A final case management conference will be held 14 days before trial unless otherwise ordered by the court.

Rule 3.290 amended and renumbered effective July 1, 2007; adopted as rule 7.4 effective May 19, 1998; previously amended effective July 1, 1999 and January 1, 2005

Chapter 4. Other Special Civil Case Types

Rule 3.300. Cases involving the California Environmental Quality Act

(a) Assignment of CEQA cases

Unless otherwise specified in these rules or ordered by the presiding or supervising judge, all CEQA cases will be assigned to a single judge for all purposes, including trial.

(b) Notice of assignment

A Notice of Assignment indicating the name and department number of the assigned judge, as well as the assigned judge's departmental schedule for notice motions and ex parte applications, will be prepared by the court.

(c) Service of notices

(1) Service of notice by clerk

The clerk will serve the Notice of Assignment either by mail on counsel of record for petitioner and on any self-represented petitioner, or personally on petitioner or petitioner's representative at the time the petition is filed.

(2) Service of notice by petitioner

The petitioner must serve the Notice of Assignment and the most recent case management conference notice on each named respondent or defendant either when that respondent or defendant is served with the summons and complaint, or as soon as petitioner receives the notice, whichever is later, and file a proof of service thereof.

(d) Designation of assigned judge in subsequent documents

After a CEQA case is assigned, all subsequent documents must state on

the face page, under the case number, the following:

ASSIGNED FOR ALL PURPOSES TO:
JUDGE [insert name]
DEPARTMENT [insert number]

(e) Unavailability of assigned judge

In the event of the temporary unavailability of the judge assigned to a CEQA case for all purposes, another judge may be assigned to hear matters in that case. Until and unless the court issues an order or notice revoking the existing single assignment or assigning a new judge for all purposes, any hearing that may take place before another judge does not affect the status of the case as originally assigned for all purposes.

If, due to temporary unavailability, a judge must hear a matter assigned to another judge, the court will note on the record that the case remains assigned for all purposes to the assigned judge.

Rule 3.300 amended and renumbered effective July 1, 2007; adopted as rule 5.13 effective July 1, 1999; previously amended January 1, 2000; previously renumbered to rule 5.12 effective January 1, 2002 and renumbered to rule 5.11,effective July 1, 2003; subsequently amended effective January 1, 2007.

Rule 3.310. Invitation to mediation

Petitioner must prepare and lodge with the designated CEQA department a notice form for the court's signature inviting mediation. The clerk will mail the notice of invitation to all parties.

Rule 3.310 amended and renumbered effective July 1, 2007; adopted as rule 5.13 effective July 1, 1999; previously amended January 1, 2000; previously renumbered to rule 5.12 effective January 1, 2002 and renumbered to rule 5.11,effective July 1, 2003; subsequently amended effective January 1, 2007.

Rule 3.320. Preparation of the administrative record

(a) Preparation by the public agency

Within 20 days after receipt of a request to prepare the administrative record, the public agency responsible for such preparation must personally serve on petitioner a preliminary notification of the estimated cost of preparation, setting forth the agency's normal costs per page, other reasonable costs, if any, the agency anticipates, and the likely range of pages. This notice must also state, to the extent then known, the location(s) of the documents anticipated to be incorporated into the

administrative record, must designate the contact person(s) responsible for identifying the agency personnel or other person(s) having custody of those documents, and must provide a listing of dates and times when those documents will be made available to petitioners or any party for inspection during normal business hours as the record is being prepared. This notice must be supplemented by the agency from time to time as additional documents are located or determined appropriate to be included in the record.

(b) Notification that petitioner elects to prepare the record

Upon receipt of this preliminary notification, petitioners may elect to prepare the record themselves provided they notify the agency within five days of such receipt. If petitioners so elect, then within 40 days of service of the initial notice to prepare the administrative record, petitioner must prepare and serve on all parties a detailed index listing the documents proposed by petitioners to constitute the record. Within seven calendar days of this notification, the agency, or other parties if any, must prepare and serve the petitioners and all parties with a document notifying them of any document or item that such parties contend should be added to, or deleted from, the record. The agency must promptly notify petitioners of any required photocopying procedures or other conditions with which petitioners must comply in their preparation of the record.

(c) Notice by agency of proposed record

If petitioners do not so elect, then within 40 days after service of the request to prepare the administrative record, the agency must prepare and serve on the parties a detailed index listing the documents proposed by the agency to constitute the record and provide a supplemental estimated cost of preparation. Within seven calendar days of receipt of this notification, petitioners, or other parties if any, must prepare and serve the agency and all parties with a document notifying the agency of any document or item that such parties contend should be added to, or deleted from, the record.

(d) Preparation by Petitioner

(1) Notice designating location of documents

Within 20 days after receipt of petitioner's notice of election to prepare the record, the public agency responsible for certification of the record must personally serve on petitioner a preliminary notification designating, to the extent then known, the location(s) of the documents anticipated to be incorporated into the administrative record, the contact person(s) responsible for

identifying the agency personnel or other person(s) having custody of those documents, and the dates and times when those documents will be made available to petitioners or any party for their inspection and copying. This notice must also state any required photocopying procedures or other conditions with which petitioners must comply in their preparation of the record. This notice must be supplemented by the agency as additional documents are located or determined appropriate to be included in the record.

(2) Service of index

Within 40 days after service of petitioner's notice of election, petitioners must prepare and serve on all parties a detailed index listing the documents proposed by petitioners to constitute the record. Within 7 calendar days of this notification, the agency, or other parties if any, must prepare and serve the petitioners and all parties with a document notifying them of any document(s) or item(s) that such parties contend should be added to, or deleted from, the record.

Rule 3.320 amended and renumbered effective July 1, 2007; adopted as rule 5.13 effective July 1, 1999; previously amended January 1, 2000; previously renumbered to rule 5.12 effective January 1, 2002 and renumbered to rule 5.11, effective July 1, 2003; subsequently amended effective January 1, 2007.

Rule 3.330. Format of the administrative record

(a) Binding and length of volumes of the administrative record

The administrative record must be provided in one or more volumes of not more than 300 pages that are separately bound. The pages of the administrative record must be numbered consecutively and bound on the left margin. The cover of each volume of the records must be the same size as its pages and contain the same material as the cover of a brief, but must be labeled "Administrative Record."

(b) Index

At the beginning of the first volume of the administrative record, there must be an index of each paper or record in the order presented in the record referring to each paper or record by title or description and the volume and page at which it first appears.

(c) Organization

The administrative record must be organized in the following order:

(1) The Notice of Determination;

(2) All resolutions or ordinances adopted by the lead agency approving the project or required by law;

(3) The Draft or revised Draft Environmental Impact Report and initial study;

(4) The comments received on and the responses to those comments prepared for the Draft Environmental Impact Report or Negative Declaration, including any modification of the environmental documents and project made after the comment period;

(5) The remainder of the Final Environmental Impact Report, including all appendices and other materials;

(6) The staff reports prepared for the approving bodies of the lead agency;

(7) Transcripts or minutes of all hearings; and

(8) The remainder of the administrative record.

Rule 3.330 amended and renumbered effective July 1, 2007; adopted as rule 5.13 effective July 1, 1999; previously amended January 1, 2000; previously renumbered to rule 5.12 effective January 1, 2002 and renumbered to rule 5.11, effective July 1, 2003; subsequently amended effective January 1, 2007.

Rule 3.335. Disputes regarding the contents of the administrative record

Once the administrative record has been filed, any disputes about its accuracy or scope should be resolved by appropriate noticed motion. For example, if the agency has prepared the administrative record, petitioners may contend that it omits important documents or that it contains inappropriate documents; if the petitioners have prepared the record, the agency may have similar contentions. A motion to supplement the certified administrative record with additional documents or to exclude certain documents from the record may be noticed by any party and should normally be filed concurrently with the filing of petitioner's opening memorandum of points and authorities in support of the writ. Opposition and reply memoranda on the motion should normally be filed with the opposition and memoranda, respectively, regarding the writ. The motion should normally be calendared for hearing concurrently with the hearing on the writ.

Rule 3.335 amended and renumbered effective July 1, 2007; adopted as rule 5.13 effective July 1, 1999; previously amended January 1, 2000; previously

renumbered to rule 5.12 effective January 1, 2002 and renumbered to rule 5.11, effective July 1, 2003; subsequently amended effective January 1, 2007.

Rule 3.340. Briefing schedule and length of memoranda

Unless otherwise ordered by the court, the following briefing schedule must be followed:

(1) Petitioner must file directly in the designated CEQA department and serve personally, by overnight mail or, if previously agreed, by fax, an opening memorandum of points and authorities in support of the petitioner within 30 days from the date the administrative record is served.

(2) Respondent and Real Party in Interest must file directly in the designated CEQA department and serve personally, by overnight mail or, if previously agreed, by fax, opposition points and authorities, if any, within 30 days following service of petitioner's memorandum of points and authorities.

(3) Petitioner has 20 days from service of the opposition's points and authorities to file directly in the designated CEQA department and serve personally, by overnight mail or, if previously agreed, by fax, a reply memorandum of points and authorities.

Rule 3.340 amended and renumbered effective July 1, 2007; adopted as rule 5.13 effective July 1, 1999; previously amended January 1, 2000; previously renumbered to rule 5.12 effective January 1, 2002 and renumbered to rule 5.11, effective July 1, 2003; subsequently amended effective January 1, 2007.

Rule 3.350. Settlement meeting

The initial notice must provide that, if the parties agree, the first settlement meeting will be continued so as to take place no later than 35 days after the administrative record is served.

Rule 3.350 amended and renumbered effective July 1, 2007; adopted as rule 5.13 effective July 1, 1999; previously amended January 1, 2000; previously renumbered to rule 5.12 effective January 1, 2002 and renumbered to rule 5.11, effective July 1, 2003; subsequently amended effective January 1, 2007.

Rule 3.370. Statement of issues

The statement of issues must identify those portions of the administrative record that are directly related to the contentions and issues remaining in controversy.

Rule 3.370 amended and renumbered effective July 1, 2007; adopted as rule 5.13 effective July 1, 1999; previously amended January 1, 2000; previously renumbered to rule 5.12 effective January 1, 2002 and renumbered to rule 5.11, effective July 1, 2003; subsequently amended effective January 1, 2007.

Rule 3.380. Trial notebook

Petitioner must prepare a trial notebook that must be filed with the designated CEQA department 14 days before the date of the hearing. The trial notebook must consist of the petition, all answers, the briefs, any motions set to be heard at trial, the statement of issues, and any other documents agreed upon by the parties.

Rule 3.380 amended and renumbered effective July 1, 2007; adopted as rule 5.13 effective July 1, 1999; previously amended January 1, 2000; previously renumbered to rule 5.12 effective January 1, 2002 and renumbered to rule 5.11, effective July 1, 2003; subsequently amended effective January 1, 2007.

Rule 3.400. Other petitions for administrative or ordinary mandamus [Reserved]

Rule 3.500. Petitions to compel arbitration or to confirm an arbitration award [Reserved]

Rule 3.600. Unlawful detainers

The rules in this chapter may be referred to as the Local Unlawful Detainer Rules.

Rule 3.600 amended and renumbered effective July 1, 2007; adopted as rule 7.2 effective May 19, 1998; previously amended effective July 1, 1999 and July 1, 2004.

Rule 3.610. Undertakings

Unless otherwise ordered by the court, the minimum amount of undertaking required for an order for immediate possession is ten times the amount of monthly rental, but not less than $500.00.

Rule 3.610 amended effective July 1, 2008; adopted as rule 4.14 effective May 19, 1998; previously amended effective July 1, 1999 and July 1, 2007; previously renumbered to rule 4.12 effective July 1, 2002 and to rule 3.610 effective July 1, 2007.

Rule 3.620. Request for trial date

Plaintiff must file a request for trial no later than 25 days after filing an unlawful detainer complaint.

Rule 3.620 amended and renumbered effective July 1, 2007; adopted as rule 7.2 effective May 19, 1998; previously amended effective July 1, 1999 and July 1, 2004.

Rule 3.630. Notice that defendant has vacated premises and redesignation of case

The plaintiff must notify the court in writing forthwith if all defendants have ceased possession of the property prior to trial and that possession of the property is therefore no longer an issue. Upon receipt of such notice, the court will issue a Notice of Assignment of the case as a limited or unlimited civil case.

Rule 3.630 adopted effective July 1, 2007.

Rule 3.640. Status conference

The court will set a status conference 45 days after filing of an unlawful detainer complaint unless the case has been set for trial, the court has issued a Notice of Assignment following redesignation of the case as a limited or unlimited case, or a disposition of the case has been entered.

Rule 3.640 amended and renumbered effective July 1, 2007; adopted as rule 7.2 effective May 19, 1998; previously amended effective July 1, 1999 and July 1, 2004.

Rule 3.650. Applications for stays of execution or other extraordinary relief

Ex parte applications for stays of execution or other extraordinary relief in unlawful detainer matters must be accompanied by a declaration showing each of the following:

(1) Opposing counsel (or, if there is none of record, the opposing party) has been notified at least 24 hours in advance by telephone or in person of the time of the application.

(2) The facts that necessitate proceeding ex parte.

(3) The facts that constitute good cause for a stay of execution.

Factual matters must be set forth directly, not on information and belief. A form of declaration may be obtained from the clerk. Stays involving possession of real property will usually be granted only on condition that the payment of the reasonable rental value is paid to the court in advance if rent would otherwise become due.

Rule 3.650 amended and renumbered effective July 1, 2007; adopted as rule 4.16 effective May 19, 1998; previously renumbered to rule 4.14 effective July 1, 2002.

Chapter 5. Alternative Dispute Resolution

Rule 3.700. Use of alternative dispute resolution processes encouraged

The court finds that it is in the best interests of all parties that they participate in alternatives to traditional litigation, such as arbitration, mediation, neutral evaluation, and voluntary settlement conferences. Therefore, the court may refer cases to an appropriate form of alternative dispute resolution (ADR) before they are set for trial, unless there is good cause to dispense with an alternative dispute resolution process.

Rule 3.700 amended and renumbered effective July 1, 2007; adopted as rule 6.1 effective May 19, 1998; previously amended July 1, 1999 and July 1, 2003.

Rule 3.710. Rules for alternative dispute resolution processes other than judicial arbitration

(a) Selection of provider

The parties may choose any ADR provider they wish, whether or not that provider is on the list described in the following section of these rules.

(b) Good faith participation is required

All parties to an alternative dispute resolution process must participate in the process in good faith.

(c) Personal appearance required

In conducting a session, the ADR provider should require the attendance of persons with full authority to resolve the dispute. The provider should only permit telephone appearances if good cause to waive personal appearance was shown in a timely manner prior to the session.

(d) Cost of the alternative dispute resolution process

Unless the ADR provider's fees and expenses have been ordered by the court, the parties and the provider must agree on the fees and expenses. The fees and expenses of the provider will be borne by the parties equally, unless they agree otherwise.

Rule 3.710 amended and renumbered effective July 1, 2007; adopted as rule 6.2 effective May 19, 1998; previously amended effective July 1, 1999 and July 1, 2003.

Rule 3.720. Alternative dispute resolution provider list

The court maintains a list of alternative dispute resolution providers to assist parties and counsel in obtaining access to experienced and affordable alternative dispute resolution services. The list includes providers in the areas of mediation, neutral case evaluation, private arbitration, and judicial arbitration. The list, including names, qualifications, services provided and fees charged, will be posted on the court's website and will be available in the office of the ADR program administrator.

Rule 3.720 amended and renumbered effective July 1, 2007; adopted as rule 6.3 effective May 19, 1998; previously amended effective July 1, 1999, July 1, 2003, and January 1, 2007.

Rule 3.740. The ADR administration committee

(a) Members

In addition to the members required by the California Rules of Court, the court's ADR Administration Committee will also include three or more members chosen by the presiding judge as representatives of ADR providers serving on the court's ADR panels.

(b) Duties of the committee

In addition to the responsibilities provided in the California Rules of Court, the court's ADR Administration Committee has the following responsibilities:

(1) To establish criteria for ADR panel eligibility;

(2) To recruit and appoint ADR providers to the ADR panels;

(3) To deny applications for the ADR panel;

(4) To investigate any written complaints received regarding the conduct of ADR panelists and determine appropriate action, including but not limited to, issuing a reprimand, removing an individual from the ADR panel, and prohibiting future participation in the ADR panel;

(5) To develop informational and educational material concerning the court's ADR panels;

(6) To review the administration and operation of the ADR panel list and make recommendations to improve the program, promote the

ends of justice, and serve the needs of the community; and

(7) To gather statistical and other evaluation information concerning the court's ADR program to ensure that the reporting requirements to the Judicial Council are met.

Rule 3.740 amended and renumbered effective July 1, 2007; adopted as rule 6.5 effective May 19, 1998; previously amended effective July 1, 1999, July 1, 2003, and January 1, 2007.

Rule 3.750. Complaint procedure

The complaint procedure described in this section applies to all providers of alternative dispute resolution (ADR) services who are panel members of the court's ADR Program. The following local rules relating to the complaint procedure are intended to comply with applicable California Rules of Court and to ensure that all complaints are resolved through procedures consistent with California mediation confidentiality statutes. The court's ADR complaint brochure provides more detailed information about the process and procedure.

Rule 3.750 amended effective January 1, 2010; adopted as rule 6.7 effective July 1, 2003; previously amended and renumbered effective July 1, 2007.

Rule 3.760. Inquiries and complaints

(a) Designation of complaint coordinator

The ADR program administrator is the designated complaint coordinator unless otherwise ordered by the presiding judge.

(b) Acknowledgement of complaint

Within three court days of receipt of an inquiry or complaint, the complaint coordinator will send written acknowledgement of receipt.

(c) Preliminary review

Within 10 court days of receipt of an inquiry or complaint, the complaint coordinator will determine whether the complaint can be informally resolved or closed, or whether an investigation is warranted. If an investigation is warranted then the complainant may be asked to submit the complaint in writing.

(d) Investigation and recommendation

(1) Within three court days of a determination that the complaint

warrants an investigation, the panelist will be given written notice of the complaint. If the complaint was initiated as an unwritten communication and the complainant is asked to submit the complaint in writing, the panelist will be given written notice of the complaint within three court days of receipt of the written complaint.

(2) The panelist must submit any written response within 10 court days. This period may be extended by the presiding judge upon a showing of good cause.

(3) The investigation will be conducted by a complaint committee.

(4) Within 30 court days, the complaint committee will conclude the investigation and submit its recommendation concerning court action to the presiding judge. This period may be extended by the presiding judge upon a showing of good cause.

(e) Final decision

(1) Within 10 court days of receipt of the complaint committee's recommendation, the presiding judge will render a final decision.

(2) One or more of the following actions may be taken;

(A) no action;
(B) counsel, admonish or reprimand the panelist;
(C) impose additional training requirements as a condition of remaining a member of the court's panel;
(D) suspend the panelist from the panel; or
(E) remove the panelist from the panel.

(f) Notification of final action

Each complainant and affected panelist will be promptly notified in writing of the final decision.

Rule 3.760 adopted effective January 1, 2010.