

LAW & MOTION POLICIES AND PROCEDURES
DEPARTMENT C14
(As Posted on Court Website)
Revised July 28, 2014

Scheduling

The law and motion calendar is heard on Wednesdays at 1:30 P.M.

Reservations required, visit our on-line Reserve a Motion Date.

If a motion is resolved before the hearing, please advise our court attendant, Jodi Roa, at (657) 622-5214 immediately.

Obtaining Tentative Rulings

Tentative rulings will be posted on the internet, usually by 12:00 p.m. the Tuesday before the scheduled Wednesday hearing. If an attorney does not have access to internet service for any reason, he or she may contact Dept. C14 at (657) 622-5214 for the tentative ruling.

PLEASE DO NOT CALL THE COURT IF NO TENTATIVES ARE POSTED – THE ANSWER WILL ALWAYS BE THEY ARE NOT READY YET.

PLEASE DO NOT CALL THE CLERK OR COURT ATTENDANT TO ASK WHAT A TENTATIVE RULING MEANS. They are not able to give that information. Feel free, however, to ask the court at the hearing.

“Tentative” means just that: It is subject to change after the court hears argument.

“Pending” means the tentative ruling is not ready yet.

Giving Notice and/or Preparing Orders/Judgments after the Court Rules

The prevailing party shall give notice of the final ruling to each party, unless notice is waived by all parties. The prevailing party shall prepare an order/judgment for the court’s signature if the ruling disposes of a party or the case.

Appearances

If all parties submit on the tentative ruling and call our clerk to notify the court, no appearance will be necessary and the tentative will become the final ruling. If no one appears at the hearing and the court has not been notified all parties submit on the tentative ruling, the matter will go off calendar.

Oral Argument

All requests for oral argument will be granted. Oral argument will be heard at the time scheduled for the motion. No new issues may be raised at oral argument, but the attorneys should not merely regurgitate their points and authorities.

No case law or other authority may be cited at oral argument unless: (1) the citing party reasonably did not believe it was pertinent at the time the party filed its briefs; and (2) the party has given reasonable notice of the new authority, including citation, to all other parties **before** the hearing.

Continuances

Motions usually will not be continued after the tentative has been posted.

Law and motion matters may be continued once by written stipulation of the parties and submission of the \$20.00 continuance fee, subject to approval by the court.

Sincerely,

Franz E. Miller
Judge Presiding, Department C14