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Title 8. Appellate Division Rules

Chapter 1. General Provisions

Rule 8.1. Title

The rules in this title may be referred to as the Appellate Division Rules.

Rule 8.1 adopted effective January 1, 2008.

Rule 8.10. Application

The Appellate Division Rules apply to all appeals filed in the appellate division of the court, unless otherwise provided in these rules or by rule in the California Rules of Court or by order in a particular case.

Rule 8.10 adopted effective January 1, 2008.

Rule 8.100. Dismissal upon failure to file opening brief

When the time for filing briefs in any matter in which the appellate division has jurisdiction has expired either pursuant to the California Rules of Court or as extended by court order and no opening brief has been filed, the court will send a Notice of Impending Dismissal and, if there is no response to the notice, enter a dismissal without hearing.

Rule 8.100 adopted effective January 1, 2008.

Rule 8.110. Record on appeal in traffic court matters

Upon stipulation of the parties or order of the trial court, an electronic recording may be transmitted to the appellate division as the record of the trial court proceedings. The electronic recording must be the original official electronic recording of the oral proceedings or a copy made by the court. This rule applies only to appeals of traffic court matters.

Rule 8.110 adopted effective January 1, 2015.

Rule 8.120. Briefs

When filing any original brief, all parties and any amicus curiae must provide two additional copies of the brief to the clerk.

Rule 8.120 amended and renumbered effective January 1, 2008; adopted as rule 13.1 effective May 19, 1998; previously amended effective July 1, 1999 and January 1, 2007.

Rule 8.140. Motions

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

All motions, including ex parte applications for orders, must be presented to the presiding judge of the appellate division. The presiding judge may rule on the motion or may schedule a motion for hearing before the panel at his or her discretion.

Rule 8.140 amended and renumbered effective January 1, 2008; adopted as rule 13.3 effective May 19, 1998; previously amended effective July 1, 1999.

Rule 8.150. Court reporter

The regular sessions of the appellate division will not be reported unless a party requests a court reporter at least one week prior to the date set for hearing.

Rule 8.150 amended and renumbered effective January 1, 2008; adopted as rule 13.4 effective May 19, 1998; previously amended effective July 1, 1999.