

# **Local Rules of the Superior Court of California, County of Alameda**

## **Title 1. General and Administrative Rules**

### **Chapter 1. General and Administrative Rules**

#### **Rule 1.8a – Emergency Rule re Fax and Drop Box Filing During COVID-19 Crisis**

##### **(a) Scope of rule**

This rule governs the filing of papers in Civil, Family, Probate, and Mental Health matters during the COVID-19 crisis, and is effective notwithstanding any other provisions of these Local Rules. During the COVID-19 crisis, the Court will continue to accept limited documents for filing, even on days that the Presiding Judge has deemed holidays. The Court may further amend this rule to add or delete filings that will be accepted, as needed to address changing circumstances.

##### **(b) Advisement re confirmation of hearing dates**

Parties are advised to check the Court's Domain case management system to confirm the hearing dates of any matters that were filed or pending prior to March 17, 2020, as the Court may have continued those matters.

##### **(c) Documents that may be filed by fax filing**

The Court will accept the following documents, and only the following documents, by fax filing pursuant to Local Rule 1.8:

- Civil:
  - Ex parte requests for emergency relief and responses to those requests
  - Stipulations and proposed stipulated orders
  - Orders to show cause re preliminary injunctions and requests for temporary restraining orders (including civil harassment, workplace, and school violence matters) and related legally required pleadings
  - Petitions to withdraw funds from blocked accounts
  - In cases in which a motion was filed prior to March 17, 2020, all filings relating to the pending motion, including oppositions, and replies
  - In cases in which a case management conference was set prior to March 17, 2020, all filings relating to the already-scheduled or continued case management conference, including case management conference statements
  
- Family:
  - Requests for temporary restraining orders, responses to those requests, and proofs of service relating to those requests
  - Ex parte requests for emergency relief and responses to those requests
  - Stipulations and proposed stipulated orders, including requests for appt. of private judges, mediators and experts

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- DCSS filings, limited to summons and complaints, stipulations, defaults, notices of motions, and responsive pleadings
- Probate:
  - Ex parte requests for emergency relief, including requests for temporary guardianships and temporary conservatorships and related legally required pleadings, and responses to those requests
  - Petitions for exclusive authority to consent to medical treatment
  - Stipulations and proposed stipulated orders
  - Probate letters
- Mental Health:
  - Filings relating to proceedings in Department 410

### **(d) Fax filing fees**

During the COVID-19 crisis, the Court will not offer premium fax filing service. All documents filed by fax filing will be subject to the non-premium fax filing surcharge.

Parties with a fee waiver will not be charged a fax filing surcharge during the COVID-19 crisis. Court users may request a fee waiver via fax filing or drop box.

### **(e) Documents that may be filed by drop box**

The Court will accept the following documents, and only the following documents, via drop box filing at the indicated court locations:

- Civil (Rene C. Davidson Courthouse or Hayward Hall of Justice)
  - Ex parte requests for emergency relief, including requests for temporary restraining orders (including civil harassment, workplace, and school violence matters) and related legally required pleadings
- Family (Hayward Hall of Justice):
  - Requests for temporary restraining orders, responses to those requests, and proofs of service relating to those requests
  - Ex parte requests for emergency relief and responses to those requests
- Probate (Berkeley Courthouse):
  - Ex parte requests for emergency relief, including requests for temporary guardianships and temporary conservatorships and related legally required pleadings, and responses to those requests
  - Stipulations and proposed stipulated orders
  - Probate letters

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### **(f) Suspension of reservation requests and hearings on new motions**

Until such time as this rule is further amended or repealed, the Court will not accept reservation requests made on or after March 17, 2020, nor will the Court hear motions submitted for filing on or after March 17, 2020.

### **(g) All other filings**

The Court will not accept any documents for filing during the COVID-19 crisis other than as indicated above. Documents other than those listed above that are submitted for filing by mail, fax filing or placed in a drop box will not be processed until such time as the Court reopens to the public.

*Rule 1.8a adopted effective April 10, 2020.*