

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

Title 5. Family Rules

Chapter 1. General Provisions

Rule 5.38. Emergency Rule Regarding Restraining Order Hearings during COVID-19 Crisis **[REPEALED]**

~~The court's handling of restraining order matters during the COVID-19 crisis is subject to the following conditions:~~

- ~~(1) Hearings will be by in-person or remote appearance pursuant to the Emergency Amendments to Local Rule 1.90.~~
- ~~(2) Before the hearing, the bench officer may contact the parties to conduct a "readiness" conference.~~
- ~~(3) Any documentary evidence that the parties wish the bench officer to consider must be emailed directly to the assigned department, and must copy all counsel of record and self-represented parties, at least two court days prior to the hearing, excluding any Saturday, Sunday, or holiday. Failure to provide at least two court days' notice of proffered documentary evidence may result in its exclusion. If no email exists for the opposing party or counsel, alternative methods of service must be used (e.g., text, mailing, or instant message). The bench officer will determine the sufficiency of any such alternative service method.~~
- ~~(4) To the extent any party wishes to submit non-documentary evidence, including but not limited to audio or video evidence, that party must email a written list describing that evidence directly to the assigned department, and must copy all counsel of record and self-represented parties, at least two court days prior to the hearing, excluding any Saturday, Sunday, or holiday. The bench officer will thereafter determine what evidence may be submitted and how it is to be submitted.~~
- ~~(5) Absent a court order, parties and counsel are prohibited from making an audio or video recording of the hearing or the readiness conference.~~

Rule 5.38, which was amended effective January 1, 2022; previously amended effective June 24, 2021; and adopted effective April 22, 2020, is repealed effective April 30, 2022.