forth the mandatory time requirements for serving and filing the moving and opposing supporting papers. Supplemental briefing, or supplemental evidentiary submissions, may not be served or filed except by leave of court, on good cause shown. Granting leave to file supplementary submissions may result in the hearing date, the trial date, and other scheduled dates to be reset.~~

~~(Revised- July 1, 2025 January 1, 2012)~~

7.10.12 COMPROMISE OF CLAIM OF MINOR OR INCOMPETENT PERSON

A. A petition for Court approval of a compromise pursuant to Code of Civil Procedure section 372, Probate Code section 2504, or Probate Code section 3500, shall be verified by the petitioner and in addition to the matters required by California Rules of Court, rules 7.950 through 7.955, shall contain:

- (1) The name and birth date of the minor or incompetent person;
- (2) The nature and extent of the injury giving rise to the claim with sufficient particularity to inform the Court whether the injury is permanent or temporary;
- (3) The original or a photocopy of all doctor's reports containing a diagnosis or prognosis of the injury, and a current report of the person's present condition;
- (4) A copy of any existing accident investigation report of any law enforcement agency;
- (5) A full disclosure of all information concerning the reasonableness of the

proposed compromise including the amounts, if any, paid or to be paid to any other claimants;

- (6) The original or a photocopy of each bill which, if paid, shall disclose the date of payment, the amount paid, and the name of the payer;
- (7) If the money is to be deposited in an account subject to withdrawal only upon order of the Court, the name and address of the depository; and
- (8) The amount of attorney's fees requested. Pursuant to Probate Code section 3601, the court will, in its discretion, approve a reasonable attorney's fee consistent with California Rules of Court, rule 7.955.

B. When the Court orders the money to be received by the minor or incompetent person to be deposited in a bank, trust company, or savings and loan association, the order approving the compromise shall contain the following language:

- (1) A certified or endorsed copy of this order shall be delivered to the manager of said bank (or savings and loan association), together with said sum to be deposited, and that there shall be a receipt of said bank (or savings and loan association) filed with the clerk acknowledging receipt.
- (2) If there is a finding in the order approving compromise of a minor's claim that the minor will attain the age of eighteen or majority on a definite date, the order requiring deposit shall provide for withdrawal after that date without further order of the Court.

~~C. Requests for withdrawal of funds deposited for minors will be allowed only upon filing a verified petition, which shall include a designation of the depository, a showing of the amounts previously withdrawn, the balance on deposit at the time of the filing of the petition, and an adequate justification for the requested withdrawal. Except as otherwise ordered by the court for good cause shown, if the attorney for the petitioner was awarded fees at the time the settlement was approved, no further attorney fees in connection with a petition for withdrawal of funds shall be awarded.~~

~~D.C.~~ The presence of the petitioner and the minor or incompetent person shall be required, unless otherwise ordered by the Court, ~~in advance of the hearing, good cause is shown to the court by letter request seeking to excuse that person's presence.~~ In considering whether to excuse a personal appearance ~~on letter request~~, the Court shall consider, without limitation, the following factors:

- (1) The amount of the settlement;
- (2) Policy limits;
- (3) Extent of injury and need for future medical care related to the injury;

- (4) Extent of residual conditions, including cosmetic and psychological factors;
- (5) Liability;
- (6) Travel distance for the minor and guardian including consideration of any disability causing difficulties in traveling; and
- (7) Interruption of education: Generally, where petitioner is not represented by counsel, an appearance will be required.

(Revised July 1, 20~~25~~¹³)

7.11.00 EXHIBIT STORAGE AND DISPOSITION

(Revised July 1, 20~~25~~¹⁴)

7.11.01 POLICY

It is the policy of the El Dorado County Courts that evidence admitted in any case before the C~~e~~ourts:

- A. Shall be only those items required in the case;
- B. Shall not pose a security or storage problem nor a risk to health or safety; and
- C. Shall not be retained by the court beyond the minimum time required by law, unless good cause is shown.

(Revised- July 1, 2025~~January 1, 1994~~)

7.11.02 RECEIPT OF EXHIBITS

- A. No exhibits shall be accepted by the exhibit's custodian unless:

- (1) All containers of liquid substances shall be clearly marked as to the type of liquid and the amount;
- (2) All containers of controlled substances shall be clearly marked identifying the substance and its weight, and are sealed;
- (3) All cash, whether individually or packaged, shall be specifically identified as to the total amount of cash and the number of bills of each denomination;
- (4) All firearms shall be secured by means of a nylon tie or trigger guard; and
- (5) All hypodermic needles shall be placed in containers that safeguard personnel handling the exhibit from accidental injury.

- B. All exhibits must be individually tagged with the appropriate exhibit tag. Each exhibit tag must be properly completed and securely attached to the exhibit.

C. No exhibit shall be received by the Cecourt if it poses a security or storage problem or a risk to health or safety. Unidentified liquids, containers, or suspect substances shall be returned to the party who offered the exhibit. Types of exhibits which will not be received include, but are not limited to, the following:

- (1) Any type of explosive powder;
- (2) Explosive chemicals, including toluene and ethane;
- (3) Explosive devices, including grenades and pipe bombs;
- (4) Flammable liquids, including gasoline, kerosene, lighter fluid, paint thinner, and ethyl ether;
- (5) Canisters containing teargas, mace, or similar substances;
- (6) Rags that have been soaked in flammable liquids;
- (7) Liquid drugs, including phencyclidine (PCP); methamphetamine, corrosive liquids, pyrrolidine, morpholine, and piperidine; or
- (8) Samples of blood, urine other bodily fluids, and any substance requiring refrigeration or humidity-controlled storage.

D. Exhibits toxic by their nature that pose a health hazard to humans shall be introduced to the Cecourt in the form of a photographic record and a written chemical analysis certified by competent authority. Where the Cecourt finds that good cause exists to depart from this procedure, toxic exhibits may be brought into the courtroom and introduced. Upon conclusion of a trial, exhibits containing toxic or hazardous materials, including but not limited to bodily fluids, controlled substances (including marijuana), weapons, and any other exhibit the Cecourt determines may present a hazard shall be returned to the originating agency for storage pending appeal.

E. Any exhibit that is improperly tagged, marked, weighed, or otherwise improperly identified, will not be accepted by the Cecourt.

F. The Cecourt, in its discretion, may admit any exhibit in the interests of justice.

G. Original photographs shall be substituted for any photographically enlarged exhibits.

H. The Cecourt, in its discretion, may order a photograph substituted for large or bulky exhibits that pose a storage problem.

(Revised- July 1, 2025~~January 1, 2008~~)

7.11.03 RETENTION, DESTRUCTION, AND RETURN OF EXHIBITS

- A. The clerk shall retain custody of any exhibit introduced into evidence in a civil proceeding, until the final determination or dismissal of the action or proceeding.
- B. Once a judgment has become final and any appellate proceedings in the matter have been terminated, exhibits retained from a case shall be promptly destroyed or otherwise disposed of by the Court clerk in accordance with current law or rule of court. Parties who wish to retain their exhibits shall sign and file with the clerk a request for return of exhibits prior to the end of the hearing or trial of the matter.
- C. The Court, on its own motion, may order exhibits destroyed or otherwise disposed of, or may order that exhibits be returned to the attorney for the party introducing those exhibits, 60 days after the expiration of the time for filing a notice of appeal.

~~(Revised July 1, 2025 Effective January 1, 2000)~~

7.11.04 VIEWING EXHIBITS

- A. As long as a case is active, only the attorneys of record and Court personnel may view the exhibits. Any other person interested in viewing an exhibit must first obtain an order of Court permitting a view.
- B. Viewing of exhibits shall take place in the presence of the exhibit's custodian. Exhibits may not be altered or taken apart, except upon order of Court. Special viewing equipment shall not be permitted except upon prior order of the Court.

~~(Revised July 1, 2025 Effective January 1, 1994)~~

7.12.00 TRIAL COURT CASE MANAGEMENT RULES

~~(Revised July 1, 2025 Effective July 1, 2002)~~

7.12.01 APPLICATION OF CASE MANAGEMENT RULES

- A. APPLICATION. These rules apply to all general civil cases pending in the Superior Court, regardless of when the case was originally filed or whether the case was transferred from another court.
- B. EXCLUSIONS. Excluded from the application of these rules are probate, guardianship, conservatorship, family law (including proceedings under the Family Law Act, Uniform Parentage Act, Uniform Child Custody Jurisdiction Act, proceedings for freedom from parental custody and control, and proceedings for adoption), juvenile court proceedings, small claims appeals, and "other civil petitions" including petitions for writs of prohibition or mandate, temporary restraining orders, harassment restraining orders, domestic violence restraining orders, writs of possession, appointment of receiver, release of property from lien, ~~and~~ change of name, and collection cases as defined in California Rules of Court, rule 3.740(a). Excluded also are unlawful detainers and cases which are the subject of a petition for coordination.

~~C. COLLECTION CASES. Excluded also from the application of these rules are collection cases as defined in California Rules of Court, rule 3.740(a). Collection~~

~~cases shall be processed as set forth in California Rules of Court, rule 3.740. In addition, the following rules shall apply.~~

~~d.——Obligation to Take Default and Obtain Judgment. It is the plaintiff's obligation to take the defendant's default and proceed to judgment within 360 days after the complaint has been filed. Compliance with California Rules of Court, rule 3.740(f) will be strictly enforced. If defendant has not filed a responsive pleading and plaintiff has not obtained a judgment, the clerk shall prepare an order to show cause why reasonable sanctions shall not be imposed against plaintiff and present the order to show cause to the judge for signature.~~

~~e.——Time For Service. The complaint must be served on all named defendants, and proofs of service on those defendants must be filed, or the plaintiff must obtain an order for publication of the summons, within 180 days after the filing of the complaint.~~

~~f.——Responsive Pleading. Parties are to comply with California Rules of Court, rule 3.110 relating to responsive pleadings, cross-complaints, extensions of time, and the deadline for obtaining a default judgment following entry of default.~~

~~g.——Case Management Conference. If, at any time, an answer or other responsive pleading is filed, the clerk shall set a case management conference within 30 days.~~

(Revised July 1, 2025 ~~January 1, 2016~~)

7.12.02 RESERVED FOR FUTURE USEPOLICY

~~(1) It is the policy of the Superior Court to manage all cases subject to these rules in order to ensure proper preparation and timely disposition. The goal for timely disposition is to conclude 90% of the subject cases within 12 months after filing the complaint, 98% within 18 months, and 100% within 24 months.~~

~~A. It is also the policy of the Superior Court that the subject cases be assigned to one judge for all purposes; provided, however, that the judge to whom a case is assigned may delegate pretrial case management to a temporary judge, or settlement attorney.~~

~~B. It is also the policy of the Superior Court that once a date has been set in the management of a case, the date may not be changed without a clear showing of good cause. Nothing in these rules, however, shall prevent the court from exempting a case from the processes of these rules based upon a specific showing that the interests of justice are served thereby.~~

(Revised July 1, 2025~~14~~)

7.12.03 ASSIGNMENT OF CASES

Upon filing the complaint, the clerk shall assign a subject case to a single judge for all purposes and shall notify the parties of the assignment. Nothing in these rules shall prevent the Court from reassigning a subject case to a different judge, in which case the Court shall notify the parties of the assignment.

(Revised ~~July 1, 2025~~ January 1, 2022)

7.12.06 RESERVED FOR FUTURE USE ~~SERVICE OF COMPLAINT AND CASE MANAGEMENT DOCUMENTS~~

~~a. SERVICE OF COMPLAINT. Within 60 days after filing a complaint, the plaintiff shall serve the summons and complaint and case management documents on all defendants and file a proof of service with the court. Within 30 days after amending a complaint to add a defendant, the plaintiff shall serve the added defendant and file a proof of service with the court.~~

~~A. SERVICE OF CROSS-COMPLAINT. Within the time permitted by law, the cross-complainant shall file and serve a cross-complaint against a party who has appeared in the action together with a proof of service. If the cross-complaint adds new parties, the cross-complainant shall serve the cross-complaint and the case management documents on the new parties and file a proof of service with the court within 30 days after filing the cross-complaint.~~

~~B. MODIFYING TIME FOR SERVICE. On its own motion or on application of a party, the court may modify the time for service. An application for an order modifying the time for service must be filed before the time for service has expired and must be accompanied by a declaration (1) showing why service has not been affected, (2) documenting the efforts that have been made to effect service, and (3) specifying the date by which service is proposed to be affected.~~

~~C. FAILURE TO SERVE. The failure timely to serve the summons and complaint or cross-complaint and the case management documents and file a proof of service may result in sanctions pursuant to Local Rule 7.12.13.~~

(Revised July 1, 202~~5~~02)

7.12.07 RESERVED FOR FUTURE USE ~~RESPONSIVE PLEADINGS~~

~~A. TIMING OF RESPONSIVE PLEADINGS. The parties shall file and serve responsive pleadings within the time permitted by law; provided, however, that the parties may stipulate without leave of court to one 15-day extension of the time for filing responsive pleadings.~~

~~B. MODIFYING TIMING OF RESPONSIVE PLEADINGS. On its own motion or on application of a party in writing for good cause shown, the court may modify the time for filing a responsive pleading.~~

(Revised July 1, 202~~5~~02)

7.12.08 RESERVED FOR FUTURE USE ~~OBLIGATION TO TAKE DEFAULT AND OBTAIN JUDGMENT~~

~~(1) OBLIGATION TO TAKE DEFAULT. If a responsive pleading has not been filed within the time for response provided for in Local Rule 7.12.07, the plaintiff or cross-complainant must file a request for entry of default within 10 days after the time for response has elapsed.~~

~~(2) OBLIGATION TO OBTAIN JUDGMENT. Except as set forth in subdivision C of this rule, after a default is entered, the party requesting the default must obtain a default judgment against the defaulting party within 45 days after the entry of default, unless the court has granted~~

~~an extension of time.~~

~~(3) DEFAULTS JUDGMENT IN MULTI-DEFENDANT CASES. Default judgments in multi-defendant cases need not be pursued until the entire action against all responding defendants has been concluded.~~

~~(4) FAILURE TO TAKE DEFAULT OR OBTAIN JUDGMENT. The failure to take default or obtain a default judgment within the time set forth in this rule may result in sanctions pursuant to Local Rule 7.12.13.~~

~~(Revised July 1, 2025 January 1, 2012)~~

7.12.09 UNINSURED MOTORIST CASES

- A. Upon determining that an action is to proceed as an uninsured motorist (UM) case, the plaintiff shall promptly, and in no event later than the first case management conference, file a declaration under penalty of perjury setting forth the information upon which the determination was made. The declaration shall include (1) a statement that coverage exists under a UM insurance policy; (2) the name of the UM insurance carrier and the limits of coverage under the policy; and (3) a statement that plaintiff intends diligently to proceed under the UM policy and, upon completion of the proceeding under the UM policy, dismiss the case.
- B. Upon review of the declaration, the C~~e~~court may designate the action as an UM case, which designation suspends the time requirements of these rules for 180 days from the date of designation. The C~~e~~court shall review the case by setting a case management conference at the end of the suspension period.
- C. If the proceeding under the UM policy is not completed by the review case management conference, the plaintiff may file a supplemental declaration requesting a further suspension and setting forth specific facts showing the necessity thereof. Upon completion of the proceeding under the UM policy, the plaintiff shall dismiss the case.

~~(Revised July 1, 2025 January 1, 2012)~~

7.12.10 CASE MANAGEMENT CONFERENCE

- A. ORIGINAL COMPLAINTS. For all cases subject to these rules, upon filing an original complaint, the clerk shall schedule a case management conference within 120 days, but not less than 90 days, after the complaint is filed. On its own motion or at the request of a party or parties, the C~~e~~court may hold other case management conferences at any time.
- B. TRANSFER CASES. If a subject case is transferred from another jurisdiction after a responsive pleading has been filed, the clerk shall schedule the case management conference within 45 days, but not less than 30 days, after the order of transfer. If a responsive pleading has not been filed, the clerk shall set the case management conference within 90 days, but not less than 60 days, after the order of transfer.
- C. CASE MANAGEMENT STATEMENT. The plaintiff and each party who has been served

or who has appeared in the action shall file and serve a completed case management statement at least 15 calendar days prior to the case management conference.

D. CASE MANAGEMENT CONFERENCE HEARING. The plaintiff and each party who has been served or who has appeared in the action or counsel shall attend the case management conference, shall be familiar with the case, and shall be prepared to discuss all matters enumerated in this subparagraph. The parties or counsel may appear ~~by remotely telephone, as set forth in Local Rule 7.12.16.~~ Parties or counsel failing to attend or to be prepared may be subject to sanctions ~~as provided for in Local Rule 7.12.13.~~ At the case management conference, the Court shall make all appropriate pretrial orders to ensure the proper preparation and timely disposition of the case including the following:

(1) Service and Default. The Court may set dates or otherwise address the methods by which service is to be accomplished or default taken.

~~(2) Dismiss Defendants, Except DOE Defendants. The Court may dismiss defendants, except DOE defendants, who have not appeared and who have not been defaulted, unless the court, for good cause shown, sets dates by which such defendants shall be served or defaulted.~~

~~(3) Bifurcation, Severance, Consolidation. The court may consolidate separately filed cases, for all or for limited purposes; or may order bifurcation, or severance of issues, causes of action or parties in a single case.~~

~~(4) Case Plans and Limited Civil Actions. The court may classify or reclassify cases to an appropriate case Management Plan and may assign or reassign cases as Limited Civil Actions or Unlimited Civil Actions.~~

~~(5)~~(2) Mandatory Settlement Conferences, Issues Conferences, and Trial Dates. The Court may schedule a mandatory settlement conference, an issues conference, motion in limine hearings, and the trial date. The Court may schedule additional settlement conferences at the request of the parties or on its own motion.

~~(6)~~(3) Alternative Dispute Resolution. The Court has initiated an Alternative Dispute Resolution (ADR) Program which applies to all civil cases that are subject to these rules; provided, however, that on the joint request of the parties or on its own motion, the Court may order that the program apply to any civil case.

Unless the parties agree to another form of ADR, they will be ordered to participate in a Dispute Resolution Conference (DRC). The DRC shall take place within 60 days of the case management conference, unless the

Court otherwise orders for good cause shown. The DRC will be conducted by one attorney temporary judge. The DRC will be conducted as a mandatory settlement conference pursuant to California Rules of Court, rule 3.1380, and the parties and counsel are directed to comply with the terms thereof.

Within 7 to 10 days after the case management conference, the Court will notify the parties of the DRC temporary judge assigned to the case. It is the responsibility of the plaintiff to contact the temporary judge and arrange for a time and place for the DRC convenient to them and all parties.

At least five (5) court days prior to the DRC, each party is to submit to the temporary judge and the other parties a dispute resolution conference statement which meets the requirements of California Rules of Court, rule 3.1380, and any special requirements set forth below.

In addition to the requirements of California Rules of Court, rule 3.1380, each party's dispute resolution conference statement shall also contain a brief summary regarding the status of expert and non-expert discovery.

Prior to the DRC, the parties are to exchange documents and records pertinent to settlement and shall provide copies of these to the DRC temporary judge.

With leave of Court and in lieu of participation in a DRC, the parties may participate in arbitration (binding or non-binding), judicial arbitration, or mediation. The parties may select the neutral from the Court's panel or a private neutral of their choice. The parties will be responsible for any fees associated with arbitration, judicial arbitration, or mediation. The Court's panel of neutrals may be obtained from the Court's website or the clerk's office.

- ~~(7) — Discovery. The court may establish a plan regulating the timing and scope of discovery and the discovery proceedings. The court may also establish a plan for managing documents, which are the product of discovery. The court may also appoint a discovery officer to supervise discovery and to make such orders related to discovery as may be required to ensure the proper preparation and timely disposition of the case.~~
- ~~(8) — Expert Witnesses. The court may schedule the exchange of information relating to expert witnesses required pursuant to Code of Civil Procedure section 2034, and the examination of expert witnesses.~~
- ~~(9) — Law and Motion. The court may schedule dates by which law and motion matters must be concluded.~~

E. RULES FOR SPECIAL DISPUTE RESOLUTION CONFERENCES. This subsection provides special procedures for the following cases:

- (1) Personal Injury Actions. At least five (5) court days prior to the DRC in personal injury actions, the parties shall exchange relevant photographs, accident reports, medical bills and reports, and statements of lost income and shall provide copies of these to the DRC temporary judges.

If there are claims or liens which may affect the settlement, the affected party shall initiate negotiations with claimants or lien holders prior to the DRC. If a claim or lien is not resolved, counsel shall request the holder in writing to attend the DRC. This subsection authorizes counsel to request collateral source providers to attend the DRC on behalf of the Court, pursuant to Government Code section 985(c).

- (2) Building and Construction Cases. Within 30 days after the first status conference in building and construction cases, the party complaining of defective construction shall serve on all other parties a statement of damages, including a scope of damages which sets forth with particularity the defects complained of and a cost of repair which itemizes the cost of repairing the defects.

Within 30 days thereafter, the other parties may inspect the premises; provided, however, that any such inspection shall be conducted only after the parties have met and conferred and shall be scheduled to minimize inconvenience for the owner of the premises.

Within 45 days after service of the statement of damages, the other parties shall serve on all parties a response to statement of damages, which responds with particularity to the scope of damages and the cost of repair.

The DRC shall be scheduled after the statement of damages and the response have been completed and the parties shall provide copies to the DRC temporary judges.

- (3) Business/Partnership Dissolution and Accounting Cases. In any case which requires the taking of accounts, the Court may appoint an accounting officer, whose fees shall be divided equally among the parties. Within 10 days after the appointment, the accounting officer may serve on the parties a request for documents requesting with particularity the documents ~~he or she~~ they believes are necessary for the accounting. Within 10 days thereafter, any party may object to the request, which objection will be heard, together with any response thereto, by the Court within 20 days. The objecting party shall contact the Court's ADR department for a hearing date. Documents requested by the accounting officer shall be produced within 30 days of the request; provided, however, that if there is an

objection, documents shall be produced only as the Court may direct. Within 30 days after ~~he or she receipt of has received the~~ requested documents, or such other time as the Court, for good cause shown, may direct, the accounting officer shall file with the Court and serve on all parties a statement of account.

The DRC shall be scheduled after the statement of account has been filed and served and the parties shall provide copies of the statement of account to the DRC temporary judges. It is the plaintiff's responsibility to schedule the DRC.

(Revised- ~~July 1, 2025~~ January 1, 2016)

7.12.11 MANDATORY SETTLEMENT ~~AND READINESS~~ CONFERENCE

A. SETTLEMENT CONFERENCE. Approximately ~~one to two months~~ 4 weeks prior to the trial date, a Mandatory Settlement ~~and Readiness~~ Conference (MSRC) shall be held in all cases. ~~At the MSRC, all matters that need to be resolved prior to trial, including the matters set out in Local Rules 7.12.10, subsections D and E, shall be before the court.~~

~~a.~~

A.B. PERSONS ATTENDING AND AUTHORITY. Trial counsel, the parties, and all persons whose consent is necessary for a settlement must attend the MSRC in person, unless otherwise ordered by the Court. ~~; provided, however, that for good cause shown, the court may excuse the personal attendance of any person.~~ All persons required to attend must have full authority to settle the case.

C. SETTLEMENT CONFERENCE STATEMENT. Each party shall lodge with the Court no later than five ~~5~~-court days before the conference and serve on the other parties a written statement that conforms to Rule 3, et seq., of the California Rules of Court, and in addition sets forth the following:

- (1) A statement of the facts;
- (2) The contentions of each party to the action regarding liability and damages;
- (3) An itemized list of special damages;
- (4) Each party shall attach to the statement copies of relevant documents, which may assist the court in settlement including photographs, diagrams, reports, bills, and contracts.

In any case in which a personal injury is claimed:

- (~~14~~) A description of the nature and extent of any injury claimed, including residuals;

- (25) A description of the basis for and method of calculation of any claimed wage loss;
- (36) The most recent demand and offer or a description of any other proposed settlement between or among the parties.

~~E. MOTIONS IN LIMINE.~~

- ~~(1) Motions in limine declarative of existing law (e.g., to exclude mention of liability insurance pursuant to Evidence Code section 1155, or reference to settlement negotiations pursuant to Evidence Code section 1152) are unnecessary and should not be made.~~

~~Motions in limine to admit or exclude evidence must be supported with a declaration or other evidentiary predicate specifying with particularity the evidence sought to be excluded (*Kelly v. New West Federal Savings* (1996) 49 Cal.App.4th 659).~~

- ~~(2) Placerville Session.~~

- ~~b. A briefing schedule will be set at the Case Management Conference for filing the motions in limine, oppositions, and replies. Ordinarily, all motions must be filed and served 45 days before they are heard; oppositions must be filed and served 30 days prior to hearing; and replies, if any, must be filed and served 20 days prior to hearing. This briefing schedule shall not apply to motions in limine concerning expert witnesses deposed on or before 15 days prior to the date initially set for trial, pursuant to Code of Civil Procedure section 2024.030. Motions in limine concerning such experts must be filed and served no later than 10 days prior to trial; oppositions shall be filed and served no later than 5 days prior to trial; and replies, if any, may be presented at the hearing on the motion. Service of motions in limine concerning expert witnesses and any opposition is to be made in a manner that will ensure same day service (e.g., personal service, electronic service).~~
- ~~c. All motions in limine must be in writing and include an original and working copy. All motions, oppositions, and replies are to be filed with the clerk's office in Department 9, located at 3321 Cameron Park Drive, Cameron Park, California, and served on all parties.~~
- ~~d. Hearings on motions in limine will ordinarily be heard on a Thursday approximately two (2) weeks before the trial date. The court will schedule a hearing on motions in limine concerning expert witnesses as the calendar permits. If such expert witness motions cannot be heard before trial, they may be heard on the first day of trial.~~

~~(3) — South Lake Tahoe Session.~~

- ~~a. No later than three (3) court days before the MSRC, each party shall file and serve all motions in limine.~~
- ~~b. Any party opposing a motion in limine shall file and serve that party's opposition no later seven (7) court days after the MSRC. Any replies must be filed and served no later than five (5) court days after service of the opposition.~~
- ~~c. All motions in limine must be in writing and include an original and working copy. All motions, oppositions, and replies are to be filed with the clerk's office located at 1354 Johnson Boulevard, South Lake Tahoe, CA 96150, and served on all parties.~~
- ~~d. Motions in limine will ordinarily be heard at the Issues Conference.~~

~~(4) — Court Reporter. The parties shall notify the court no later than the MSRC whether a court reporter is requested for the hearing on the motions in limine. The requesting party shall bear the costs of the court reporter.~~

~~(5) — Format of Motion Papers. Motions in limine must be separately stated and captioned as "Plaintiff's Motion in Limine No. ____" or "Defendant's Motion in Limine No. ____". Each party's motions shall be numbered consecutively. A memorandum of points and authorities shall accompany each motion. If particular testimony is to be excluded, a copy of the statement or the page(s) from the transcript of the proposed testimony must be attached to the motion, along with any necessary declaration.~~

~~(6) — "402" Hearings. If either party is requesting a 402 hearing as part of a motion in limine (e.g., where there is a challenge to the recognition of a witness as an expert), the request must be clearly identified in the caption of the motion; e.g., "Plaintiff's Motion in Limine No. ____; Request for 402 Hearing". The court retains its discretion whether to conduct a 402 hearing or decide the matter on the papers.~~

~~F.D.~~ GOOD FAITH PARTICIPATION AND SANCTIONS. Counsel, the parties, and all persons attending the ~~MSRC~~, shall participate fully and in good faith. The Court may impose sanctions on any person required to attend who fails to attend, or fails to participate fully and in good faith, or fails to file the required documents ~~as set forth in Local Rule 7.12.13~~. In addition to such sanctions, the Court may vacate the trial date.

~~G.E.~~ SETTLEMENT OF THE ACTION. If a case is settled, (1) the parties shall place the settlement on the record or reduce it to writing, as the Court may direct; (2) the Court shall vacate all pending court dates; and (3) the plaintiff shall dismiss

the action within 45 days; provided, however, that if the conditions for dismissal in the settlement cannot be completed within 45 days, the plaintiff shall specify the date of dismissal. If the plaintiff does not dismiss the case within 45 days or other date set for dismissal~~of the date of dismissal~~, the C~~ce~~ourt shall dismiss the case unless good cause is shown why the case should not be dismissed.

(Revised July 1, 202~~5~~4)

7.12.12 ISSUES CONFERENCE

~~If no settlement is reached at the MSRC, the officer conducting the MSRC shall set a date for the Issues Conference, if not previously set at a CMC. The Issues Conference will normally be set approximately two weeks before the trial date.~~ Attendance by the attorney who will actually try the case is mandatory.

A. Prior to the Issues Conference, the parties shall meet and confer and prepare the following jointly, which shall be submitted at least three ~~_(3)_~~ court days before the Issues Conference:

- (1) ~~An Issues Conference Statement~~n Issues Conference statement setting forth the legal and factual issues to be presented in the case, the proposed sequence of trial, any appropriate memoranda of points and authorities, and whether the parties anticipate any hearings pursuant to Evidence Code section 402~~;~~.
- (2) If set for a jury trial, a A joint issues-Statement of the Case to be read to prospective jurors during jury selection. The ~~issues~~ statement should identify the factual issue(s) to be considered by the jury and should be stated in a neutral and concise manner~~;~~.

(3) If set for a jury trial, P~~proposed~~ voir dire.

~~C.~~_____

B. Prior to the Issues Conference, the parties shall meet and confer and prepare the following jointly, which shall be submitted at the Issues Conference:

- (1) If set for a jury trial, aA joint set of jury instructions, including all instructions proposed to be offered by either party, insofar as may be determined prior to taking evidence. Any instructions as to which there is no agreement shall be tabbed or otherwise indicated in an index to the instructions. Proposed general and special verdict forms shall also be submitted at the Issues Conference.
- (2) A joint set of exhibits, tabbed and sequentially numbered, in three-ring binders, with a table of contents listing each exhibit by number. All exhibits the parties intend to present at its case-in-chief should be included. Depositions, requests for admission, and interrogatories shall not be included in the exhibit binder.

- (3) A joint exhibit list, stating the exhibit number, description of the exhibit, the proponent of the exhibit, and whether the parties are stipulating to its admissibility or merely waiving foundation or hearsay objections.

C. MOTIONS IN LIMINE. Motions in limine shall be heard at the Issues Conference.

- (1) Motions in limine declarative of existing law (e.g., to exclude mention of liability insurance pursuant to Evidence Code section 1152) are unnecessary and should not be made.
- (2) Unless otherwise ordered by the Court, all motions must be filed and served no later than three weeks prior to the Issues Conference; oppositions must be filed and served no later than two weeks prior to the Issues Conference; and replies, if any, must be filed and served no later than one week prior to the Issues Conference.

This briefing schedule shall not apply to motions concerning expert witnesses deposed on or before 15 days prior to the date initially set for trial, pursuant to Code of Civil Procedure section 2024.030. Motions in limine concerning such experts must be filed and served no later than 10 days prior to trial; oppositions shall be filed and served no later than 5 days prior to trial; and replies, if any, may be presented at the hearing on the motion. Service of motions in limine concerning expert witnesses and any opposition is to be made in a manner that will ensure same day service (e.g., personal service, electronic service). At the Issues Conference, the Court may specially set a hearing for motions concerning such experts.

- (3) Motions in limine must be separately stated and captioned as "Plaintiff's Motion in Limine No. ____" or "Defendant's Motion in Limine No. ____." Each party's motions shall be numbered consecutively.

Motions in limine to admit or exclude evidence must be supported with a declaration or other evidentiary predicate specifying with particularity the evidence sought to be excluded (*Kelly v. New West Federal Savings* (1996) 49 Cal.App.4th 659). A memorandum of points and authorities shall accompany each motion.

If particular testimony is to be excluded, a copy of the statement or the page(s) from the transcript of the proposed testimony must be attached to the motion, along with any necessary declaration.

- (4) If either party is requesting a 402 hearing as part of a motion in limine, the request must be clearly identified in the caption of the motion; e.g., "Plaintiff's Motion in Limine No. ____; Request for 402 Hearing." The Court retains its discretion whether to conduct a 402 hearing or decide the matter on the papers.

~~C. _____~~
(Revised July 1, 2025~~4~~)

7.12.13 ~~RESERVED FOR FUTURE USE~~~~SANCTIONS~~

~~The failure of any person to comply with these rules or any order of the court shall constitute an unlawful interference with the proceedings of the court. For any such interference, the court may impose upon the offending person sanctions which may include, but are not limited to, continuing a conference and requiring the filing of appropriate documents, awarding monetary sanctions, attorney's fees, expenses and costs, striking pleadings and entering the default of any party, dismissing the action, and contempt.~~

(Revised ~~July 1, 2025~~January 1, 2012)

**7.12.15 ~~RESERVED FOR FUTURE USE~~~~PLAINTIFF'S DUTY IF CASE SETTLES,~~
~~VACATION OF DATES, AND THE DISMISSAL HEARING~~**

~~A. _____ PLAINTIFF'S DUTY TO NOTIFY OF SETTLEMENT. Whenever a case settles, the plaintiff shall notify the court in writing with copies to all parties, arbitrators or other ADR neutrals and dismiss the case. If any scheduled event, including a hearing, conference or trial, is imminent, the plaintiff shall also notify the court, arbitrator or other ADR neutral orally or by telephone.~~

~~B. _____ CONDITIONAL SETTLEMENT. If a condition of the settlement cannot be completed within 45 days of the notice of settlement, hereinafter a "conditional settlement," the notice shall state the date upon which the condition is to be completed and the dismissal filed.~~

~~C. _____ VACATION OF DATES AND THE DISMISSAL HEARING. Upon notification of a settlement, the court shall vacate all scheduled events and notify the parties that the court will dismiss the case at a hearing to take place 45 days after the notice of settlement, unless the parties show good cause why the case should not be dismissed. If the settlement is a conditional settlement, the dismissal hearing shall take place 45 days after the date for dismissal stated in the notice of settlement.~~

~~D. _____ ORDER TO SHOW CAUSE. The order to show cause shall be vacated if a dismissal has been filed, together with proof of service of the dismissal on all parties at least 24 hours prior to the date set for the hearing. At the hearing the court will dismiss the action unless plaintiff's counsel personally appears and shows good cause why the case should not be dismissed. Telephonic appearances will not be allowed at the hearing unless prior leave of court has been obtained.~~

~~E. _____ SANCTIONS. Failure to follow the procedures set forth in this rule and California Rules of Court, rule 3.1385, may result in the imposition of sanctions. If no dismissal has been filed prior to the hearing and counsel fail to appear at the hearing, the court will dismiss the action and set the matter for an order re: sanctions as to plaintiff or plaintiff's counsel.~~

(Revised ~~July 1, 2025~~January 1, 2007)

7.12.17 RESERVED FOR FUTURE USE~~CONTINUANCES OF DATES~~

~~c. The trial date, any hearing date, and case management dates may be modified only on a noticed motion, for good cause shown and with the consent of the judge to whom the case has been assigned, or upon ex parte application if authorized by statute or the California Rules of Court; provided, however, that if case management authority has been delegated to a judge pro tem, case management dates, but not the trial date, may be modified by the judge pro tem on an ex parte showing of good cause in writing with 24 hours' notice to all parties.~~

~~d. Stipulations to continue trial dates will be accepted, and no hearing will be held, provided the parties agree to acceptable future trial date(s). The stipulation must be accompanied by a proposed order. A stipulation to continue trial will be considered a motion and will be charged a motion fee.~~

~~e. This rule does not apply to hearings set on the law and motion calendar as provided in Local Rules 7.10.00, et seq.~~
(Revised July 1, 2025~~January 1, 2016~~)

7.12.18 RESERVED FOR FUTURE USE~~CONFLICTS AMONG THE RULES~~

~~In the event of any conflict between these Case Management Rules and any other Local Rules, which may apply, the Case Management Rules shall control.~~
(Revised July 1, 2025~~02~~)

7.12.19 RESERVED FOR FUTURE USE~~ELECTRONIC RECORDINGS OFFERED INTO EVIDENCE~~

~~Unless otherwise ordered by the court, a party offering into evidence an electronic sound or sound and video recording shall tender to the court and to opposing parties a typewritten transcript of the electronic recording no later than 15 days prior to the trial or hearing.~~
(~~Revised~~Effective July 1, 2025~~1999~~)

7.13.00 ~~ATTORNEY'S~~ FEES IN ~~RESIDENTIAL~~ UNLAWFUL DETAINER ACTIONS

~~In actions for unlawful detainer for possession of residential property, except for property governed by Civil Code section 798, et seq., attorney's fees awarded by the court will not, under normal circumstances, exceed the amounts indicated below. Normal circumstances include, without limitation, contested trials of one hour or less. When a plaintiff is entitled to attorney fees in a residential Unlawful Detainer default judgment, the Court will award the sum of \$600 as an attorney fee. If a defendant has filed an answer which requires the matter to be set for trial and it is uncontested, the Court will award the sum of \$900 as an attorney fee. If the matter is contested at trial, the Court will award \$1,000 as an attorney fee. The Court may adjust these amounts upon a showing of sufficient justification. Attorney fees in a commercial Unlawful Detainer shall be determined by the Court upon evidence presented at the hearing or by declaration if no hearing is held.~~

~~A. \$200.00 in cases by default where the defendant has filed no answer pursuant to Code of Civil Procedure section 1170.~~

~~B. \$300.00 in cases uncontested at trial where the defendant failed to appear, has filed an answer and a non-appearance default prove-up hearing is required.~~

~~C. \$400.00 in cases where both parties are represented by counsel and enter into a stipulation at least one day prior to the scheduled trial and the trial date has been vacated. Or, when a represented party and a self-represented party stipulate prior to the commencement of trial.~~

~~D. \$500.00 in cases where a represented party and a self-represented party commence a contested trial.~~

~~E. \$750.00 in cases where both parties are represented by counsel and the case has not settled prior to the scheduled trial date.~~

(Revised Effective July 1, 2025)

7.16.00 RULES FOR ACTIONS ARISING UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT – PUBLIC RESOURCES CODE SECTION 21000, ET SEQ.

A. GENERAL

(1) WHERE FILED. Actions in the nature of mandate challenging an agency decision under the California Environmental Quality Act (Public Resources Code section 21000, et seq.) shall be filed in the civil section of the clerk's office and the case shall be thereafter assigned for all purposes to a judge designated by the presiding judge.

(2) Record Status Conference:

a. REQUEST FOR STATUS CONFERENCE. At the time that a petition is filed in accordance with these rules, the petitioner shall request the Court set a record status conference before the judge assigned to the case within 30 days of the date of filing of the petition, and serve notice of the date of the record status conference on the respondent.

b. CERTIFICATION OF THE RECORD. The Court will set a tentative hearing date for a hearing to certify the administrative record. The parties shall provide the Court at the record status conference a joint list of documents proposed to be included in the record that the parties consider to be the principal documents defining the issues presented by the petition and the response thereto.

Each party may supplement the joint document list with a list of additional documents the party considers to be of particular importance to its position. Each document shall be designated by both the page number in the record and by the document's title.

The parties shall also give the Court a preliminary indication of any disputes concerning the accuracy or scope of the record, with specific references to document page and title.

- c. BRIEFING SCHEDULE AND HEARING ON THE PETITION. The Court will set a tentative briefing schedule and tentative hearing date at the record status conference. The hearing date and the briefing schedule may be reset either on the Court's own motion or on noticed motion by a party, for good cause shown.

Memoranda of Points and Authorities shall be in accordance with the requirements of California Rules of Court, rule 3.1113. Factual references in the brief shall be followed by a citation to the specific portion of the administrative record supporting that reference, by AR page number, as well as by the title of the document and document page number in which that reference occurs. In addition, each party shall file with the Court at the time the party's initial merits brief is filed a separate document containing a photocopy of each page of the administrative record cited in the brief.

B. ORDERING THE ADMINISTRATIVE RECORD

- (1) In accordance with Public Resources Code section 21167.6, within 10 business days after the action is filed, petitioners shall personally serve on the appropriate public agency their request for preparation of the administrative record or their notice of election to prepare the administrative record themselves.

C. MEDIATION

- (1) In accordance with Government Code section 66031, within five ~~(5)~~ days after the deadline for respondent to file a response to the action, petitioners shall prepare and lodge with the cCivil cClerk a notice form for the Court's signature inviting mediation. The clerk shall then mail the notice of invitation to the parties.

D. PREPARATION OF THE ADMINISTRATIVE RECORD

- (1) Preparation of the Record by the Public Agency. Within 20 calendar days after receipt of a request to prepare the administrative record, the public agency responsible for the preparation shall personally serve on petitioners a preliminary notification of the estimated cost of preparation, including the agency's normal cost per page, any other reasonable costs the agency may~~y~~ anticipate, and an estimate of the probable number of pages. The preliminary notification shall also state, to the extent that the information is known to the agency, the location of documents that are anticipated to be incorporated into the administrative record; the contact person~~(s)~~—or

~~persons~~ responsible for identifying individuals having custody of those documents, whether agency personnel or other persons; and a list of dates and times specifying when, during normal business hours, those documents will be made available to petitioners or other parties for inspection. The agency shall supplement the preliminary notification from time to time as additional documents are located or are determined to be appropriate for inclusion in the record.

(2) Election by Petitioners

- a. Upon receipt of the preliminary notification, petitioners may elect to prepare the record themselves provided that they notify the agency within five (5) ~~(5)~~ calendar days of receipt. Within ~~forty (40)~~ calendar days of service of the notice of the request to prepare the administrative record, petitioners shall prepare and serve on all parties a detailed index listing the documents proposed by petitioners to constitute the record. Within seven (7) ~~(7)~~ calendar days of service of petitioners' proposed document index, the agency and any other party shall prepare and serve on petitioners a notice specifying any documents or items that the agency or party contends should be added to or deleted from the record as proposed by petitioners.

The agency shall promptly notify petitioners of any required photocopying procedures or other conditions with which petitioners must comply to prepare the record.

- b. If petitioners do not elect to prepare the record themselves, then within 40 calendar days after service of the request to prepare the administrative record, the agency shall prepare and serve on all parties a detailed index listing the documents proposed by the agency to constitute the record together with a supplemental estimated cost of preparation. Within seven (7) calendar days after service of the agency's proposed document index, petitioners and any other parties shall prepare and serve the agency and all parties with a notice specifying any documents or items that a party contends should be added to or deleted from the record.

~~F.~~

- (3) Preparation of the Record by Petitioners. Within 20 calendar days after receipt of petitioners' notice of election to prepare the record themselves, the public agency responsible for certification of the record shall personally serve on petitioners a preliminary notification designating the location of documents that are anticipated to be incorporated into the administrative record; the contact person (s) ~~or persons~~ responsible for identifying individuals having custody of those documents, whether agency personnel or other persons; and a list of dates and times specifying when, during normal business hours, those documents will be made available to petitioners or other parties for inspection and copying. The preliminary notification from the agency shall also notify petitioners of any required

photocopying procedure or other conditions with which petitioners must comply to prepare the record. The agency shall supplement the preliminary notification from time to time as additional documents are located or are determined to be appropriate for inclusion in the record.

Within 40 calendar days after service of petitioners' notice of election to prepare the administrative record, petitioners shall prepare and serve on all parties a detailed index listing the documents proposed by petitioners to constitute the record. Within seven (7) calendar days of service of petitioners' proposed document index, the agency and any other party shall prepare and serve on petitioners a notice specifying any documents or items that the agency or party contends should be added to or deleted from the record as proposed by petitioners.

E. FORMAT OF ADMINISTRATIVE RECORD

- (1) Type of Paper. The administrative record shall be prepared on white or unbleached paper, preferably recycled, of standard quality not less than 20 pound weight, 8½ by 11 inches in size, using a photocopying process that will produce clear and permanent copies legible to printing. Only one side of the paper shall be used and the margin shall not be less than 1¼ inches on the left side of the page. The original of an environmental document may be lodged as part of the administrative record provided that exact copies of the original are provided to all parties in the action. The pages of the administrative record shall be numbered consecutively and three-hole punched in the left margin.
- (2) Volume Designation. The administrative record shall be lodged in one or more volumes of loose leaf binder, tabbed by document number, and prominently titled "ADMINISTRATIVE RECORD VOL. 1," etc. Each volume shall consist of not more than 300 pages and shall be numerically tabbed by the document number in the volume. Each volume shall have a cover page listing each document in the volume by the number of the tab which it appears, the full title of the document, and the page number of the record of the first page of the document.
- (3) Organization. Prior to certification and lodging, the administrative record shall be organized with the documents in the following order:
 - a. The Notice of Determination;
 - b. The resolution(s) or ordinance(s) adopted by the lead agency approving the project, including any resolution(s) or ordinance(s) adopted in compliance with Public Resources Code sections 21081 and 21081.6;
 - c. The Draft or revised Draft Environmental Impact Report and initial study;

- d. The comments received on and the responses to those comments prepared for the Draft Environmental Impact Report or Negative Declaration, including any modifications to the environmental documents and project made after the comment period;
- e. The remainder of the Final Environmental Impact Report (e.g., the Technical Appendices and other technical materials);
- f. The staff reports prepared for the approval bodies of the lead agency;
- g. Transcripts and/or minutes of hearings; and
- h. The remainder of the administrative record, in chronological order if possible.

NOTE: The above table of organization is not intended to dictate the content of the record but rather to describe a uniform order for those documents typically contained in an administrative record. Documents to be included in the record are specified in Public Resources Code section 21167.6(e).

F. CERTIFYING AND LODGING THE RECORD. Upon completion and preparation of the record, it must be certified by the agency before being filed with the Court. If the agency has prepared the record, it shall make the required certification and shall personally serve the record and lodge it with the Court no later than 60_-days after the request. If the petitioners have elected to prepare the record, the petitioners must transmit it to the agency for certification. After certification, petitioners shall then personally serve the record and lodge it with the Court no later than 60_-days after service of the notice of election to prepare the record. Any extension of the 60-day period may be requested by filing a stipulation signed by all parties and obtaining Court approval of the extension(s) prior to the expiration of the 60-day period. Alternatively, an extension may be requested on noticed motion prior to the expiration of the 60-day period.

If the agency refuses to make a complete certification, it shall make a partial certification, specifying the alleged defects in the record and stating reasons for refusing to certify portions of it.

G. DISPUTES REGARDING THE CONTENTS OF THE ADMINISTRATIVE RECORD. Once the administrative record has been lodged with the Court, any disputes about its accuracy or scope shall be resolved on noticed motion. For example, if the agency has prepared the administrative record, petitioners may contend that the record as prepared omits relevant documents or contains inappropriate documents; if petitioners have prepared the record, the agency may have similar contentions. Objections to documents contained within the record shall be specific as to document number, full title, record page number, and the portion(s) to which the

objection pertains.

A motion to supplement the administrative record with additional documents and/or to object to certain documents may be noticed by any party after obtaining a hearing date from the clerk of the Court. The hearing to supplement the record or to object to documents shall be separate from and heard on a date prior to the hearing on the writ. Notice shall be given in accordance with Code of Civil Procedure, section 1005.

- H. HEARING TO CERTIFY THE ADMINISTRATIVE RECORD. The date of the hearing to certify the administrative record will normally be set by the Court at the record status conference and may be advanced or continued by the Court or on noticed motion of a party for good cause shown.

At the hearing to certify the record, the parties shall provide the Court with an agreed statement of the issues that will be presented to the Court at the hearing on the petition. Each party may supplement the agreed statement of issues with additional issues that a party intends to raise. The Court will confirm or revise the tentative briefing schedule and hearing date that were set at the record status conference.

- I. SETTLEMENT MEETING. The notice of settlement meeting required by Public Resources Code section 21167.8(a) shall provide that, if the parties agree, the first settlement meeting shall be continued so as to take place no later than 35 days after the administrative record has been served. If the parties do not so agree, the first settlement meeting shall take place in conformity Public Resources Code section 21167.8. In the event there is no agreement for a continuance of the first settlement meeting, a second settlement meeting shall take place within five (5) days after the administrative record is served. The parties shall agree to the time and place of any settlement meeting(s); failure to agree may result in the imposition of sanctions pursuant to Public Resources Code section 21167.8(e). Other settlement meetings may be scheduled by the parties.

The statement of issues required by Public Resources Code, section 21167.8(f) shall identify, by document number, full document title, and record page number, those portions of the administrative record that are directly related the contentions and issues remaining in the controversy. While the statement of issues will be utilized by the Court in focusing on the legal and factual contentions and issues raised by the parties, those contentions and issues must be consistent with the pleadings to be properly resolved by the Court.

- J. TRIAL NOTEBOOK. Petitioners shall prepare a trial notebook in a three-ring binder that shall be filed with the Court no later than 15 days prior to the date of the hearing. The trial notebook shall contain the petition, the answer(s), the memoranda of points and authorities, any motions set to be heard at the trial of the action, the statement of issues, and any other document(s) agreed upon by the

parties. Each document in the trial notebook shall be separately tabbed with a table of contents at the front of the notebook. The notebook shall also contain an index to evidence cited in the briefs by document title, record page number, the volume and tab number in the administrative record, and a copy of the specifically cited page(s) in the administrative record.

(Revised July 1, 2025~~17~~)

8.03.03 ADDITIONAL INFORMATION TO BE PROVIDED

~~Each party shall~~ Either party may demand the other exchange provide any of the following documentation ~~at least 5 provided the service of the demand is made at least 30 (thirty)~~ calendar days prior to any scheduled hearing involving support or attorney's fees and/or costs:

- A. Copies of the demanded party's 2 (two) most recent paychecks or stubs.
- B. Complete Federal and State income tax returns for the demanded party for the last 2 (two) years; including all schedules.
- C. Copies of ~~any all current~~ W-2 and/or 1099 forms from the demanded party for the most recent year available.
- D. Business entity's filed Federal and State income tax returns and profit and loss statements for the past 2 (two) years for any business entity of the demanded party. A business entity is defined as any business, including but not limited to, a sole proprietorship, partnership, joint venture, or corporation in which a party has any right of management and/or control.
- E. Any other documentation requested by the opposing party reasonably related to the income or earning capacity of the demanded party, provided such request is made in writing at least 10 days prior to the scheduled hearing. "Income" and "earning capacity" shall be as defined by California Family Code § 4058. The party requested to produce such additional documentation, however, may raise any objection to the production of said documentation, provided that such objection is conveyed to the requesting party in writing at least 205(twenty) calendar days prior to the date of the scheduled hearing and provided, further, that the objecting party brings the subject documentation to the scheduled hearing or makes the documentation electronically available to court and counsel in pdf format at the scheduled hearing. The court shall resolve any objection at the hearing or as part of the court's Tentative Ruling. Failure to object as ~~herein~~ provided herein shall be deemed a waiver of any objection to the production of the requested documentation. Written notice may be by facsimile or electronic transmission.

(Revised ~~July 1, 2025~~ January 1, 2012)

8.03.04 SANCTIONS

If a party fails to comply with this rule, upon request of a party or upon the court's own motion, the court may take any of the following actions at the scheduled hearing.

- A. Continue the hearing.

- B. Set a hearing for imposition of sanctions pursuant to Code of Civil Procedure section 128.5 and/or Family Code section 271.
- C. Assess reasonable attorney fees against the non-complying party.
- D. Strike all or part of the non-complying party's motion or response. ~~as the case may be.~~
- E. Make other orders as the court may deem appropriate.

(Revised- ~~July 1, 2025~~ January 1, 2012)

8.03.05 INFORMATION PRIVILEGED

~~All~~ No documentation identified in rule 8.03.03, which is received by a party and/or their attorney of record, shall ~~not~~ be disclosed to any non-litigation related third party. Disclosure in violation of this Rule shall result in the imposition of sanctions against the disclosing party pursuant to Code of Civil Procedure section 128.5 and/or Family Code section 271.

(Revised- ~~July 1, 2025~~ January 1, 2012)

8.05.04 ~~RESERVED FOR FUTURE USE~~ FILING AND SERVICE OF SUPPLEMENTAL DECLARATIONS

In any matter heard on the Court's Law and Motion calendar, where a review hearing is scheduled or a hearing is otherwise continued to a new hearing date, the parties shall file and serve Supplemental Declarations no later than 10 calendar days prior to the next hearing date. Supplemental Declarations filed or served later than 10 calendar days prior to the next hearing date shall not be considered by the Court absent good cause.

The served "Supplemental Declaration" shall be a copy of the papers filed or to be filed with the court. If the Supplemental Declaration is served by mail, the required 10-day period of notice before the hearing shall be increased by five calendar days if the place of mailing and the place of address are within the State of California, 10 calendar days if either the place of mailing or the place of address is outside the State of California but within the United States, 12 calendar days if the place of address is the Secretary of State's address confidentiality program (Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code), and 20 calendar days if either the place of mailing or the place of address is outside the United States. If the Supplemental Declaration is served by electronic means, facsimile transmission, express mail, or another method of delivery providing for overnight delivery, the required 10-day period of notice before the hearing shall be increased by two calendar days.

If a Supplemental Declaration is ordered by the court to be filed prior to the next hearing date, and both parties or counsel fail to do so, the court may drop the hearing from its calendar.

(Effective July 1, 2025)

8.18.00 ~~STATUS~~ TRIAL SETTING CONFERENCE

(Revised July 1, 2025 Effective January 1, 1994)

8.18.01 DATE, TIME, AND PLACE OF CONFERENCE

Upon the filing of a ~~R~~request for ~~status/T~~rial ~~S~~setting ~~C~~onference pursuant to Rule 8.20.01, the court shall set the time, date, and place of the conference.

~~As nearly as~~To the extent possible, such ~~status/T~~rial ~~S~~setting ~~C~~onference shall be held within 30 days of filing of the request.

(Revised- ~~July 1, 2025~~January 1, 2001)

8.18.03 ATTENDANCE

Each attorney attending the ~~Status/~~Trial Setting Conference shall have a thorough knowledge of the evidence and shall be prepared to discuss the facts and law pertaining to all issues then pending and to be resolved at trial.

(Revised- ~~July 1, 2025~~January 1, 2012)

8.18.04 RESOLUTION OF ISSUES

The parties are expected to resolve all or as many issues as possible ~~at the time of prior to~~ the ~~status/T~~rial ~~S~~setting ~~C~~onference. Bifurcation of issues is to be recognized as an expedient manner in which to accomplish this goal. ~~At the conclusion of the conference the parties shall submit a status/trial setting conference form approved by the court.~~

(Revised- ~~July 1, 2025~~January 1, 2012)

8.18.05 COUNSEL/PARTIES' ATTENDANCE

Parties, or counsel if represented, are expected to attend the ~~status/T~~rial ~~S~~setting ~~C~~onference unless specifically directed not to do so by the court. Parties, or counsel if represented, are authorized to appear remotely, without the need to submit the Remote Appearance Request form.

(Revised- ~~July 1, 2025~~January 1, 2001)

8.18.06 SANCTIONS

Sanctions for failure of attorneys or parties to attend the ~~status conference~~Trial Setting Conference shall be pursuant to Rule 7.12.11.

(Revised July 1, 2025~~13~~)

8.19.00 STATEMENT OF ISSUES, CONTENTIONS, AND PROPOSED DISPOSITION OF THE CASE

(~~Revised July 1, 2025~~Effective January 1, 1994)

8.19.01 FILING DATE

~~Where-Except in Domestic Violence Restraining Order proceedings, where~~ a family law matter is set for contested trial or long-cause evidentiary hearing, both parties shall file and serve a "Statement of Issues, Contentions and Proposed Disposition of the Case" no later than 10 calendar days prior to the settlement conference or 10 calendar days prior to the trial date, whichever is greater. The "Statement of Issues, Contentions and Proposed Disposition of the Case" shall be served and filed at least 10 calendar days before the hearing. The served "Statement of Issues, Contentions and Proposed Disposition of the Case" shall be a copy of the papers filed or to be filed with the court. However, if the notice is served by mail, the required 10-day period of notice before the hearing shall be increased by five calendar days if the place of mailing and the place of

address are within the State of California, 10 calendar days if either the place of mailing or the place of address is outside the State of California but within the United States, 12 calendar days if the place of address is the Secretary of State's address confidentiality program (Chapter 3.1 (commencing with [Section 6205](#)) of [Division 7 of Title 1 of the Government Code](#)), and 20 calendar days if either the place of mailing or the place of address is outside the United States, and if the notice is served by facsimile transmission, express mail, or another method of delivery providing for overnight delivery, the required 10-day period of notice before the hearing shall be increased by two calendar days. If both parties fail to file a statement pursuant to this part, the matter shall be dropped from the trial calendar. Failure by one party will allow the complying party to continue the cause and may result in the imposition of sanctions. The purpose of the statement is to assist the trial judge, and the time for filing of a statement may not be extended by stipulation. [\(Revised July 1, 2025\)](#)

8.19.03 MANDATORY SETTLEMENT CONFERENCES IN FAMILY LAW CASES

- A. Prior to the date set for trial [or long-cause evidentiary hearing](#), a mandatory settlement conference shall be held.

~~—Other mandatory settlement conferences may be held on the joint request of the parties or on order of the Court.~~

- B. Counsel, the parties, and all persons with full authority to settle the case shall personally attend the conference, unless excused by the Court for good cause. If any consent to settle is required for any reason, the person with that consensual authority must be personally present at the conference, unless excused by the Court for good cause.

- C. No later than 10 calendar days before the date set for the settlement conference, each party shall file an original and two (2) copies of a [Statement of Issues](#), [Contentions](#), and [Proposed Disposition of the Cause with the court](#) as required by Local Rule 8.19.02 ~~with the court~~. The opposing party shall also be served no later than 10 calendar days prior to the settlement conference. [Counsel/parties must comply with](#) Local Rule 8.19.01 [regarding service of documents](#). The statement shall set forth a good faith proposal for the disposition of the case.

- D. Counsel and the parties must be fully prepared to participate in the conference and must do so in good faith. The court may impose sanctions for the failure to comply with this rule as provided by statute and the rules of court.

(Revised July 1, 2025~~18~~)

8.20.00 CONTESTED TRIALS [AND EVIDENTIARY HEARINGS](#)

~~(Effective January 1, 1994)~~

[A Trial in a family law matter shall be defined as a final hearing wherein the parties are provided the opportunity to present evidence, call witnesses, and give testimony, with the presiding judicial officer ruling on all remaining family law issues. An evidentiary hearing in a family law matter shall be defined as a hearing wherein the parties are](#)

provided the opportunity to present evidence, call witnesses, and give testimony, with the presiding judicial officer ruling on a bifurcated issue, or issues, arising from the case, but not all remaining family law issues. In accordance with the California Rules of Court, the term “trial day” is defined as a period of no less than two and a half hours of a single court day and a “long-cause hearing” is defined as a hearing on a request for order that extends more than a single court day. The term “short-cause” shall refer to any evidentiary hearing or trial lasting two and a half hours or less.
(Revised July 1, 2025)

8.20.01 TRIAL/EVIDENTIARY HEARING SETTING

A-Local Form F-18 Request for ~~Status~~/Trial Setting Conference shall be filed with the court along with a proof of service to the opposing counsel/party before any contested case may be set for trial or evidentiary hearing.

The Court, on its own motion, or at the request of a party during a law and motion proceeding, may set a contested case for trial or evidentiary hearing.
(Revised- July 1, 2025 January 1, 2012)

8.20.03 TRIAL AND LONG-CAUSE EVIDENTIARY HEARING EXHIBITS

A. Counsel¹ or self-represented parties shall meet and confer² at least 10 calendar days prior to the start of any trial or long-cause evidentiary hearing and shall exchange all intended exhibits to be introduced at the trial or evidentiary hearing. Parties or counsel are encouraged to exchange exhibits by electronic transmission where possible. Parties or counsel in Domestic Violence Restraining Order (DVRO) proceedings shall comply with the local rules regarding exhibits. Parties in DVRO matters shall exchange exhibits consistent with this rule.

B. Exhibits shall be listed, with petitioner’s exhibits to be listed serially by number, and respondent’s exhibits listed alphabetically.

(1) Exhibits ~~to follow~~ shall be marked with appropriate stickers.

(2) On the Exhibit Lists, the opposing party shall indicate by their initials in the appropriate box if they stipulate to the admission of the exhibit or if they stipulate that the exhibit does not need a foundation established.

(3) The original of the Exhibit List, and a copy for the judge, shall be delivered to the clerk before the trial or evidentiary hearing begins.

C. Copies of all exhibits shall be presented to the other party.

¹ ~~Unrepresented parties shall perform the duties of counsel as set forth herein.~~

² Self-represented parties in Domestic Violence Restraining Order Cases are not required to meet and confer with the other party or counsel pursuant to Local Rule 8.01.00 and California Rule of Court 5.98.

D. The originals shall be placed in a standard binder and given to the judge for their use during trial. A duplicate copy of this binder shall be provided for the use of witnesses during trial. Exhibits shall be separated by tabbed separators, numbered for petitioner's exhibits and lettered for respondent's exhibits. A party desiring to refer to an exhibit shall refer the witness to the tab number or letter of that exhibit. If there are 10 or fewer exhibits, the marked exhibits shall be delivered to the clerk, together with copies for the judge along with an exhibit list.

E. Counsel is advised that if exhibits are tendered at trial that were not pre-marked and otherwise handled as set forth above, they must be prepared to show good reason why this was not done. Sanctions may be imposed by the court for failure to comply with this procedure.

F. At the discretion of the Court, it may, on its own motion at the time of setting a short-cause evidentiary hearing, order the parties/counsel to exchange trial exhibits by a specific date before the short-cause evidentiary hearing.

G. For purposes of the retention, destruction, and return of exhibits, exhibits in family law cases shall be treated as exhibits in all civil cases. Please refer to Local Rule 7.11.03.

(Revised- July 1, 2025~~January 1, 2024~~)

8.20.04 LONG CAUSE CONTESTED EVIDENTIARY HEARINGS AND TRIAL BRIEFS

In any cases where a Mandatory Settlement Conference is not set, any long cause contested evidentiary hearing brief or trial brief by either party shall be filed and served at least 10 calendar days before the scheduled long cause contested evidentiary hearing or trial date. No briefs will be accepted on the day of the long cause contested evidentiary hearing or trial.

(Revised- July 1, 2025~~August 1, 2016~~)

8.20.05 MOTIONS IN LIMINE

All motions in limine shall be filed and served at least five (5) calendar days prior to the ~~mandatory settlement conference or trial~~ or evidentiary hearing date. ~~, whichever is earliest.~~

(Revised- July 1, 2025~~January 1, 2024~~)

8.20.07 WITNESS LISTS

A. No later than 10 calendar days prior to the mandatory settlement conference, ~~or trial,~~ or long-cause evidentiary hearing date, whichever is earliest, each party shall file and serve on the other parties an initial list identifying all lay witnesses and expert witnesses the party intends to call at trial.

10 days prior to trial or long cause evidentiary hearing, parties may file and serve an amended witness list identifying all persons intended to call at trial.

B. In its discretion and on its own motion, the Court, may, at the time of setting a short-cause evidentiary hearing, order the parties/counsel to file and serve witness lists by a specific date before the short-cause evidentiary hearing.

Parties or counsel in Domestic Violence Restraining Order (DVRO) proceedings shall comply with the local rules regarding witness lists. Parties in DVRO matters shall exchange witness lists consistent with this rule.

(Revised- July 1, 2025~~August 1, 2016~~)

10.07.00 ~~ACCOUNTS, FEES, AND DISTRIBUTION~~RESERVED FOR FUTURE USE

(Revised July 1, 2025~~14~~)

12.00.00 APPELLATE DEPARTMENT OF THE SUPERIOR COURT

A. ORAL ARGUMENT. A party appearing in propria persona, or counsel where a party is represented, may request oral argument by notifying the court in writing no later than five (5) court days prior to the date set for hearing ~~the appeal~~ as designated in the notice of time and place of hearing on appeal and time for filing of briefs. If the court does not receive a timely request for hearing, the court will take the matter under submission without oral argument and render a decision in due course. Notification of a request for oral argument shall be made to the appeals clerk of the court..~~at the Placerville courthouse, 495 Main Street, Placerville, California 95667.~~

B. TRIAL COURT FILE INSTEAD OF CLERK'S TRANSCRIPT

- (1) Application. For misdemeanor and traffic infraction appeals, the original trial court file may be used instead of a clerk's transcript, unless the trial court orders otherwise after notice to the parties. (California Rules of Court, rules 8.863, 8.914.)
- (2) Preparation of Original File. Within 20 days after the filing of the notice of appeal, the court clerk must ~~put-ensure~~ the trial court file is in chronological order, number the pages, and attach a chronological index and a list of all attorneys or record, the parties they represent, and any unrepresented parties.
- (3) Copies. The clerk must send a copy of the index to the appellant and the respondent for use in paginating their copies of the file to conform to the index. If there is more than one appellant, the clerk must prepare an extra copy of the index for each additional appellant who is represented by separate counsel or self-represented.

(Revised July 1, 2025~~Effective July 1, 2013~~)