

# SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

## Summary of Proposed Amendments to Title 1, Chapter 1, rule 1.9 to the Local Rules

### Filing of documents in civil, family, and probate matters

The proposed amendments to rule 1.9 of the court's Local Rules ("Rules") entitled *Filing of documents in civil, family, and probate matters* are part of the court's continuing effort to review, correct, and update its Rules as needed.

The proposed amendments to rule 1.9 are summarized below.

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#### SUMMARY

The proposed amendments account for changes recently made by the court to consolidate calendars and Clerk's Office staff by case type. The local rule will be in use pending formal adoption in order to support the upcoming changes to court calendars, judicial assignments, and the consolidation of operations staff by case type.

Below is the full text of proposed local rule 1.9 with deletions noted in ~~strikethrough~~ and additions noted in underline.

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#### Rule 1.9. Filing of documents in civil, family and probate matters

~~Any pleading in civil, family, and probate matters may be filed at any court location in the county that has a public counter for the acceptance for filing of civil, family, and probate documents except as indicated below:~~

The court locations at which pleadings in civil, family and probate matters must be filed are as follows:

- (a) General civil pleadings and other papers, including small claims and unlawful detainer, must be filed at the René C. Davidson Courthouse or the Hayward Hall of Justice, except as otherwise provided herein.
- (~~b~~) Pleadings and other papers for dissolution of marriage, legal separation, nullity or paternity ~~may not~~ must be filed at the ~~Berkeley Courthouse or the~~ George E. McDonald Courthouse or the Hayward Hall of Justice.
- (c) ~~Probate proceedings may not be filed at the George E. McDonald Courthouse.~~ Pleadings and other papers for probate must be filed at the Berkeley Courthouse.

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- (ad) ~~The sole filing venue~~ Pleadings and other papers for actions involving the Lanterman-Petris-Short Act (LPS) ~~is~~ must be filed at the René C. Davidson ~~Alameda County~~ Courthouse.
- (be) ~~The sole filing venue~~ Pleadings and other papers for actions involving the False Claims Act under Government Code section 12650-12656 (including Qui Tam) ~~is~~ must be filed at the René C. Davidson ~~Alameda County~~ Courthouse (California Rules of Court, rule 2.571(b)).
- (f) Following assignment of a civil or family law case to a specific department, all pleadings must be filed at the court facility where that department is located. For purposes of this subparagraph, the René C. Davidson Courthouse is the filing location for departments situated in the Alameda County Administration Building and the United States Post Office.