

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Summary of Proposed Amendments To Appendix to Local Rules

Appendix A – Local Forms: Family Law

The proposed amendments to Appendix A of the court's Local Rules ("Rules") entitled *Local Forms: Family Law* is part of the court's continuing effort to review, correct, and update its Rules as needed.

The proposed amendments to Appendix A, effective January 1, 201s, are summarized below followed by the proposed local forms for family law matters.

SUMMARY

- The proposed amendments to Appendix A are:
 - ALA FL-035: **Application and Order for Continuance of Hearing, Status Conference, or Case Resolution Conference;**
 - ALA FL-041: **Case Resolution Conference Questionnaire;**
 - ALA FL-045: **Stipulation and Order for Voluntary Settlement Conference;**
 - ALA FL-050: **Request for Case Resolution Conference;**
 - ALA FL-055: **Joint Application and Order for Continuance of Settlement Conference, Long Cause Hearing, or Trial.**
 - The five proposed local forms support the proposed amendments made to rules 5.25, 5.35, 5.40, and 5.45 and may include minor, technical, non-substantive changes.

(Go to the following pages to review the proposed amendments to five local forms for family law matters.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>) TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER:	
APPLICATION AND ORDER FOR CONTINUANCE OF <input type="checkbox"/> HEARING <input type="checkbox"/> STATUS CONFERENCE <input checked="" type="checkbox"/> CASE RESOLUTION CONFERENCE	CASE NUMBER: _____

1. The parties request that the hearing or status conference or case resolution conference
 Set in Dept. for (*Date*): at (*Time*):
 be continued in that department to (*Date*): at (*Time*):
2. Availability of the requested date has been approved by the courtroom clerk and all parties agree to the terms of this application.
3. The parties agree that any existing temporary order previously issued by the court at the time of the filing of the subject motion, except orders issued under the Domestic Violence Prevention Act, shall remain in effect until the next hearing is held. The parties acknowledge that any temporary orders issued under the Domestic Violence Prevention Act will not remain in effect beyond the date upon which they are set to expire unless they are extended by a reissuance of the orders. An application for reissuance of temporary orders under the Domestic Violence Prevention Act, if requested, should be submitted with this form.
4. The parties agree that if this request is granted, Petitioner Respondent Other shall pay any required continuance fee within ten days of the date this form is mailed or faxed to the court, when this application and order is filed if it is filed in person, or before the hearing or conference is held, whichever is earliest.

ALL PARTIES MUST SIGN THIS FORM BEFORE IT IS FILED WITH THE COURT.

Date: _____
 ATTORNEY FOR PETITIONER RESPONDENT OTHER

Date: _____
 ATTORNEY FOR PETITIONER RESPONDENT OTHER

Date: _____
 ATTORNEY FOR PETITIONER RESPONDENT OTHER

5. The application for continuance of hearing or status conference is GRANTED and the matter is continued to the date and time requested with temporary restraining orders other than those issued under the Domestic Violence Prevention Act continued to the same date and time; or, the application for continuance is DENIED.
6. A request for reissuance of domestic violence prevention temporary orders was submitted with the above application. Under separate order, the reissuance was GRANTED; DENIED.

Date: _____
(JUDICIAL OFFICER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>) TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER: _____	
STATUS CASE RESOLUTION CONFERENCE QUESTIONNAIRE	CASE NUMBER: _____

1. Check all issues on which you and the other party disagree or need orders:

- | | | | |
|----------------------------------------------------------|--------------------------------------------------|--------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> Custody/Visitation | <input type="checkbox"/> Child Support | <input type="checkbox"/> Spousal Support | <input type="checkbox"/> Arrearages |
| <input type="checkbox"/> Property Valuation | <input type="checkbox"/> Property Valuation Date | <input type="checkbox"/> Property Division | <input type="checkbox"/> Property Characterization |
| <input type="checkbox"/> Separation Date | <input type="checkbox"/> Reimbursement | <input type="checkbox"/> Attorney's Fees & Costs | <input type="checkbox"/> Contempt |
| <input type="checkbox"/> Other (<i>specify</i>): _____ | | | |

2. Discovery

- a. Discovery remaining: Interrogatories Depositions Document Production Other (*specify*): _____
- b. Estimated completion of discovery (*date*): _____
- c. Other discovery issues (*specify*): _____

3. Mandatory Declaration of Disclosure (for Dissolution, Legal Separation, and Nullity cases only).

- a. Petitioner has served Respondent with Preliminary Final Declaration of Disclosure.
- b. Respondent has served Petitioner with Preliminary Final Declaration of Disclosure.

4. Bifurcation of issues is requested on the following (*specify*): _____

5. Parties or counsel have met to discuss settlement. How many times in person (*specify*): _____ By phone (*specify*): _____

6. Likelihood of settlement without court assistance (*specify %*): _____ With court assistance (*specify %*): _____

7. Estimated time for trial (*specify hours or days*): _____

8. Non-expert witnesses (*number*): _____ (*names*): _____

9. Expert witnesses (*number*): _____ (*names*): _____

10. Other information that may be helpful to the court (*specify*): _____

Date _____ ▶ _____

 ATTORNEY FOR PETITIONER RESPONDENT OTHER

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>) TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER: _____	
STIPULATION AND ORDER FOR VOLUNTARY SETTLEMENT CONFERENCE	CASE NUMBER: _____

1. The parties and attorneys signing this form declare that:

- a. Both parties have served their preliminary declarations of disclosure and filed proofs of service with the court.
- b. The parties have met and conferred in a good faith attempt to settle the contested issues.
- c. During the 90 days immediately following the submission of this stipulation, a party or attorney is unavailable for the following dates during the normal settlement conference calendar (*list dates that are NOT available*):

We prefer to have the settlement conference set on (list dates that are preferred):
- d. The settlement conference shall address: all issues following issues (*specify*):
- e. Discovery on the issues identified in 1d is completed; will be completed at least 14 days prior to the conference; is being deferred to see if settlement can be accomplished without incurring costs for discovery.
- f. ~~Case management under Family Code section 2450 et seq is requested by Petitioner Respondent Other~~
- g. The parties will comply with Local Rules regarding the submission of Settlement Conference Statements.

Date: ATTORNEY FOR PETITIONER RESPONDENT OTHER

Date: ATTORNEY FOR PETITIONER RESPONDENT OTHER

2. The request for voluntary settlement conference is GRANTED DENIED.

3. The matter is set for settlement conference on (*date*): _____ at (*time*): _____ in Dept: _____

Date: _____
(JUDICIAL OFFICER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>) TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER:	
REQUEST FOR STATUS <u>CASE RESOLUTION</u> CONFERENCE TO SET CASE FOR TRIAL	CASE NUMBER: _____

1. All parties have been served or have appeared.

2. Petitioner's preliminary declaration of disclosure was served on: _____ and the Declaration of its service filed on: _____ .
 Respondent's preliminary declaration of disclosure was served on: _____ and the Declaration of its service filed on: _____ .

3. All necessary discovery is complete or will be completed within 60 days.

4. The disputed issues to be litigated are (*specify*):

5. The estimated time for trial (*specify hours or days*):

Date:

ATTORNEY FOR
 PETITIONER
 RESPONDENT
 OTHER

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>) TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER: _____	
JOINT APPLICATION AND ORDER FOR CONTINUANCE OF SETTLEMENT CONFERENCE, LONG CAUSE HEARING, OR TRIAL	CASE NUMBER: _____

1. The case is set for settlement conference, long-cause hearing, or trial as follows:
- a. ~~Long-cause hearing~~ Settlement conference is set on (date): _____ at (time): _____ in Dept. _____
 - b. ~~Trial~~ Long-cause hearing or trial is set on (date): _____ at (time): _____ in Dept. _____
 - c. ~~Settlement conference (date): _____ at (time): _____ in Dept. _____~~
2. Good cause exists for continuance because (*specify*): _____
3. During the 90 days immediately following the filing of this application, a party or attorney is unavailable on the following dates (*list unavailble dates*): _____

~~4. The parties agree that if this request is granted, Petitioner Respondent Other shall pay any required continuance fee within ten days of the date this form is mailed or faxed to the court, when this stipulation and order is filed if it is filed in person, or before the hearing or conference is held, whichever is earliest.~~

We prefer that the matters be reset on the following date(s) (*list preferred dates*): _____

Date: ▶ _____
 ATTORNEY FOR PETITIONER RESPONDENT OTHER

Date: ▶ _____
 ATTORNEY FOR PETITIONER RESPONDENT OTHER

4. The application is GRANTED DENIED.

5. The case is reset as follows:
- a. Status conference is set on (date): _____ at (time): _____ in Dept. _____
 - a. Case resolution conference is set on (date): _____ at (time): _____ in Dept. _____
 - b. Settlement conference is set on (date): _____ at (time): _____ in Dept. _____
 - c. Trial is set on (date): _____ at (time): _____ in Dept. _____

Date: _____
(JUDICIAL OFFICER)