

New Proposed Local Rule (#393)

**Rule (#393). Labor Commissioner Appeals**

Where the party initiating a labor commissioner appeal is required to e-file the notice of appeal and the initiating party has obtained a bond or undertaking, a copy of the bond or undertaking documentation must be e-filed at the same time the notice of appeal is e-filed in order to comply with Labor Code section 98.2, ~~subdivision~~ (b). Pursuant to California Rules of Court, rule 2.252(e), the original bond or undertaking must then be ~~delivered to~~ filed with the ~~Court~~ court within ten (10) ~~court~~ calendar days. Failure to do so can have consequences on the ability of the appeal to move forward.

Where the party initiating a labor commissioner appeal will be depositing cash or check to satisfy the requirements of Labor Code section 98.2, ~~subdivision~~ (b), that the filing party is excused from the mandatory e-filing requirements set forth in Local Rule 352. In such case, the notice of appeal must be filed directly with the court ~~outside the e-filing system~~ in person, and the cash or check must be filed directly with the court at the same time as the notice of appeal. Failure to do so can have consequences on the ability of the appeal to move forward.

*(Adopted January 1, 2022)*