

**The following revisions to the Local Rules and to Local Forms have been approved by the Executive Committee for further action/ adoption:**

**SMALL CLAIMS LOCAL RULES (CHAPTER 18)**

**Local Rule 1801 is amended to read:**

**1801 DISPUTE RESOLUTION**

In any Small Claims action, upon the request of the parties or in the Court's discretion, the Court may order the parties to participate in mediation or other alternative dispute resolution process.

**Local Rule 1802 is repealed.**

**APPELLATE DIVISION LOCAL RULES (CHAPTER 12)**

**Local Rule 1200 is amended to read:**

**1200 APPELLATE DIVISION PANELS**

Appeals and petitions for writs are ordinarily heard by a panel of three judges of the Appellate Division. Appeals from convictions of traffic infractions may be heard and decided by one judge of the appellate division designated by the presiding judge of the appellate division.

**Local Rules 1201 through 1203 are amended to read:**

**1201 USE OF TRIAL COURT FILE**

The original trial court file may be used instead of a clerk's transcript on appeal in limited civil cases, misdemeanor and infraction appeals pursuant to CRC 8.833, 8.863 and 8.914.

**1202 OFFICIAL ELECTRONIC RECORDING**

(a) On stipulation of the parties or on order of the trial court pursuant to CRC 8.835, 8.837(d)(6), 8.868, 8.869(d)(6), 8.915 and 8.916, the original of an official electronic recording of the trial court proceedings, or a copy made by the court, may be transmitted to the appellate division clerk as the record of the oral proceedings without being transcribed.

(b) The clerk shall make the official electronic recording available to the parties and counsel for listening in court facilities during normal business hours.

**1203 TRANSMISSION OF TRIAL COURT RECORDS**

The duty of the clerk to send or to transmit trial court records to the Appellate Division is satisfied when the court record is made available to the Appellate Division clerk for use by the Appellate Division either electronically or in hardcopy.

**Local Rules 1204 and 1205 are repealed.**

**Local Rule 1206 is amended to read:**

**1206 APPELLATE COURT PROCEEDINGS BY VIDEOCONFERENCE**

(a) Unless otherwise ordered by the Presiding Judge of the Appellate Division or the Presiding Judge's designee, appellate court proceedings in the Appellate Division shall be conducted by videoconference as provided in CRC 8.885(b) and 8.929(b).

(b) Unless personal appearance has been expressly ordered:

(1) A party waiving oral argument by written notice is not required to appear at oral argument.

(2) The court may deem the failure of a party to appear at oral argument who has not provided written notice as that party's waiver of oral argument. In such case, the cause will be submitted following oral argument of the parties who have appeared.

**Local Rule 1207 is repealed.**

**Local Rules 1208 and 1209 are amended to read:**

**1208 BRIEFS**

(a) Format of Electronic Briefs

Briefs filed in electronic form should comply with the formatting requirements for documents filed in the Court of Appeal as provided in CRC 8.74 to the extent not otherwise required by CRC 8.883 (applicable to misdemeanor and limited civil case appeals), CRC 8.928 (applicable to infraction appeals), or other applicable statute or rule.

(b) Binding

If filed in paper, briefs must be bound at the top left corner. Paperclips are preferred for binding to facilitate scanning of the document. If stapled, the staples should not be covered with tape.

(c) Attachments

Briefs generally should not include attachments and may not include evidence not presented to the trial court. However, a party filing a brief may attach copies of trial court exhibits or other materials in the appellate record or copies of relevant local, state, or federal regulations or rules, out-of-state statutes, or other similar citable materials that are not readily accessible. These attachments must not exceed a combined total of 5 pages, but on application the presiding judge of the Appellate Division may, for good cause, permit additional pages of attachments or attachment of other matter. All attachments must be printed on paper complying with CRC 2.103 or, if electronically filed, must comply with CRC 2.256(b).

(d) *Wende* Briefs

*People v. Wende* shall be prominently cited on the cover, or the first page if there is no cover, of any brief requesting the Appellate Division to review the record on appeal to determine if there are any arguable issues that may require briefing as provided in *People v. Wende* (1979) 25 Cal.3d 436.

**1209 RULING ON REQUESTS, APPLICATIONS AND MOTIONS**

In addition to the requirements of CRC 8.808, all motions, requests, and applications must be accompanied by a proposed order.

**Local Rule 1210 is enacted as follows:**

**1210 MANDATORY E-FILING IN LIMITED CIVIL CASE APPEALS**

(a) Except as provided in subdivision (b), all documents presented for filing in the Appellate Division in limited civil appeals must be electronically filed (e-filed) as provided in Code of Civil Procedure section 1010.6, CRC 2.250 through 2.261, and Local Rule 1012.

(b) Documents presented for filing by a self-represented party (as defined in CRC 2.250(b)(10)) and documents which are not feasibly converted to electronic form are not required to be e-filed under subdivision (a). Self-represented parties are encouraged to e-file documents although not required to do so.

**LOCAL FORMS**

**The following Local Forms are to be deleted:**

- SC-1008 (Affidavit for Subpoena Duces Tecum)
- SC-1010 (Acknowledgement of Receipt/ Proof of Service)
- SC-1025 (Certificate of Service by Mail)
- SC-2024 (Notice of Appeal [Limited Civil])
- SC-2050 (Notice of Entry of Judgment) (SC-2050 to be an internal form only)
- SC-2011 (Declaration to File Abstract of Judgment)

**The following Local Forms are to be amended (copies of amended forms provided separately, minor formatting corrections forthcoming):**

- SC-2000 (Amendment to Complaint)
- SC-2003 (Application for Publication of Summons)
- SC-2003-A8 (Attachment 8 to Application for Publication of Summons)
- SC-2003-A9 (Attachment 9 to Application for Publication of Summons)
- (Probate) SC-6000 (Ex Parte Petition and Order for Appointment of Probate Referee)
- (Probate) SC-6009 (Objection to Petition for Appointment of Guardian)
- (Probate) SC-6014 (Declaration of Due Diligence)

(Probate) SC-6028 (Petition on First and Final Report of Personal Representative and Petition for Final Distribution).  
(Probate) SC-6029 (Order on First and Final Report of Personal Representative and Petition for Final Distribution)