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Superior Court of California *County of Los Angeles*

September 13, 2023

PROPOSED REVISIONS TO LOCAL COURT RULES

Pursuant to California Rules of Court, Rule 10.613(g), the following proposed amendments to the Local Rules are hereby distributed for comment. The affected rules are:

- Rule 1.15 Elimination of Bias
Propose a new rule identifying bias, the creation of the Anti-Bias Committee, and where complaints of bias may be directed to.
- Rule 2.8 Assignment of Matters in Central District – Civil Division
Amend rule to include the assignment of CEQA (California Environmental Quality Act) matters.
- Rule 2.9 Assignment of Proceedings to Writs and Receivers Departments – Central District
Amend rule to update case assignments.
- Rule 3.5 Time for Hearings
Amend rule to update the time frame of when motions and proceedings are heard.
- Rule 5.3 Session Hours and Calendaring
Amend rule to include information on remote appearances for hearings and update the filing process for *ex parte* applications.
- Rule 5.17 Default or Uncontested Judgment by Affidavit
Amend rule to delete part of subsection (3) regarding service of declaration of disclosure.
- Rule 8.3 Bail Matters
Amend rule to update subsection (b) regarding bail schedule deviation.

The proposed amendments were reviewed and approved by both the Los Angeles Superior Court's Rules Committee and Executive Committee. Comments must be submitted via email at localrulescomments@lacourt.org no later than 4:00 p.m. on **October 30, 2023**.

View LASC Local Rules at <http://www.lacourt.org>

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1 2.8 ASSIGNMENT OF MATTERS IN CENTRAL DISTRICT– CIVIL DIVISION

2 Subject to the authority of the Presiding Judge to apportion the work of the court, the following
3 actions, proceedings, and procedures are assigned in the CENTRAL DISTRICT (Stanley Mosk
4 Courthouse) as follows. These assignments do not apply to matters heard in the other districts or in the
5 Complex Litigation departments.

6 (a) Writs of Attachment and Possession, Unlimited Civil Cases

Application for pre-judgment writ of attachment and writ of possession matter, whenever made	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Application for post-judgment writ of attachment and writ of possession matter	Department where case is assigned

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8 (b) Injunctive Relief, Unlimited Civil Cases

<i>Ex parte</i> application for a temporary restraining order, or an application for an order to show cause re preliminary injunction, made after the first scheduled date for an initial status conference or case management conference	Department where case is assigned
<i>Ex parte</i> application for a temporary restraining order, or an application for an order to show cause re preliminary injunction, made before the first scheduled date for an initial status conference or case management conference in the direct calendar court	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
<i>Ex parte</i> application for an order shortening time for hearing on a motion for a preliminary injunction, made after the first scheduled date for an initial status conference or case management conference	Department where case is assigned
<i>Ex parte</i> application for an order shortening time for hearing on a motion for a preliminary injunction, made before the first scheduled date for an initial status conference or case management conference in the direct calendar court. If the application for shortened time is granted, the motion for preliminary injunction shall be heard in the pertinent writs and receivers department	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
<i>Ex parte</i> application or noticed motion for injunctive relief in a Personal Injury Action, whenever made	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Noticed motion for a preliminary injunction, whenever made	Department where case is assigned
Noticed motion or <i>ex parte</i> application to dissolve or modify a preliminary injunction, made after the first scheduled date for an initial status conference or case management conference	Department where case is assigned

9 (c) Receivers, Unlimited Civil

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<i>Ex parte</i> application or noticed motion for appointment of a receiver and all matters pertaining to the receivership, made post-judgment	Department where case is assigned
<i>Ex parte</i> application or noticed motion for appointment of a receiver and all matters pertaining to the receivership, whenever made pre-judgment	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
<i>Ex parte</i> application or noticed motion for appointment of a receiver in a Personal Injury Action, whenever made	Department 82, 85, or 86 <i>See</i> Local Rule 2.9

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(d) Special Proceedings, Unlimited Civil

Cemetery, petition to replat or vacate (Health & Saf. Code, §§ 8701-8715)	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
CEQA, petition for writ of mandate (Pub. Res. Code, § 21000 <i>et seq.</i>), including all requests for a temporary restraining order, preliminary injunction, or other provisional remedy	Judge to whom the case is assigned for all purposes by Department 1 as master calendar court <i>See</i> Local Rule 3.232
Common interest development, petition to reduce votes required to amend declaration of covenants and restrictions (Civ. Code, § 4275)	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
Contempt, direct	Department where case is assigned <i>See</i> Local Rule 3.11
Contempt, indirect	Department where case is assigned <i>See</i> Local Rule 3.11
Corporations, involuntary winding up of corporation after a decree or stipulation of winding up (Corp. Code, § 1805)	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
Corporations, petition to obtain order of involuntary dissolution (Corp. Code, § 1804), and petition to fix value of shares (Corp. Code, § 2000) (<i>See</i> below for general partnership, limited liability company, and limited partnership)	Direct calendar court
Corporations, petition to take jurisdiction over voluntary winding up (Corp. Code, § 1904)	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
Director, petition to appoint provisional director (Corp. Code, §§ 308 and 1802)	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
Director, petition to determine election (Corp. Code, §§ 709, 5617, 7616, and 9418)	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
General partnership, application for judicial supervision of winding up (Corp. Code, § 16803)	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
General partnership, petition to obtain order of dissolution (Corp. Code, §16801)	Direct calendar court

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Insurance company, insolvency proceedings	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Late claim proceeding (Gov. Code, § 946.6), where the underlying case has been filed and is pending	Department where case is assigned
Late claim proceeding (Gov. Code, § 946.6), where the underlying case has not been filed	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Law practice, assumption of jurisdiction over (Bus. & Prof. Code, §§ 6126.3, 6180.2, and 6190)	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Limited liability company, petition to obtain order of dissolution (Corp. Code, § 17707.03), and petition to fix value of shares (Corp. Code, § 17707.03)	Direct calendar court
Limited liability company, winding up after order of dissolution (Corp. Code, §17707.04)	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Limited partnership, petition to dissociate limited or general partner, and petition to dissolve limited partnership (Corp. Code, §§ 15906.1, 15906.03, 15908.02)	Direct calendar court
Limited partnership, winding up after order of dissolution (Corp. Code, §15908.03)	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Mandate, petition for writ of (except where assigned to the Appellate Division by these rules)	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Prohibition, petition for writ of (except where assigned to the Appellate Division by these rules)	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Public Records Act proceeding, and reverse Public Records Act proceeding	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Quo Warranto, petition for writ of	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Review, petition for writ of (except where assigned to the Appellate Division by these rules)	Department 82, 85, or 86 <i>See Local Rule 2.9</i>
Other special proceedings not listed above	Direct calendar court

11 (e) Supplemental and Miscellaneous Proceedings

Eminent Domain for all purposes, including post-judgment motion to enforce the judgment and application to withdraw funds on deposit after the case has been closed	Direct calendar court
Enforcement of judgment proceedings, including: - Application for post-judgment examination hearing; - Charging order; - Claim of exemption hearing; - Court order for sale for real property pursuant to writ of execution; - Debtor examination hearing (unlimited civil); - Hearing on third party claim pursuant to writ of execution; - Motion for appointment of a receiver after judgment; - Motion for assignment order; - Third party examination hearing; and	Department where case is assigned

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- Any other proceeding under Code of Civil Procedure sections 680.010 – 720.800	
Escheat, hearing on petition for relief	Department where case is assigned
Gender change for adult, petition and hearing - with issuance of new birth certificate (<i>See also</i> name change for adult)	Courtroom(s) assigned to the Assistant Supervising Judge(s) of the Civil Division at the Stanley Mosk Courthouse
Gender change for minor, petition and hearing - with issuance of new birth certificate (including optional name change)	Courtroom(s) assigned to the Assistant Supervising Judge(s) of the Civil Division at the Stanley Mosk Courthouse
Guardian <i>ad litem</i> appointment	Department 25 or 26, Spring Street Courthouse, except for complex cases, which are handled by the Complex Department where case is assigned
Long cause trial (20 or more days of testimony)	Department where case is assigned, but may be transferred to the Supervising Judge of the Civil Division for assignment to a long cause trial department
Name change, petition and hearing (<i>See also</i> gender change for minor)	Courtroom(s) assigned to the Assistant Supervising Judge(s) of the Civil Division at the Stanley Mosk Courthouse
Name change for adult, petition and hearing - with recognition of change of gender and issuance of new birth certificate	Courtroom(s) assigned to the Assistant Supervising Judge(s) of the Civil Division at the Stanley Mosk Courthouse
Newspaper, petition to establish standing	Direct calendar court
Publication of summons, application and order for	Department where case is assigned
Service on Secretary of State of summons on corporation, application and order for (Corp. Code, §1702)	Department where case is assigned
Voter information, petition to declare confidential (Elec. Code, §2166)	Department 1

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(f) Limited Civil and Small Claims Cases and Proceedings
(Including Small Claims Appeals and Unlawful Detainer Cases)

Appeal of administrative hearing (including parking appeal)	Department 25 or 26 Spring Street Courthouse
Assignment orders, application for	Department 25 or 26 Spring Street Courthouse

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Claim of exemption hearing	Department 25 or 26 Spring Street Courthouse
Claim of exemption hearing (unlawful detainer)	Department where case is assigned
Dissolve or modify preliminary injunction, motion to	Department where case is assigned
<i>Ex parte</i> application (limited civil)	Department 25 or 26 Spring Street Courthouse
<i>Ex parte</i> application (unlawful detainer)	Department where case is assigned
Law and motion (limited civil)	Department 25 or 26 Spring Street Courthouse
Minor's compromise hearing	Department 25 or 26 Spring Street Courthouse
Non-unlawful detainer default prove-up	Department 25 or 26 Spring Street Courthouse
Post-judgment debtor and third party examination	Department 25 or 26 Spring Street Courthouse
Publication of summons, application and order for	Department 25 or 26 Spring Street Courthouse
Receiver, post-judgment application for appointment of	Department 25 or 26 Spring Street Courthouse
Receiver, pre-judgment, application for appointment of	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
Service on Secretary of State of summons on corporation, application and order for (Corp. Code, §1702)	Department 25 or 26 Spring Street Courthouse
Small claims trial and appeal	Department 90 and Department 1A
Third party examination hearing	Department 25 or 26 Spring Street Courthouse
Third party examination hearing (unlawful detainer)	Department where case is assigned
Unlawful detainer law and motion	Department where case is assigned
Waiver of court fees and costs, limited, application for	Department where case is assigned
Waiver of court fees and costs, small claims, application for	Department 1A or 90
Writ of attachment proceeding	Department 82, 85, or 86 <i>See</i> Local Rule 2.9
Writ of possession proceeding	Department 82, 85, or 86 <i>See</i> Local Rule 2.9

14 (Rule 2.8 [as Rule 2.7 7/1/2011, 12/21/2011, 1/1/2012, 7/1/2012, 5/17/2013, 7/1/2014,
15 7/1/2015, 1/1/2017, 7/1/2017, 7/1/2018, 1/1/2019, 1/1/2020, 7/1/2020, 1/1/2021, 1/1/2022])
16 amended and effective _____)

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1 2.9 ASSIGNMENT OF PROCEEDINGS TO WRITS AND RECEIVERS DEPARTMENTS –
2 CENTRAL DISTRICT

3 Subject to the authority of the Presiding Judge to apportion the work of the court, the following
4 actions, proceedings, and procedures are assigned in the CENTRAL DISTRICT (Stanley Mosk
5 Courthouse) as follows. These assignments do not apply to matters heard in the other districts or in the
6 Complex Litigation departments.

7 Matters assigned to Department 82, 85, or 86 (the “writs and receivers departments”) for all
8 purposes pursuant to Local Rule 2.8 will be assigned by the clerk at the time of filing, using a random
9 system to ensure that no party or person can control or determine the department to which a case will
10 be assigned.

11 Certain applications/motions (provisional remedies) in cases assigned for all purposes to an
12 unlimited civil direct calendar court in the Stanley Mosk Courthouse are heard in a writs and receivers
13 department pursuant to Local Rule 2.8. The provisional remedy matter will be heard in Department 85
14 if the case number ends in 1, 2, **or** 3, ~~or 4,~~ in Department 86 if the case number ends in **4,** 5, 6, or 7,
15 and in Department 82 if the case number ends in 8, 9, or 0. Where two or more cases have been ordered
16 related pursuant to Local Rule 3.3(f), the writs and receivers department assigned to the lowest
17 numbered case will hear the provisional remedy matters for the related cases.

18 (Rule 2.9 [as Rule 2.7 7/1/2011, 12/21/2011, 1/1/2012, 7/1/2012, 5/17/2013, 7/1/2014, 7/1/2015,
19 1/1/2017, 7/1/2017, 7/1/2018, 1/1/2019, 1/1/2020] amended and effective _____)

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1 5.3 SESSION HOURS AND CALENDARING

2 **(a) Remote Appearances for Hearings:**

3 **(1) The court may permit in-person or remote hearing appearances for parties as**
4 **defined in Family Code section 6303 and witnesses for domestic violence and other restraining**
5 **order matters.**

6 **(2) All other remote appearances are pursuant to California Rules of Court, rule**
7 **3.672.**

8 **(3) Information for registering and appearing remotely for court hearings is**
9 **available on the court's public website or by contacting the court's self-help center.**

10 **(a)** Ex Parte Application. An *ex parte* application and order, including notice thereof, must
11 comply with California Rules of Court, rules 5.151-5.169, except for good cause shown or as otherwise
12 provided by law. In a Domestic Violence Prevention Act proceeding, an application may be made
13 without notice pursuant to Family Code section 6300.

14 (1) Restraining Order Ex Parte Application. An ~~Ex Parte~~ application for temporary
15 restraining order or other order under the Domestic Violence Prevention Act (Fam. Code, § 6200 *et*
16 *seq.*) and other *ex parte* application for temporary restraining order in a matter specifically assigned to
17 the Family Law Division may be **either electronically filed 24 hours a day or physically delivered**
18 **to the clerk's office in any district courthouse necessary to ensure the safety of the requesting**
19 **party. Applications for a temporary restraining order or other order under the Domestic**
20 **Violence Prevention Act filed on a court day before 3:00 p.m. will be ruled on the same day.**
21 **Applications filed on a court day after 3:00 p.m. or on a non-court day will be ruled on the next**
22 **court day.** ~~presented to the department designated for such purpose by the court on any court day from~~
23 ~~8:30 a.m. until 11:30 a.m., and from 1:30 p.m. until 3:30 p.m.~~

24 (2) Family Law Ex Parte Application:

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25 (A) Timing. A party bringing an *ex parte* application on a ground other than
26 specified in subsection ~~(a)~~(b)(1) above, for which notice was provided, must ~~present it for filing~~ **file**
27 **the application** before 10:00 a.m. ~~on~~ the day for which notice was provided. If notice was not
28 provided, a party must ~~present~~ **file** the application ~~for filing~~ before 10:00 a.m. ~~on~~ the day on which
29 the applicant seeks the order.

30 (B) Presentation of Application. A party must ~~present~~ **file** the *ex parte*
31 application ~~for filing in the Clerk's Office~~ **electronically or by physically delivering it to the clerk's**
32 **office** of the district courthouse to which the case is assigned ~~through the Clerk's Office's resource~~
33 ~~account, by fax filing, by drop box filing or by physical delivery (advance appointment is necessary).~~

34 (C) Opposition. A party must ~~present for filing~~ **file** any papers in opposition to
35 the *ex parte* application before 10:00 a.m. ~~on~~ the day for which notice was provided. **The opposition**
36 **papers must be filed electronically or by physically delivering them to** ~~in the Clerk's Office~~ of
37 the district courthouse to which the case is assigned ~~through the Clerk's Office's resource account, by~~
38 ~~fax filing, by drop box filing or by physical delivery (advance appointment is necessary). The deadline~~
39 ~~for filing opposition to an ex parte application for which no notice was given will be determined by~~
40 ~~the court. A party opposing an ex parte application who does not present a written opposition may~~
41 ~~request a hearing by 10:00 a.m.~~

42 (D) Hearing. The court may make emergency orders based on the documents
43 submitted or may set a hearing before ruling on an *ex parte* application. The court will provide
44 reasonable notice of such hearing to permit in-person or remote appearances.

45 (E) Service. A party bringing an *ex parte* application and a party providing
46 written opposition must serve the papers on the other party or on the other party's attorney at the first
47 reasonable opportunity.

48 ~~(b)~~ Calendar A Noticed Motion and Trial

49 (1) Request for Order and Other Noticed Motion: A request for an order and other
50 motion hearings are **generally** set at 8:30 a.m. on court days not otherwise reserved for trials or other
51 proceedings, unless otherwise ordered by the court. At the time of presenting the request or other

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52 motion, the filing clerk will set the matter in the assigned department only on the days available
53 therefor. The moving papers must include on the face page and caption of form FL-300 the exact
54 nature of the request for order or other non-Family Code request that is included in the request or
55 motion.

56 (2) Trials and Family Code Section 217 Hearings: The department to which the case
57 is assigned will set trial, a Family Code section 217 hearing, and related proceedings pursuant to Local
58 Rule 5.13 at times and days available in that department.

59 (Rule 5.3 [7/1/2011, 1/1/2012, 5/17/2013, 1/1/2014, 7/1/2017, 7/1/2020, 11/2/2020]
60 amended and effective _____)

