

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Hayward Hall of Justice, 24405 Amador St., Hayward, CA 94544

_____, Petitioner, Case No: _____

v. _____

_____, Respondent. **STIPULATION AND WAIVER OF
RIGHT TO HEARING ON REQUEST
FOR ORDER**

In light of the ongoing public health emergency and its effect on the Court's ability to conduct hearings on all but the most urgent matters, the parties in the above-captioned matter hereby STIPULATE and AGREE as follows:

1. The Court may issue a decision on the Request for Order re: _____
_____ (the "RFO"), filed by _____ (party) on-
date: _____ based solely upon the pleadings and without conducting a hearing.

2. The following pleadings have been filed, and should be considered by the Court, in rendering its decision (identify all relevant filings by date, party, and title of document):

3. The foregoing pleadings were timely and properly served and/or any defects in service are hereby waived.

4. All objections to the authenticity and admissibility of evidence included in the foregoing pleadings are waived unless submitted in writing.

5. The Court may consider the additional materials (limit 10 pages per side including exhibits), which have not yet been filed, but are described below and attached to this stipulation.

6. Upon receipt of this completed stipulation, the clerk will place the RFO on the Court's calendar for tracking purposes only. The Court's decision will, initially, be rendered in a minute order, which the clerk will email to the parties.

7. The minute order will direct counsel for a party (or Self-Help Center staff, if all parties are self-represented) to prepare Findings and Order After Hearing (the "FOAH"). Thereafter, the parties shall follow CRC 5.125, except that the proposed FOAH shall be submitted to the department clerk via email as an editable PDF. The FOAH, once signed by the Court, will be served electronically on the parties and filed as soon as the court resumes such operations.

~~8. For any RFO seeking an order re: child custody and visitation, the parties waive their right to confidential mediation and written recommendations by a child custody recommending counselor, pursuant to Family Code Section 3170, 3183 and Local Rule 5.75. If the Court determines that mediation is necessary to make a decision, the Court will issue a referral to Family Court Services.~~

~~9. All communications with the departmental clerk shall include opposing party or, if represented, their counsel. Each party consents to receive notices from the Court, concerning this matter, at the following email address and telephone number:~~

~~Petitioner: _____ Telephone: _____
Respondent: _____ Telephone: _____~~

~~10. The parties are aware of and understand their statutory right to appear in person in court at a hearing at which they may present live testimony and cross-examine adverse witnesses.—~~

~~11. Each party represented by counsel in this case has consulted with his/her attorney of record regarding these rights, and the consequences of giving them up.~~

~~12. If one or both parties required the assistance of an interpreter to read and understand this stipulation, the interpreter shall sign below.~~

~~13. The parties enter into this stipulation freely and voluntarily, not due to coercion, duress, or threats of any kind.~~

_____, 2020

Signature of Petitioner or Petitioner's Attorney of Record

_____, 2020

Signature of Respondent or Respondent's Attorney of Record

~~Interpreter for Petitioner: _____
Interpreter for Respondent: _____~~

~~* This completed stipulation and all attachments shall be submitted as a single PDF directly to the departmental clerk, via email.—~~