

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

Title 5. Family Rules

Chapter 1. General Provisions

Rule 5.46. Emergency rule re ~~currently calendared~~ settlement conferences in Department 504 during COVID-19 crisis

During the COVID-19 crisis, those matters ~~currently~~ calendared in Department 504 for settlement conferences will be heard remotely on the calendared date via BlueJeans unless the Court grants a continuance upon proper request by one or both of the parties ~~remain on the Court's calendar.~~

A settlement conference date may be obtained by any of the following methods:

- (1) By oral request in court during any hearing or status conference;
- (2) Jointly by completing local form ALA FL-045 and the Settlement Conference Referral Form, and submitting them to the home department via email, mail, or filing window/drop box; or
- (3) By the Court scheduling the settlement conference directly in D-504's calendar if the request is approved.

Prior to the settlement conference, the Court will email a BlueJeans invitation to counsel, which counsel should forward to their clients and experts.

~~The Court will contact the parties or, if represented, their counsel to ascertain whether they agree to proceed with the calendared settlement conference remotely. If the parties agree, the Court will then arrange for remote conferencing by telephone or video or may direct counsel to make those arrangements. Remote settlement conferences conducted pursuant to this rule will be subject to the following conditions:~~

- ~~(1) Initially, these settlement conferences may be heard without a courtroom clerk or court reporter available to record any agreements of the parties. Parties or counsel may be ordered to memorialize agreements in an email and circulate those agreements to all parties, counsel and the Court.~~
- ~~(2) If a courtroom clerk and court reporter are available, all agreements will be placed on the record and will be enforceable as agreements pursuant to Code of Civil Procedure Section 664.6.~~
- ~~(3) If agreements are reached, counsel will be directed to file a Stipulation and Order with the Court containing all agreements. This Stipulation and Order may then be incorporated into a filed judgment once the Court resumes normal operations.~~
- ~~(4)~~

Settlement conference statements and other pleadings in conformity with the Family Code, California Rules of Court, and Local Rules 5.45 and requirements for settlement

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~~conferences may~~ shall be delivered to the Court as an attachment to an email and open copied to all parties and counsel, or by serving the other party/counsel and filing it with the Court.

Any agreements reached as a result of the settlement conference will be recited on the record if a court reporter is available. Should a court reporter be unavailable, the Court will direct either party's counsel to prepare the agreement and circulate it to all parties, counsel and the Court.

All other rules and protocols pertaining to D-504 settlement conferences that are not inconsistent with this rule shall remain in full force and effect.

Rule 5.46 amended July 10, 2020; adopted effective April 20, 2020.