

## Summary of Local Rules Revision – January 2021

### 1.00.01 EFFECTIVE DATE OF RULES

These rules shall take effect on ~~January~~uly 1, 2021~~0~~.

(Revised ~~January~~uly 1, 2021~~0~~)

### 2.00.10 RESERVED FOR FUTURE USEJUDICIAL—ASSIGNMENTS: PLACERVILLE SESSION

~~A. All Western Slope civil filings subject to the provisions of the Trial Court Delay Reduction Act (rule 7.12.00, et seq., of these Local Rules), civil harassment restraining orders, and small claims appeals shall be filed at 3321 Cameron Park Dr., Cameron Park, CA 95682. All of the mentioned filings shall be automatically assigned to Judge Dylan Sullivan for all purposes. This assignment shall apply to all pretrial matters and trial.~~

~~B. All criminal filings, including violation of probation cases in which he was the sentencing judge, shall be automatically assigned to Judge Mark A. Ralphs for arraignment and pretrial proceedings. Subsequent to the initial assignment, Judge Ralphs may, in his discretion, assign any odd numbered cases to Judge Vicki Ashworth for all purposes and all even numbered cases to Judge Kenneth J. Melikian for all purposes. This assignment shall apply to any pretrial matters and trial.~~

~~C. All delinquency filings, pursuant to Welfare and Institutions Code section 602, et seq., shall automatically be assigned upon filing to [TBD] for all purposes. This assignment shall apply to all pretrial matters and trial.~~

~~D. All dependency filings, pursuant to Welfare and Institutions Code section 300, et seq., shall automatically be assigned upon filing to [TBD] for all purposes. This assignment shall apply to all pretrial matters and trial.~~

~~E. All domestic violence restraining orders and subsequent proceedings pertaining thereto shall be automatically assigned upon filing to Judge Jamie Pesce.~~

~~F. All family law cases shall automatically be assigned upon filing to Judge Jamie Pesce for all purposes.~~

~~G. All probate, guardianship, and conservatorship cases shall automatically be assigned upon filing to [TBD] for all purposes.~~

~~H. Judicial assignments may be modified by administrative order of the presiding judge. Any such administrative order modifying assignments will be appended to the Local Rules and posted on the court's website.~~

(Revised ~~January~~uly 1, 2021~~0~~)

### 2.00.11 RESERVED FOR FUTURE USEJUDICIAL ASSIGNMENTS: SOUTH LAKE TAHOE SESSION

~~A. All civil filings subject to the provisions of the Trial Court Delay Reduction Act (rule 7.12.00,~~

~~et seq., of these Local Rules) and probate filings in the South Lake Tahoe Session shall be automatically assigned upon filing to Judge Michael J. McLaughlin, department 4, for all purposes. This assignment shall apply to all pretrial matters and trial.~~

~~B. For all criminal filings, all felony drug cases shall be automatically assigned upon filing to Judge Michael J. McLaughlin, department 4, for all purposes. All other filings shall be automatically assigned to Judge Suzanne N. Kingsbury, department 3, for all purposes. This assignment shall apply to all pretrial matters and trial.~~

~~C. For all delinquency filings, pursuant to Welfare and Institutions Code section 600, et seq., all cases shall be automatically assigned upon filing to Judge Michael J. McLaughlin for all purposes. This assignment shall apply to all pretrial matters and trial.~~

~~D. All family law cases, and all juvenile dependency cases, pursuant to Welfare and Institutions Code section 300, et seq., shall automatically be assigned upon filing to the Court Commissioner for all purposes. This assignment shall apply to all pretrial matters and trial.~~

~~H. Judicial assignments may be modified by administrative order of the presiding judge. Any such administrative order modifying assignments will be appended to the Local Rules and posted on the court's website.~~

(Revised ~~January~~ July 1, 202119)

## **7.10.02 MOTIONS: IN GENERAL**

... [¶] ...

~~K. Evidence at a hearing on a law and motion matter shall be in conformity with California Rules of Court, rule 3.1306. A duplicate copy of the law and motion document, to which shall be attached a copy of all documents in the court's file to which reference has been made, shall be delivered to the clerk at the time of the filing for use by the judge who will hear the matter.~~

(Revised January 1, 202112)

## **8.05.07 TENTATIVE RULING SYSTEM**

~~A. GENERAL. The Superior Court for El Dorado County adopts the following tentative ruling system pursuant to California Rules of Court, rule 3.1308(a)(1) for all matters set on the regularly scheduled law and motion calendar for Department 5:~~

~~(1) On Line: The tentative rulings and complete written rationale for each tentative ruling will be posted on the El Dorado County Superior Court web site at [www.eldoradocourt.org](http://www.eldoradocourt.org) by no later than 2:00 p.m. on the court day preceding the date the matter is set on the law and motion calendar. The tentative ruling and the rationale can be viewed on the web site by clicking on the "Tentative Rulings" link. The tentative rulings are listed by department and calendar date. Simply click on the tentative rulings for Department 5 and then click on the date you wish to view.~~

~~(2) By Telephone: The tentative rulings providing the disposition of the matter only,~~

without the rationale, can also be obtained by calling (530) 621-6726 beginning at 2:00 p.m. on the court day preceding the date the matter is set on the law and motion calendar.

B. TENTATIVE RULING PROCEDURE

(1) Acceptance or Rejection of Tentative Ruling

- a. If you wish to accept the tentative ruling which has been issued, or do not wish to oppose it, you do not need to do anything. If no notice of intent to appear and request oral argument is received from any party to the matter by 4:00 p.m. on the day the tentative ruling is issued, the tentative ruling will automatically become the final order of the court pursuant to California Rules of Court, rule 3.1308(a)(1).
- b. If you do not wish to accept the tentative ruling in its entirety, you must give notice of your intent to appear and request oral argument as to the specific aspects of the tentative ruling you wish to challenge to both the court and all parties to the action through the procedures listed below by 4:00 p.m. on the day the tentative ruling is issued. If you do not give such notice and request oral argument by 4:00 p.m., the tentative ruling will become the final order of the court as provided in California Rules of Court, rule 3.1308(a)(1).

(2) Notice of Intent to Appear and Request Oral Argument

- a. A notice of intent to appear and request oral argument must be transmitted to the court either electronically through the court's website, or via telephone call by 4:00 p.m. on the day the tentative ruling is issued.
- b. Electronic requests must be sent directly from the tentative rulings link of the court's web site by clicking on the "Request for Oral Argument" button on the department's tentative ruling page.
- c. Phone requests must be placed to (530) 621-6725 and must provide all of the information required on the request form found on the court's web site.
- d. Notice to all parties of your intent to appear must be made by telephone or in person pursuant to California Rules of Court, rule 3.1308(a)(1).

(3) Scheduling of Oral Argument

- a. Matters in which the parties' total time estimate for argument is 15 minutes or less will automatically be set for hearing on the law and motion calendar on the court day following the issuance of the tentative ruling unless otherwise notified by the court. The 15-minute time limit for argument heard on the law and motion calendar will be strictly enforced. For matters in which the parties' total time estimate for argument is more than 15 minutes, the court will endeavor to set long cause oral

argument requests for hearing within 10 court days of the issuance of the tentative ruling, or as soon thereafter as the matter can be heard.

- b. Notification of the selected hearing date for matters not automatically set for oral argument on the next day's law and motion calendar will be provided to the requesting party by 5:00 p.m. on the date the tentative ruling is issued.
  - c. Notification to all other parties of the hearing date for matters not automatically set for oral argument on the next day's law and motion calendar is the sole responsibility of the requesting party.
- (4) Appearances
- a. Except where the tentative ruling states that "appearances are required" or, having received a request for oral argument of 15 minutes or less, the matter has been automatically scheduled for hearing on the next day's law and motion calendar, no other appearances will be required nor permitted at the law and motion calendar on the day following the issuance of the tentative ruling.
  - b. Unless otherwise indicated in the tentative ruling, appearances for oral argument may be made either in person or remotely per the Presiding Judge's orders.

(Effective January 1, 2021)