

# **SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALPINE**



## **LOCAL RULES OF COURT**

EFFECTIVE JULY 1, 2024

[Proposed]

**LOCAL RULES OF COURT  
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALPINE**

**Adoption and Applicability of Rules**

The judges of Alpine County Superior Court have formally adopted Local Rules of Court effective July 1, 2024. Unless otherwise noted, rules are applicable to all cases including cases of limited jurisdiction.

**Filing Instructions**

These Local Rules supersede all other local rules previously adopted by the Alpine County Superior Court.

**Availability of Local Rules**

Copies of the Local Rules of the Alpine County Superior Court have been filed with the Judicial Council and the Clerk of the Court, in accordance with California Rules of Court Rule 10.613 and Government Code section 68071. Copies of the Local Rules may be purchased from the Clerk of the Court at 14777 State Route 89, Markleeville, CA 96120.

**Certification of Presiding Judge**

I, Richard D. Meyer, Presiding Judge of the Alpine County Superior Court, do hereby certify that this Court has complied with the applicable provisions of California Rules of Court Rule 10.613.

DATED: \_\_\_\_\_

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Hon. RICHARD D. MEYER  
Presiding Judge

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ANN GRETH  
Court Executive Officer

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**EFFECTIVE DATE OF LOCAL RULES**  
**JULY 1, 2024**

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**LOCAL FORMS**

The court has adopted the following local forms. All local forms are available on the court’s website: [www.alpine.courts.ca.gov/forms-filings/local-forms](http://www.alpine.courts.ca.gov/forms-filings/local-forms)

Local Forms- By Number

Division	Form Number	Name	Mandatory or Optional
CRIMINAL	ALP-CR-001	Request to be Placed on Court’s Calendar (Misdemeanor/ Felony)	Optional
CRIMINAL	ALP-CR-002	Request for Remote Appearance (Misdemeanor/ Felony)	Optional
TRAFFIC	ALP-TR-001	Certificate/ Proof of Correction	Optional
TRAFFIC	ALP-TR-002	Request to Attend Traffic School and Order	Optional
TRAFFIC	ALP-TR-003	Request for Traffic Court Trial	Optional
TRAFFIC	ALP-TR-004	Request for Continuance of Traffic Court Trial and Order	Optional

Local Forms – By Name

Division	Form Number	Name	Mandatory or Optional
TRAFFIC	ALP-TR-001	Certificate/ Proof of Correction	Optional
TRAFFIC	ALP-TR-004	Request for Continuance of Traffic Court Trial and Order	Optional
CRIMINAL	ALP-CR-002	Request for Remote Appearance (Misdemeanor/ Felony)	Optional
TRAFFIC	ALP-TR-003	Request for Traffic Court Trial	Optional
TRAFFIC	ALP-TR-002	Request to Attend Traffic School and Order	Optional
CRIMINAL	ALP-CR-001	Request to be Placed on Court’s Calendar (Misdemeanor/ Felony)	Optional



**GENERAL INFORMATION ABOUT THE ALPINE COUNTY SUPERIOR COURT**

The court is located in a remote mountain region which experiences severe winter weather resulting in hazardous driving conditions and road closure. Travel during other seasons is subject to lengthy delays due to road repair activities. The court will make accommodations for unforeseen circumstances making it unreasonably difficult to attend or timely appear for scheduled court sessions. However, all persons with business in the court must anticipate that such conditions may impede travel and are advised to plan accordingly for appearances and the attendance of witnesses. Consideration should be given to travel in advance of the day attendance is required. Lodging is available but limited locally. The Alpine County Chamber of Commerce may be contacted at 530-694-2475 for referral to local and regional facilities.

**CHAPTER 1: GENERAL COURT RULES**

**RULE 1. CONSTRUCTION OF RULES; FAILURE TO COMPLY**

**RULE 1.1. CITATION OF RULES**

These rules shall be known and cited as the Alpine County Superior Court Local Rules; they are supplementary and subject to any and all rules effective by the Judicial Council and statutes of this state. *Eff. 1/1/2007*

**RULE 1.2. CONSTRUCTION OF RULES**

These rules shall be liberally construed to promote the orderly and efficient administration of justice. Unless otherwise dictated by context, definitions of terms found in the California Rules of Court shall control construction of terms in these rules. Hereinafter “CRC”. *Eff. 1/1/2007*

**RULE 1.3. REFERENCES TO COURT**

All references to “the court” or “this court” are to the Alpine County Superior Court. *Eff. 1/1/2007.*

**RULE 1.4. FAILURE TO COMPLY**

Failure to comply with any of these rules may result in the imposition of sanctions pursuant to CRC Rule 2.30, Code of Civil Procedure (hereinafter “CCP”) sections 177.5 and/or 575.2. *Amd. eff. 1/1/2011, eff. 1/1/2007, amd. eff. 1/1/2008*

**RULE 1.5. CLERK OF THE SUPERIOR COURT – COURT EXECUTIVE OFFICER**

There shall be appointed a Court Executive Officer for the Superior Court of Alpine County who shall be selected by the Presiding Judge in consultation with his/her colleague and by agreement of the Superior Court Judges and who shall serve at the pleasure of said judges. The Executive Officer shall also serve as Clerk of the Superior Court and Jury Commissioner. The Court Executive Officer shall be directly responsible for all matters relating to the administration of the court and has ultimate responsibility, under the direction of the Presiding Judge of the court, for planning, organizing, and directing the non-judicial activities of the court. The Court Executive Officer shall be responsible for the operation of the Alpine County Superior Court and shall perform those duties set forth in CRC, Rule 10.610. *Eff. 1/1/2011*

**RULE 1.6. COURT WEBSITE**

The court maintains an official internet website located at [www.alpine.courts.ca.gov](http://www.alpine.courts.ca.gov). The official website contains information regarding local rules of court, fee schedule, trial dates, jury duty, grand jury, court calendar, history, facilities, workload, community outreach, family violence, self-help services, job postings, and the Americans with Disabilities Act. Links are provided to the Alternative Dispute Resolution Program, California Courts, DMV, and online payments. *Eff. 1/1/2011*

**RULE 1.7. REMOTE APPEARANCES**

The purpose of this rule is to facilitate greater access to court proceedings and to promote court efficiency while respecting litigants' due process.

“Remote appearances” refers to appearances by video, audio, or audio alone upon request.

“Party” is any person appearing in an action and that person’s counsel, as well as any necessary nonparty participants in the proceeding including, without limitation, witnesses.

“Civil Cases” include all cases except criminal cases and petitions for habeas corpus. Examples include unlimited and limited civil actions, small claims, probate, unlawful detainer, restraining order, and family law matters.

“Evidentiary hearing”: An “evidentiary hearing or trial” is any proceeding at which oral testimony may be presented.

“Non-evidentiary proceeding”: Any proceeding other than an evidentiary hearing.

Notwithstanding the rules set forth below regarding remote appearances, the court retains the discretion to require any person to appear in person if it determines an in-person appearance would materially assist in the determination of the proceeding or in the effective management or resolution of the case.

**RULE 1.7.1 CIVIL CASES (NON-EVIDENTIARY HEARINGS):** Parties will be permitted to appear remotely for all case management conferences, trial setting conferences, law and motion matters, status review hearings, hearings to review the dismissal of an action, petitions for gun violence restraining orders, and any other non-evidentiary hearings, conferences, or proceedings other than those matters specifically excluded under CCP section 367.76 and Welfare and Institutions Code section 679.5 (hereinafter “W&I”).

- A.** Notice: A party who elects to appear remotely must file with the court *Notice of Remote Appearance* (California Judicial Council form RA-010) at least three (3) court days prior to the scheduled hearing. Notice to other parties must also be provided at least two (2) court days prior to the hearing and can be accomplished electronically via text, email, orally, or any other means reasonably calculated to ensure notice is provided. If a party does not meet these deadlines, they may still request permission to appear remotely. The court retains discretion to allow parties to appear remotely.

**RULE 1.7.2 CIVIL CASES (EVIDENTIARY HEARINGS) INCLUDING UNLAWFUL DETAINER AND SMALL CLAIMS MATTERS:** Upon its own motion or the motion of any party, the court may permit a non-jury trial or other evidentiary hearing to be conducted, in whole or in part, through the use of remote technology.

- A.** Notice: The court, intending to conduct an evidentiary hearing or non-jury trial remotely, must provide notice to all parties who have appeared in the action and entitled to notice of the proceedings at least ten (10) court days before the hearing.

A party requesting to appear remotely at an evidentiary hearing or trial must file with the court *Notice of Remote Appearance* (California Judicial Council form RA-010) at least fifteen (15) court days before the hearing or trial date unless the court authorizes a shorter notice period. Notice to other parties must also be provided at least ten (10) court days prior to the hearing and can be accomplished electronically via text, email, orally, or any other means reasonably calculated to ensure notice is provided.

- B.** Filing and serving opposition: In response to notice of a remote proceeding for an evidentiary hearing or non-jury trial a party may make a showing to the court as to why the court should deny a remote appearance or remote testimony should not be allowed by serving and filing an Opposition to Remote Proceeding at Evidentiary Hearing or Trial (California Judicial Council form RA-015) by:

At least five (5) court days before the proceeding if for an evidentiary hearing or trial for which a party gives or receives at least fifteen (15) days' notice; or

At least noon the court day before the proceeding if for an evidentiary hearing or non-jury trial for which a party gives or receives less than fifteen (15) court days' notice. If a party does not meet these deadlines, they may still request permission to appear remotely.

- C.** Submission of evidence in remote proceedings: The parties shall electronically submit a list of any documents and photos they seek to admit into evidence, as well as copies of the items themselves. The evidence list and all documents and photos must be mailed and received by the court at least five (5) court days before the scheduled hearing, unless a shorter period is authorized by the court.

**RULE 1.7.3 CRIMINAL PROCEEDINGS:**

- A.** Infractions (Traffic citations and other infractions): Proceedings in infraction matters, including arraignments and trials, may be conducted remotely. The Court will consider a defendant's objection to proceeding remotely for a trial or hearing if the objection is received by the court at least five (5) days before the scheduled hearing or trial.
- B.** Misdemeanors: Defendants and/or their attorney may appear remotely in non-evidentiary misdemeanor proceedings subject to the court's discretion to require any person to appear in person if it determines that an in-person appearance would materially assist in the determination of the proceeding or in the effective management or resolution of the case. Leave of court is required for defendants and/or their attorney to appear remotely at evidentiary hearings in misdemeanor proceedings.
- C.** Felony matters: Unless otherwise authorized by the court, defendants and their attorney are required to personally appear at arraignments on a criminal complaint, arraignments on information, arraignments on a violation of probation, violation of

parole/(PRCS) petitions, sentencing hearings, and at all evidentiary proceedings. Defendants and/or their attorney may appear remotely at non-evidentiary felony proceedings not listed above, subject to the court's discretion to require any person to appear in person if it determines that an in-person appearance would materially assist in the determination of the proceeding or in the effective management or resolution of the case.

**RULE 1.7.4 JUVENILE DEPENDENCY PROCEEDINGS (W&I 300):**

Any juvenile dependency proceeding may be conducted as a remote proceeding subject to the discretion of the court to require personal appearances and the following conditions:

**A.** "Parties" as defined below must file with the court a Request to Appear Remotely (California Judicial Council form RA-025) no later than three (3) court days prior to the scheduled hearing. The court may authorize a shorter filing period.

"A party" for the purposes of this subdivision includes any of the following and that person's counsel:

- a) A child or nonminor dependent subject to the proceeding;
- b) Any parent, Indian custodian, or guardian of a child subject to the proceeding;
- c) The social worker who filed the petition to commence the juvenile dependency proceedings on behalf of the county child welfare department;
- d) The tribe of an Indian child subject to the proceeding if the tribe has intervened; and
- e) A de facto parent of a child subject to the proceeding to whom the court has granted party status.

**B.** If the court authorizes remote appearances, any person authorized by the court to be present, other than witnesses offering sworn testimony, may appear remotely without submitting a request.

**C.** Witnesses must appear in person unless all parties to the proceeding have consented to the witness' remote appearance.

**D.** A request for remote appearance by a witness must be made in writing by counsel for the party calling the witness or, if the party does not have counsel, by the party, by filing the request with the court and serving a copy of the request on counsel for all other parties; or, if a party does not have counsel, on the party by any means authorized by law reasonably calculated to ensure receipt no later than close of business three (3) court days before the proceeding.

- E. Any party may ask the court to compel the physical presence of a witness or a party by filing the request in writing with the court and serving a copy of the request on counsel for each party by any means authorized by law reasonably calculated to ensure receipt no later than close of business day two (2) court days before the proceeding. Request to Compel Physical Presence – Juvenile Dependency (California Judicial Council form RA-030) may be used for this purpose.
- F. The court may require any person to appear in person if the court determines that an in-person appearance would materially assist in the determination of the proceeding or, in the effective management or resolution of the case; or, the court cannot ensure that the person’s remote appearance will have the privacy and security necessary to preserve the confidentiality of the proceeding; or, a remote appearance by the person is likely to cause undue prejudice to a party.

**RULE 1.7.5 JUVENILE JUSTICE PROCEEDINGS: (W&I sections 601 and 602)**

A minor has a right to be physically present in any juvenile justice proceeding and the right to the physical presence of defense counsel, any prosecution witnesses who are called to testify, and the judicial officer.

A minor, in consultation with counsel, may waive their right to be physically present and may elect to proceed remotely. The court shall take the waiver on the record, but the waiver may be taken remotely. If the minor waives their right to be physically present, the minor, in consultation with counsel, also may waive their right to physical presence of persons identified above.

If the minor is physically present in court, defense counsel shall be physically present absent exceptional circumstances and subject to the express waiver of the minor. If a minor waives their right to be physically present and appears remotely, defense counsel may also appear remotely.

If, at any time during a remote proceeding, the court determines that an in-person appearance is necessary, the court may require such an appearance and continue the matter for only a period of time that is necessary to ensure the party or witness is physically present.

A minor's parent or guardian may appear through remote technology, subject to the court's authority to require the person to be physically present.

A minor retains the same constitutional rights as a criminal defendant to confront and cross-examine witnesses.

The court shall not require any party or witness to appear through the use of remote technology. *Eff. 7/1/2024*

## **CHAPTER 2: FAIRNESS AND ACCESS RULES**

### **RULE 2. FAIRNESS, ACCESS, FACILITIES AND OTHER CONSIDERATIONS FOR PERSONS WITH DISABILITIES**

#### **RULE 2.1. FAIRNESS**

To maintain integrity and impartiality of the judicial system the court will:

1. Ensure that all proceedings are conducted to be fair and impartial to all participants.
2. Ensure that all persons in and about the courtroom refrain from engaging in conduct that exhibits racial, gender, national origin, religious, or any other form of bias directed toward counsel, court personnel, witnesses, parties, jurors, or any other person or group.
3. Ensure that all orders, rulings, or decisions are based on an objective balancing of competing rights and interests in consideration of applicable law, through the exercise of sound judgment and judicial discretion, without influence of race, gender, national origin, religion, or any other form of bias.

*Amd. 7/1/2024; Eff. 1/1/2007*

#### **RULE 2.2. ACCESS**

The courthouse is a historic building lacking in access and facilities to accommodate all persons with disabilities. The court does not discriminate on the basis of disability with respect to admission to, access to, or the operations of its hearings, programs, services, benefits or activities. Disabled persons wishing to request accommodations may do so by notifying the court or completing Judicial Council Form MC-140, Request for Accommodations by Persons with Disabilities and Order, and sending it to the Court Executive Officer, PO Box 518, Markleeville, CA 96120, or by facsimile at 530-694-2119. Upon notice and request to accommodate persons with disabilities, the court will provide such assistance or arrangement as may be appropriate and reasonable, including, without limitation, moving sessions of the court to a more suitable alternate location. *Amd. eff. 1/1/2011; eff. 1/1/2007*

**RULE 2.3. REFERENCES TO COUNSEL/ATTORNEY**

All references to attorney or counsel shall also refer to self-represented persons. These rules shall apply equally to self-represented persons. *Amd. 7/1/2024; Eff. 1/1/2007*

**CHAPTER 3: OPERATIONAL RULES**

**RULE 3. GENERAL MATTERS CONCERNING COURT OPERATION**

**RULE 3.1. [REPEALED 2010]**

*Repealed eff. 1/1/2010; eff. 1/1/2007 The repealed rule related to the Regular Sessions of the Court, Calendars, and Assignment of Judges.*

**RULE 3.2. [REPEALED 2008]**

*Repealed eff. 1/1/2008; eff. 1/1/2007 The repealed rule related to deviation from regular scheduling for convenience.*

**RULE 3.3. [REPEALED 2010]**

*Repealed eff. 1/1/2010; eff 1/1/2007 The repealed rule related to Long Cause Matters – Special Setting.*

**RULE 3.4. [REPEALED 2010]**

*Repealed eff. 1/1/2010; eff. 1/1/2007 The repealed rule related to the Assignment of Judges – Code of Civil Procedures §170.6.*

**RULE 3.5. EX-PARTE APPLICATIONS**

The court does not reserve a specific day or time for hearing of ex-parte applications and such matters may be set by contacting the Clerk’s office. At a minimum, notice shall be given as provided by the CRC and any applicable statute. This local rule does not apply to ex-parte applications for domestic violence or civil harassment restraining orders, elder or dependent adult protective orders, applications in criminal proceedings for the confidential appointment of experts or investigators, or as otherwise provided by law. *Eff. 1/1/2007*

**RULE 3.6. TRIAL SESSIONS, LOCATION, AND JUROR AVAILABILITY**

All criminal jury trials will be regularly scheduled for a two-week period each quarter of the year, the schedule of which for the following year will be available in the clerk’s office on or about each October 1. Time requirements in criminal matters and other extraordinary circumstances may result in alternate scheduling. Criminal court trials will be specially set. All



civil jury trials are subject to special setting so as not to conflict with quarterly criminal jury trials. Jurors in the Bear Valley area are exempt from jury service when Highway 4 is closed. The court endeavors to minimize juror inconvenience and to achieve the “one day/one trial” goals of CRC Rule 2.1002. *Amd. 7/1/2024; eff. 1/1/2007; amd. eff. 1/1/2010; amd. eff. 1/1/2011*

### **RULE 3.7. REPORTING OF PROCEEDINGS**

The court shall provide a court reporter in all matters statutorily required (possible death penalty cases per Penal Code section 190.9(a)(1)(hereinafter “PC”); juvenile cases per W&I sections 347, 677; Grand Jury criminal indictments per PC section 938; felony trial on the merits where appeal is likely per CCP section 369(c)). Pursuant to CRC Rule 2.956, official court reporters are normally available for all felony and misdemeanor criminal proceedings as well as juvenile proceedings. Reporters are normally available for Domestic Violence Prevention Act Restraining Orders, Gun Violence Restraining Orders, and Civil Harassment Restraining Orders.

In accordance with Government Code (hereinafter “GC”) section 68086 and CRC Rule 2.956, when a party requests a court reporter and the reporter is not required by the foregoing or by statute to report the court proceedings, such party shall provide and pay for a certified court reporter.

The parties must arrange for reporting services in all civil matters and are responsible for payment of court reporter attendance fees. Any party requesting a transcript in any civil proceeding shall order and pay for such transcript directly with the court reporter.

Pursuant to CRC Rule 2.952 and as permitted by GC § 69957, the Alpine County Superior Court will utilize electronic recording technology as the official reporting service for infractions, and upon order of the court, in misdemeanor and limited civil proceedings. For infraction appeals where the appellant elects to proceed with a transcript of the oral proceedings, the appellant shall bear the cost for preparation of the transcript and copies. *Amd. 7/1/2024; eff. 1/1/2007; prev amd. eff. 1/1/2011*

**RULE 3.7.1** Recording of proceedings, other than by an official court reporter, is prohibited, absent judicial permission. *Eff. 7/1/2024*

### **RULE 3.8. FACSIMILE FILINGS AND SERVICE**

**RULE 3.8.1** Facsimile (Fax) filing and service of documents shall comply with CRC Rule 2.300 et seq, and these rules. Facsimile filings shall not exceed twenty (20) pages, inclusive of attachments. All fax filings shall be accompanied by the Facsimile Transmission Cover Sheet (California Judicial Council form MC-005) as the first page

transmitted, followed by any special handling instructions. Transmissions not received in their entirety by 4:30 PM will be filed the following day. It is the responsibility of the filing party to ensure that time-sensitive filings have been properly transmitted to be filed on a given day. The cost for fax filing is \$1.00 per page. A check made out to the Alpine County Superior Court should be placed in the mail, or payment should be submitted through the court's website, within twenty-four (24) hours. The Court does not permit parties to pay for fax filings directly with the court as specified in CRC Rule 2.304(e)(1). The Court's fax number is (530) 694-2119. *Amd. 7/1/2024; prev amd. 1/1/2010; eff. 1/1/2007*

**RULE 3.8.2. [REPEALED 2008]** *Repealed eff. 1/1/2009; eff. 1/1/2007 The repealed rule related to the filing of the original of any document filed by facsimile.*

**RULE 3.8.3** If a party wants copies of any fax-filed documents, the party must make their request on the Facsimile Transmission Cover Sheet. The court charges \$0.50 per page, plus postage. *Eff. 7/1/2024*

### **RULE 3.9      FILING PROCEDURES**

**RULE 3.9.1** A self-addressed, stamped envelope must be provided for the return of endorsed-filed copies. Documents forwarded without a return envelope will not be returned. *Eff. 7/1/2024*

### **RULE 3.10      UNIFORM COUNTYWIDE BAIL SCHEDULE**

The County of Alpine, having no jail facility, and utilizing the jail services of the County of El Dorado pursuant to agreement between the counties, adopts annually at the beginning of the calendar year as its uniform countywide bail schedule the uniform countywide bail schedule for the previous calendar year of the Superior Court of California, County of El Dorado. Notice is given to the parties specified in PC section 1269b(f). *Eff. 7/1/2024*

## **CHAPTER 4: COURTROOM DECORUM**

### **RULE 4.      COURTROOM DECORUM**

#### **RULE 4.1.      ATTIRE**

Attorneys shall be dressed in neat and appropriate business attire for all court appearances. Attorneys, litigants, witnesses, and spectators shall be required to dress and conduct themselves in a manner consistent with the traditional dignity of the superior court. All persons in the courtroom shall dress in a manner that is neither offensive nor distracting to

others of reasonable sensibilities. Attorneys shall so instruct parties they represent, witnesses they call, and persons accompanying them. No person shall appear in court without a shirt, barefoot or with a bare midriff. The following shall not be worn in court; sunglasses, hats, or any clothing that displays obscene, gang related, offensive, or inappropriate words or pictures. This rule applies to juveniles as well as adults. Allowance will be made for inclement weather which makes sensible the wearing of foul weather clothing. The bailiff may remove any person from court who violates this rule. *Amd. eff. 1/1/2011; eff. 1/1/2007*

#### **RULE 4.2. CONDUCT IN THE COURTROOM**

Each and every person present in the courtroom shall “maintain the respect due to the courts of justice and judicial officers” (Business and Professions Code section 6068(b)).

Persons in the courtroom shall not:

1. Talk to the clerk when court is in session, except conversation that may be directly related and necessary to the matter immediately before the court.
2. Converse with anyone in a manner that distracts from the proceedings then before the court.
3. Eat, drink, chew gum, read newspapers, repeatedly or needlessly click pens, jiggle coins or keys, or otherwise engage in disrespectful or distracting behavior.
4. No person other than involved attorneys and court personnel shall communicate with a prisoner without leave of the court. *Amd. eff. 1/1/2011; eff. 1/1/2007*

#### **RULE 4.3. USE OF THE COURTROOM AND COURTHOUSE**

**RULE 4.3.1.** It is the court’s general policy to permit attorneys and self-represented persons wide latitude in the use of the courtroom, including the well area between counsel tables and the bench. However, to minimize the potential for distraction and alleviate undue concern for security, persons desiring to move away from the counsel table are encouraged to seek prior approval of the court to do so and to utilize the bailiff to transmit documents or objects to the court or the clerk. In prolonged proceedings blanket approval for free movement about the courtroom, including approach to witnesses, may be sought by counsel. *Eff. 1/1/2007*

**RULE 4.3.2. [REPEALED 2008]** *The repealed rule related to firearms in the courtroom. Repealed eff. 1/1/2008; eff 1/1/2007*

**RULE 4.3.3. [REPEALED 2008]** *The repealed rule related to attorneys directing the witnesses to the clerk for administration of an oath. Repealed eff. 1/1/2008; eff 1/1/2007*

**RULE 4.3.4.** No attorney, self-represented person or witness in a proceeding shall approach or communicate with prospective or impaneled jurors, including alternates, regarding or referencing any subject of the pending matter or their potential or actual service as jurors, nor shall they engage said jurors in any conversation. *Amd. eff. 1/1/2008; eff 1/1/2007*

**RULE 4.4. REACTING TO PROCEEDINGS**

Persons in the courtroom shall not physically or audibly react with approval, disapproval, agreement, disagreement, pleasure, displeasure, or any other visible emotional display, to any testimony, statement of counsel, witnesses, court personnel or ruling of the court. *Eff. 1/1/2007*

**CHAPTER 5: CIVIL CASE RULES**

**RULE 5. CIVIL CASE MANAGEMENT**

**RULE 5.1. SCOPE**

This Rule applies to all general civil cases filed in the trial court except those specified in CRC Rule 3.712 (b), (c), and (d). *Amd. eff. 1/1/2011; eff. 1/1/2007.*

**RULE 5.2. DIFFERENTIAL CASE MANAGEMENT GENERALLY**

**RULE 5.2.1.** The court endeavors to achieve the disposition time goals set forth in CRC Rule 3.714. Generally, cases will be evaluated and given a designation as a Limited, Unlimited, or Exempt Exceptional case not later than the Initial Case Management Conference. Any party desiring a particular designation may file a Differential Case Management Request for Designation or Exemption setting forth the reasons for the request in consideration of the factors set forth in CRC Rule 3.715 and/or 3.400 before or with the Initial Case Management Conference Statement or at such other time as circumstances may warrant. *Amd. eff. 1/1/2010; eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 5.2.2. [REPEALED 2008]** *Rule 5.2.2 repealed eff. 1/1/2008; eff. 1/1/2007. The repealed rule related to designating a case as Expedited.*

**RULE 5.3. SERVICE OF PLEADINGS**

**RULE 5.3.1.** When returning conformed copies of a complaint, or cross complaint which names new parties, the clerk will also provide Notice of Initial Case Management Conference and blank Case Management Statement, both of which shall be served with the Summons and Complaint/Cross-Complaint. *Eff. 1/1/2007.*

**RULE 5.3.2.** Within sixty (60) days of the filing of a complaint or a cross-complaint which names new parties, service of the action on adverse parties must be effected and proof of service filed with the court. The filing of an amended complaint pursuant to CCP section 472 will begin anew the time for service. *Eff. 1/1/2007.*

**RULE 5.4. FAILURE TO FILE RESPONSIVE PLEADINGS; EXTENSION OF TIME TO RESPOND; DEFAULT AND DEFAULT JUDGMENT**

**RULE 5.4.1.** Unless an extension of time to respond is granted by the serving party as provided below, whenever any party served fails to respond within the time limits specified in CRC Rule 3.110, the plaintiff must file a request for entry of default within ten days after the time for service has elapsed. The court may issue an order to show cause why sanctions should not be imposed if the plaintiff fails to timely request entry of default pursuant CRC Rule 3.110. *Amd. eff. 1/1/2011; eff. 1/1/2007.*

**RULE 5.4.2.** Any party serving pleadings may grant to the party served one extension of time to respond, for a period not to exceed thirty days (30), without leave of court. The party granting an extension forthwith shall advise the court in writing of the extension and the due date for response. *Eff. 1/1/2007.*

**RULE 5.4.3.** Stipulations to set aside a default shall include a proposed order that includes a directive that the responding party shall file responsive pleadings by a date certain but not more than thirty (30) days after the date the order is signed. *Amd. eff. 1/1/2011; eff. 1/1/2007.*

**RULE 5.5. AMENDMENT OF PLEADINGS**

Motions to amend pleadings shall include a proposed order and proposed amended pleading designated as such for separate lodging with the court. The proposed order shall include, without limitation, findings necessary to support the order. *Amd. eff. 1/1/2011; eff. 1/1/2007.*

**RULE 5.6. CASE MANAGEMENT CONFERENCES**

**RULE 5.6.1.** Case Management Conferences will be conducted pursuant to CRC Rule 3.727. *Amd. eff. 1/1/2008; eff. 1/1/2007.*

**RULE 5.6.2.** In every general civil case not exempt under CRC Rule 3.721, an Initial Case Management Conference will be set by the Clerk within approximately one hundred and fifty (150) days of the filing of an action. The date set for the Case Management Conference shall be set forth in the Notice of Initial Case Management Conference. Subsequent conferences are subject to setting at any time at the discretion of the court. *Amd. eff. 1/1/2011; eff. 1/1/2007.*

**RULE 5.6.3.** Case Management Statements shall be filed by all parties at least five (5) days before a conference, and in the event of multiple conferences, shall accurately reflect all changes of circumstance since the previous conference. Pro forma Statements and inadequate preparation for and/or participation in conferences are disfavored. *Amd. eff. 1/1/2011; eff. 1/1/2007.*

**RULE 5.6.4.** Appearance by telephone for Case Management Conferences is permitted pursuant to CRC Rule 3.670, unless ordered otherwise by the court. Parties will refer to Local Rule 1.7 for telephonic or remote appearance information. *Amd. 7/1/2024 Amd. eff. 1/1/2011; eff. 1/1/2007; amd. eff. 1/1/2010.*

**RULE 5.6.5.** Parties to a matter defined in CRC Rule 3.735 as a short cause case shall immediately so advise the court and apply for exemption from case management rules pursuant to that Rule. *Amd. eff. 1/1/2011; eff. 1/1/2007; amd. eff. 1/1/2008.*

**RULE 5.7. LAW AND MOTION; PROPOSED ORDERS**

**RULE 5.7.1.** All motions shall include, in the Notice of Motion, an estimate of the amount of time the hearing will entail. The Notice of Motion shall include a proposed order designated as such for separate lodging with the court. Such proposed order shall include, without limitation, findings necessary to support the order. Matters which will take one-half hour or less may be set on any regular civil calendar, but will trail criminal, juvenile and all other matters previously set. Matters estimated to require more than one half hour will be specially set upon consultation with the Clerk before the motion is filed. The court does not regularly, but may, issue tentative decisions. Appearance by telephone for law and motion matters is permitted upon compliance with CRC Rule 3.670, unless ordered otherwise by the court. Parties will refer to Local Rule 1.7 for

telephonic or remote appearance information. *Amd 7/1/2024; eff. 1/1/2007; prev. amd. eff. 1/1/2008; prev. amd. eff. 1/1/2011.*

**RULE 5.7.2.** All motions and responses shall be accompanied by a proposed form of order. In the case of motion for summary judgment/adjudication, a proposed order for the denial of the motion shall specify the factual issues believed by the opposing party to be necessary for determination by a jury. *Eff. 1/1/2007.*

#### **RULE 5.8. SETTING CASES FOR TRIAL**

Court trials may be set upon the filing by any party of a Request for Trial Setting, to which other parties may respond within ten (10) court days, or at a Case Management Conference. Any such Request/Response shall estimate the number of days the matter reasonably is expected to take until the matter is submitted for decision. The Request shall indicate whether a jury or court trial is sought and shall include a statement that the proposed date has been confirmed by the Clerk to be available. All civil court trials will be specially set. *Amd. eff. 1/1/2011; eff. 1/1/2007; previously amd. eff. 1/1/2008.*

#### **RULE 5.9. SETTLEMENT CONFERENCES**

**RULE 5.9.1.** Except in short cause matters, approximately thirty (30) days before trial a mandatory settlement conference will be held. A Settlement Conference Statement shall be filed pursuant to CRC Rule 3.1380 and shall advise the court of all offers and counteroffers previously exchanged (pursuant to CCP section 998 or otherwise). Any party may submit a Confidential Addendum to the statement which will not be lodged in the file as a public document but will be kept under seal for use only by the settlement conference judge and not subject to inspection except upon order of the court. *Amd. eff. 1/1/2008; eff. 1/1/2007.*

**RULE 5.9.2.** Each party appearing in the action must personally appear at the Settlement Conference, or, upon application and order of the court, be immediately available and subject to reach at all times until the conference is concluded or the party excused by the judge presiding. Corporate and public entity parties shall be represented by a responsible employee who is authorized to make decisions without limit, subject only to approval of a governing board which has ultimate authority to make such decisions, and representatives of insurance companies providing coverage to parties shall have settlement authority to the limits of the coverage. *Eff. 1/1/2007.*

**RULE 5.10. JURY TRIAL: PRETRIAL MANAGEMENT CONFERENCE; MOTIONS IN LIMINE**

**RULE 5.10.1.** In the case of all jury trials, within approximately two (2) weeks preceding the trial date there will be a Pretrial Management Conference which will include preliminary consideration of motions in limine. Motions in limine and responses shall be filed, respectively, at least twenty (20) days and ten (10) days before the conference. At least ten (10) days before the conference there shall be filed a Pretrial Management Conference Statement which includes the following: *Amd. eff. 1/1/2011; eff. eff. 1/1/2007.*

**(A)** Proposed statement of the case to be read to the jury; joint statements are encouraged. *Rule 5.10.1. (A) re-lettered eff. 1/1/2011; eff. as rule 5.10.1. (1) eff. 1/1/2007.*

**(B)** Witness list, including estimated length of each witness's appearance and the anticipated order of witnesses. *Rule 5.10.1. (B) re-lettered eff. 1/1/2011; eff. as rule 5.10.1. (2) eff. 1/1/2007.*

**(C)** Exhibit list with proposed numbering. *Rule 5.10.1. (C) re-lettered eff. 1/1/2011; eff. as rule 5.10.1. (3) eff. 1/1/2007.*

**(D)** Succinct statement of the submitting party's factual and legal contentions, and points and authorities on anticipated evidentiary and/or substantive issues. *Rule 5.10.1. (D) re-lettered eff. 1/1/2011; eff. as rule 5.10.1. (4) eff. 1/1/2007.*

**(E)** Stipulations to which the parties have agreed in the precise form proposed for reading into the record. *Rule 5.10.1. (E) amd. and re-lettered eff. 1/1/2011; eff. as rule 5.10.1. (5) eff. 1/1/2007.*

**(F)** Proposed jury instructions and verdict forms. Counsel will be expected to have discussed both and shall identify the instructions to which there is agreement and those which are disputed. In each case where special verdicts or findings of the jury will be required, the party or parties who have so requested shall present the form of any special verdicts or interrogatories which will be required for the resolution of the matter by the jury, and all other parties may present proposed alternatives thereto. *Rule 5.10.1. (F) amd. and re-lettered eff. 1/1/2011; eff. as rule 5.10.1. (6) eff. 1/1/2007.*



**(G)** Any other matter thought to be helpful the orderly progress of the trial, or, alternatively, thought to be a potential impediment to the orderly progress of the trial. *Rule 5.10.1. (G) re-lettered eff. 1/1/2011; eff. as rule 5.10.1. (7) eff. 1/1/2007.*

**RULE 5.10.2.** The Pretrial Management Conference Statement may serve as a trial brief, unless the court orders otherwise. The conference shall be attended by attorneys serving as chief trial counsel, who shall be thoroughly familiar with and prepared to discuss all aspects of the case, and whose appearance on behalf of associated counsel shall be binding on all. *Eff. 1/1/2007.*

**RULE 5.10.3. [REPEALED 2011]** *The repealed rule related to Pretrial Management Conference – Motions in limine. Repealed eff. 1/1/2011; eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 5.10.4. [REPEALED 2011]** *The repealed rule related to proposed form of advisory verdict, special interrogatories, findings, or verdicts. Repealed eff. 1/1/2011; eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 5.10.5.** Initial jury fees shall be deposited with the Clerk no later than the Pretrial Management Conference, and subsequent day's fees paid at the outset of the second and successive days of jury trial in a sum sufficient to satisfy that day's fees and mileage. The failure to meet this obligation shall be construed as a waiver of jury, and upon such waiver the other parties shall have five (5) days to maintain the jury by assuming the continuing financial obligation. *Amd. eff. 1/1/2011; eff. 1/1/2007.*

**RULE 5.10.6.** Counsel shall ensure that the prospective jury pool and jury panel are not contaminated by contact with counsel, defendants, or witnesses when in or about the courthouse or otherwise. *Eff. 1/1/2007.*

**RULE 5.11. WORKING COPIES OF MOTION PLEADINGS; PRETRIAL MANAGEMENT CONFERENCE STATEMENTS; TRIAL BRIEFS**

**RULE 5.11.1.** Any pleading consisting of eight (8) or more pages, inclusive of attachments, when filed shall be accompanied by an additional copy conspicuously marked "Working Copy". *Amd. eff. 1/1/2010; eff. 1/1/2007.*

**RULE 5.11.2.** At any time a visiting judge is appointed to hear an Alpine County Superior Court matter; the parties shall file all original pleadings with the Alpine County Superior Court, and forward a courtesy working copy to the visiting judge at his home court or office. *Eff. 1/1/2011.*

**RULE 5.12. [REPEALED 2008]**

*The repealed rule related to scheduling of calendar dates. Repealed eff. 1/1/2008; eff. 1/1/2007.*

**RULE 5.13. SETTLEMENT OF CASE; DISMISSAL**

Whenever a case settles, the plaintiff shall notify the court in writing with copies to all parties, arbitrators or other Alternative Dispute Resolution neutrals and dismiss the case pursuant to CRC Rule 3.138. If any scheduled event, including a hearing, conference or trial, is imminent, the plaintiff shall also notify the court, arbitrator or other ADR neutral orally or by telephone. If a condition of the settlement cannot be completed within forty-five (45) days of the Notice of Settlement, the notice shall state the date upon which the condition is to be completed and the dismissal filed.

Should the case not be dismissed within forty-five (45) days of the Notice of Settlement, or if the settlement is conditional, within forty-five (45) days after the date for dismissal as stated in the Notice of Settlement, an order to show cause hearing shall be set, and the case dismissed, unless the parties show good cause why the case should not be dismissed. *Eff. 1/1/2011.*

**RULE 5.14. DISMISSAL OF CASE FOR FAILURE TO PROSECUTE**

**RULE 5.14.1. DISMISSAL CALENDAR.** Periodically there will be a dismissal calendar, on which the clerk will place all unresolved cases in which the complaint was filed more than five (5) years before the date of the dismissal calendar pursuant to CCP section 583.10. At the time of the dismissal calendar, the case will be dismissed unless opposition to the dismissal has been filed in accordance with this rule and the case may be dismissed, notwithstanding such opposition pursuant to CCP sections 583.3100-0583.430. *Eff. 1/1/2011.*

**RULE 5.14.2. SANCTIONS.** Failure to follow the procedures set forth in this rule and CRC Rule 3.1385 may result in the imposition of sanctions. If no dismissal has been filed prior to the dismissal calendar and counsel fails to appear at the hearing, the court will dismiss the action and set the matter for an Order re: Sanctions as to plaintiff or plaintiff's counsel. *Eff. 1/1/2011.*

**CHAPTER 6: CRIMINAL CASE RULES**

**RULE 6. CRIMINAL CASE MANAGEMENT**

**RULE 6.1. DISPOSITION GOALS.**

The court endeavors to achieve criminal case disposition consistent with Standard 2.2 of the Standards of Judicial Administration (Appendix to CRC) as follows:

**A. MISDEMEANOR CASES:**

1. Ninety percent (90%) concluded within thirty (30) days after arraignment. *Re-lettered and renumbered rule 6.1.A.1. eff. 1/1/2011; eff. as rule 6.1.1) a) eff. 1/1/2007; previously amd. eff. 1/1/2008 and 1/1/2010.*
2. Ninety-eight percent (98%) concluded within ninety (90) days after arraignment. *Re-lettered and renumbered rule 6.1.A.2. eff. 1/1/2011; eff. as rule 6.1.1) b) eff. 1/1/2007; previously amd. eff. 1/1/2008 and 1/1/2010.*
3. One hundred percent (100%) concluded within one hundred and twenty (120) days after arraignment. *Re-lettered and renumbered rule 6.1.A.3. eff. 1/1/2011; eff. as rule 6.1.3)(c) eff. 1/1/2007; previously amd. eff. 1/1/2008 and 1/1/2010.*

**B. FELONY PRELIMINARY EXAMINATIONS:**

1. Ninety percent (90%) concluded within thirty (30) days after arraignment. *Re-lettered and renumbered rule 6.1.B.1. eff. 1/1/2011; eff. as rule 6.1.2)a) eff. 1/1/2007; previously amd. eff. 1/1/2008 and 1/1/2010.*
2. Ninety-eight percent (98%) concluded within forty-five (45) days after arraignment. *Re-lettered and renumbered rule 6.1.B.2. eff. 1/1/2011; eff. as rule 6.1.2)b) eff. 1/1/2007; previously amd. eff. 1/1/2008 and 1/1/2010.*
3. One hundred percent (100%) concluded within ninety (90) days after arraignment. *Re-lettered and renumbered rule 6.1.B.3. eff. 1/1/2011; eff. as rule 6.1.2)c) eff. 1/1/2007; previously amd. eff. 1/1/2008 and 1/1/2010.*

**C. FELONY TRIALS:** One hundred percent (100%) concluded by the second trial period following arraignment on information (see Rule 3.6). *Re-lettered rule 6.1.C. eff. 1/1/2011; eff. as rule 6.1.3) eff. 1/1/2007; previously amd. eff. 1/1/2008 and 1/1/2010.*

**RULE 6.2. FILING OF ACCUSATORY PLEADINGS AND REQUESTS FOR WARRANTS**

**RULE 6.2.1.** The filing of accusatory pleadings shall include an original and one copy for each defendant. *Amd. eff. 1/1/2008; eff. 1/1/2007.*

**RULE 6.2.2.** Upon the filing of accusatory pleadings against or charging a codefendant in a companion case and arising out of the same incident, the District Attorney shall conspicuously make note of the name of the codefendant within each subsequent pleading presented to the court for filing. *Amd. eff. 1/1/2011; eff. 1/1/2007; repealed eff. 1/1/2008; re-enacted and amd. eff. 1/1/2010.*

**RULE 6.2.3. [REPEALED 2008]** *Rule 6.2.3. repealed eff. 1/1/2008; eff. 1/1/2007. The repealed rule related to accusatory pleadings involving persons not in custody.*

**RULE 6.2.4.** Oral amendments and interlineations to accusatory pleadings once filed are disfavored. *Amd. eff. 1/1/2008; eff. 1/1/2007.*

**RULE 6.2.5.** When setting bail on an arrest warrant the court will utilize the Alpine County and Uniform Bail Schedules, unless the request for the warrant includes a specific request and showing of good cause for a different bail amount. *Amd. eff. 1/1/2008; eff. 1/1/2007.*

**RULE 6.3. CRIMINAL CASE MANAGEMENT**

*Rule 6.3. amended and renumbered eff. 1/1/2010; eff. as rule 6.6. eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 6.3.1.** Except as otherwise provided herein, arraignment shall be completed and plea entered on the first day scheduled, whether such proceeding is on complaint or information. *Rule 6.3.1. amd. and renumbered eff. 1/1/2010; eff. as rule 6.4.1. eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 6.3.2.** Persons appearing without counsel shall file a Statement of Rights upon the calling of the matter. Such persons who desire to consult with and/or retain counsel before concluding arraignment shall, upon request and time waiver, be granted a reasonable continuance of arraignment for such purpose, not to exceed two weeks. *Rule 6.3.2. amd. and renumbered eff. 1/1/2010; eff. as rule 6.4.3. eff. 1/1/2007.*

**RULE 6.3.3.** Pleas of not guilty entered at arraignment will be deemed to include reservation of right to demur or to make motions. Demurrers shall be filed so as to be heard not later than the second week following the first appearance. *Rule 6.3.3. amd.*

*and renumbered eff. 1/1/2010; eff. as rule 6.4.5. eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 6.3.4.** Counsel appearing at arraignment, including combined arraignment/pre-trial conference pursuant to Local Rule 6.3.5, shall announce the following upon the calling of the case: *Rule 6.3.4. amd. and renumbered eff. 1/1/2011; eff. as rule 6.4.6. eff. 1/1/2007; repealed eff. 1/1/2009; re-enacted and amd. eff. 1/1/2010.*

**A.** Counsel's name, and whether appearing for the defendant who is absent or present, and defendant's custody, bail, or other out-of-custody status. *Rule 6.3.4.A. re-lettered eff. 1/1/2011; eff. as rule 6.4.6. (1) eff. 1/1/2007; repealed eff. 1/1/2009; re-enacted and amd. eff. 1/1/2010.*

**B.** Defendant's true name. *Rule 6.3.4.B. re-lettered eff. 1/1/2011; eff. as rule 6.4.6. (2) eff. 1/1/2007; repealed eff. 1/1/2009; re-enacted and amd. eff. 1/1/2010.*

**C.** Whether copy of complaint/information has been received or receipt is waived. *Rule 6.3.4.C. re-lettered eff. 1/1/2011; eff. as rule 6.4.6. (3) eff. 1/1/2007; repealed eff. 1/1/2009; re-enacted and amd. eff. 1/1/2010.*

**D.** Whether counsel has advised defendant of the charges, possible pleas and defenses, potential direct consequences of conviction, and his/her constitutional and statutory rights, including those relevant to time limits. *Rule 6.3.4.D. re-lettered eff. 1/1/2011; eff. as rule 6.4.6. (4) eff. 1/1/2007; repealed eff. 1/1/2009; re-enacted and amd. eff. 1/1/2010.*

**E.** Waiver of arraignment and advisement of rights or request for arraignment and advisement of rights by the court. *Rule 6.3.4.E. re-lettered eff. 1/1/2011; eff. as rule 6.4.6. (5) eff. 1/1/2007; repealed eff. 1/1/2009; re-enacted and amd. eff. 1/1/2010.*

**F.** Plea(s) to be entered, or reason none is to be entered. *Rule 6.3.4.F. re-lettered eff. 1/1/2011; eff. as rule 6.4.6. (6) eff. 1/1/2007; repealed eff. 1/1/2009; re-enacted and amd. eff. 1/1/2010.*

**G.** Whether time is waived generally, to a specific date, or not waived. Waiver of time for preliminary examinations shall include specific reference to both ten (10) and sixty (60) day provisions of the Penal Code. *Rule 6.3.4.G. re-lettered eff.*

*1/1/2011; eff. as rule 6.4.6. (7) eff. 1/1/2007; repealed eff. 1/1/2009; reenacted and amd. eff. 1/1/2010.*

**H.** If not previously occurring, that arrangement for the defendant's booking has been made with the Alpine County Sheriff. Counsel shall advise the court for the defendant's booking status at the hearing. *Rule 6.3.4.H. re-lettered eff. 1/1/2011; eff. as rule 6.4.6. (8) eff. 1/1/2007; repealed eff. 1/1/2009; re-enacted and amd. eff. 1/1/2010.*

**RULE 6.3.5.** Unless defendant's appearance is required by law or otherwise ordered by the court, counsel may defer arraignment and request a deferred arraignment/initial pre-trial conference on misdemeanors and infractions by letter, including facsimile, received at least one (1) court day prior to the hearing and demonstrating proof of service on the District Attorney. Such requests shall be construed as a binding commitment by counsel to representation of the defendant. Such requests shall be on letterhead stationery of the attorney and shall contain all of the following: *Rule 6.3.5. renumbered eff. 1/1/2010; eff. as rule 6.4.7. eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**A.** Statement of representation.

**B.** Defendant's true name. *Rule 6.3.5.B. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.4.7. (2) eff. 1/1/2007; amd. and renumbered as rule 6.3.5. (2) eff. 1/1/2008.*

**C.** Date of scheduled arraignment. *Rule 6.3.5.C. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.4.7. (3) eff. 1/1/2007; amd. and renumbered as rule 6.3.5. (3) eff. 1/1/2008.*

**D.** Statement that counsel has advised defendant of the charges, possible pleas and defenses, potential direct consequences of conviction, and his/her constitutional and statutory rights, including those relevant to time limits. *Rule 6.3.5.D. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.4.7. (4) eff. 1/1/2007; amd. and renumbered as rule 6.3.5. (4) eff. 1/1/2008.*

**E.** Request for deferred arraignment to Initial Pre-Trial Conference and general waiver of time for all future proceedings, including trial. *Rule 6.3.5.E. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.4.7. (5) eff. 1/1/2007; amd. and renumbered as rule 6.3.5. (5) eff. 1/1/2008.*

**F.** Requested date for deferred arraignment/initial pre-trial conference within four (4) weeks of scheduled first appearance. *Rule 6.3.5.F. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.4.7. (6) eff. 1/1/2007; amd. and renumbered as rule 6.3.5. (6) eff. 1/1/2008.*

**G.** If not previously occurring, that arrangement for the defendant's booking has been made with the Alpine County Sheriff. Counsel shall advise the court of the defendant's booking status at the next hearing. *Rule 6.3.5.G. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.4.7. (7) eff. 1/1/2007; amd. and renumbered as rule 6.3.5. (7) eff. 1/1/2008.*

**H.** If defendant is free on bail bond, acknowledgment by defendant that such bond shall continue in full force and effect. *Rule 6.3.5.H. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.4.7. (8) eff. 1/1/2007; amd. and renumbered as rule 6.3.5. (8) eff. 1/1/2008.*

**RULE 6.3.6. MISDEMEANOR SCHEDULING:** Upon entry of plea of not guilty, future hearings will be scheduled as follows:

**A.** Initial Pre-Trial (IPT) – generally not later than four (4) weeks after arraignment. *Rule 6.3.6.A. re-lettered eff. 1/1/2011; eff. as rule 6.3.6. (1) eff. 1/1/2010.*

**B.** Final Pre-Trial (FPT) – generally forty-five (45) days prior to trial. *Rule 6.3.6.B. re-lettered eff. 1/1/2011; eff. as rule 6.3.6.(2) eff. 1/1/2010.*

**C. [REPEALED 2011]** *Rule 6.3.6.C. re-lettered and repealed eff. 1/1/2011; eff. as rule 6.3.6. (3) eff. 1/1/2010. The repealed rule related to Case Management Conferences.*

**D.** Trial Readiness and Management Conference (TRMC) – within fourteen (14) days of trial per Local Rule 6.3.11. *Rule 6.3.6.D. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.3.6. (4) eff. 1/1/2010.*

**E.** Trial – generally not later than the second pre-trial session after arraignment, with general trial waiver. *Rule 6.3.6.E. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.3.6. (5) eff. 1/1/2010.*

**F.** Motions – Specially set to be heard not later than one (1) week before TRMC. (Excluding trial motions in limine). *Rule 6.3.6.F. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.3.6. (6) eff. 1/1/2010.*

**RULE 6.3.7. FELONY SCHEDULING:** Upon entry of plea of not guilty, future hearings will be scheduled as follows: *Amd. eff. 1/1/2011; eff. eff. 1/1/2010.*

**A.** Pre-Preliminary Conference (PPX) – generally two (2) weeks after arraignment on complaint. *Rule 6.3.7.A. re-lettered eff. 1/1/2011; eff. as rule 6.3.7. (1) eff. 1/1/2010.*

**B.** Preliminary Examination (PX) – generally not later than four (4) weeks after arraignment on complaint. *Rule 6.3.7.B. re-lettered eff. 1/1/2011; eff. as rule 6.3.7. (2) eff. 1/1/2010.*

**C.** Information arraignment – generally two (2) weeks following holding order. *Rule 6.3.7.C. re-lettered eff. 1/1/2011; eff. as rule 6.3.7. (3) eff. 1/1/2010.*

**D.** Initial Pre-Trial (IPT) – generally not later than four (4) weeks after arraignment on Information. *Rule 6.3.7.D. re-lettered eff. 1/1/2011; eff. as rule 6.3.7. (4) eff. 1/1/2010.*

**E.** Final Pre-Trial (FPT) – generally forty-five (45) days prior to trial. *Rule 6.3.7.E. re-lettered eff. 1/1/2011; eff. as rule 6.3.7. (5) eff. 1/1/2010.*

**F. [REPEALED 2011]** *Rule 6.3.7.F. re-lettered and repealed eff. 1/1/2011; eff. as rule 6.3.7. (6) eff. 1/1/2010. Repealed rule related to Case Management Conference.*

**G.** Trial Readiness and Management Conference (TRMC) within fourteen (14) days of trial per Rule 6.3.11. *Rule 6.3.7.G. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.3.7. (7) eff. 1/1/2010.*

**H.** Trial – generally not later than the second pre-trial session after arraignment on information, with general time waiver. *Rule 6.3.7.H. amd. and renumbered eff. 1/1/2011; eff. as rule 6.3.7. (8) 1/1/2010.*

**I.** Motions – specially set to be heard not later than one (1) week before PX and/or TRMC (excluding trial motions in limine). *Rule 6.3.7.I. amd. and re-lettered eff. 1/1/2011; eff. as rule 6.3.7. (9) 1/1/2010.*



**RULE 6.3.8.** In the event case is not previously resolved; defendants shall be personally present at Final Pre-trial Conferences, notwithstanding PC section 977. *Amd. eff. 1/1/2011; eff. as rule 6.6.4. eff. 1/1/2007; repealed, eff. 1/1/2008; re-enacted amd. and renumbered rule 6.3.8. eff. 1/1/2010.*

**RULE 6.3.9.** After final Pre-trial Conference, the court generally will not engage in disposition negotiations, except pursuant to written motion and showing of good cause therefore. *Re-enacted, amd. and renumbered eff. 1/1/2010; eff. as rule 6.6.5. eff. 1/1/2007; repealed eff. 1/1/2008.*

**RULE 6.3.10. [REPEALED 2011]** *Repealed eff. 1/1/2011; eff. as rule 6.6.6. eff. 1/1/2007; repealed eff. 1/1/2008; re-enacted and amd. eff. 1/1/2010; renumbered Rule 6.3.10. eff. 1/1/2010. Repealed rule dealt with motions to dismiss after final pre-trial.*

**RULE 6.3.11.** Prior to a scheduled trial, a Trial Readiness and Management Conference (TRMC) will be held which will include preliminary consideration of all motions in limine, proposed voir dire, proposed jury instructions and verdict form, and trial management issues. All parties shall file with the court and serve on all other parties ten (10) days prior to that conference a TRMC Statement including the above-referenced material, a list of anticipated witnesses each party expects to call, a time estimate of the party's case in chief (including anticipated cross examination), and a list and copy of all evidentiary exhibits. Counsel shall be familiar with the provisions of sections 4.30 and 2.20 of the Standards of Judicial Administration. *Amd. 7/1/2024; eff. as rule 6.8.1. eff. 1/1/2007; formerly amd. eff. 1/1/2008; renumbered Rule 6.3.11. eff. 1/1/2010; Amd. eff. 1/1/2011.*

**RULE 6.3.12.** Multiple cases set for the same trial period will proceed in the following order: cases in which no time waiver has been given ahead of all others, in-custody defendants ahead of others, felonies ahead of misdemeanors, and then cases based on earliest filing date. The court will endeavor to establish an order in which cases proceed at least one week prior to the first day of the trial period. *Amd. eff. 1/1/2011; eff. as rule 6.8.3. eff. 1/1/2007; formerly amd. eff. 1/1/2008; renumbered Rule 6.3.12. eff. 1/1/2010.*

**RULE 6.3.13.** In the event multiple cases are set for the same trial period, any case not immediately proceeding will be trailed day-to-day. All parties shall monitor the progress of cases in trial and be prepared to proceed on one-half day notice. Trailing cases are subject to being advanced and/or the order of trailing changed pursuant to disposition of earlier set cases, or upon order of the court. *Amd. eff. 1/1/2011; eff. as rule 6.8.4. eff. 1/1/2007; formerly amd. eff. 1/1/2008; renumbered rule 6.3.13. eff. 1/1/2010.*

**RULE 6.3.14.** Unless the court orders otherwise, on the first day of a scheduled trial, counsel and defendants shall appear at 8:30 a.m.. *Amd. eff. 1/1/2011; eff. as rule 6.8.5. eff. 1/1/2007; formerly amd. eff. 1/1/2008; renumbered rule 6.3.14 eff. 1/1/2010.*

**RULE 6.3.15.** Counsel shall have made sufficient arrangements for the appearance of witnesses that progress of trial is not delayed. *Amd. eff. 1/1/2011; eff. as rule 6.8.6. eff. 1/1/2007; formerly amd. eff. 1/1/2008; renumbered rule 6.3.15. eff. 1/1/2010.*

**RULE 6.3.16.** Counsel shall ensure that the prospective jury pool and jury panel are not contaminated by contact with counsel, defendants, or witnesses when in or about the courthouse or otherwise. *Amd. eff. 1/1/2011; eff. as rule 6.8.7 eff. 1/1/2007; previously amd. eff. 1/1/2008; renumbered rule 6.3.16. eff. 1/1/2010.*

#### **RULE 6.4. DISCOVERY AND INVESTIGATION**

*Amd. eff. 1/1/2011; eff. as rule 6.5. eff. 1/1/2007; renumbered rule 6.4. eff. amd. 1/1/2010.*

**RULE 6.4.1.** Discovery is reciprocal and governed by PC sections 1054-1054.7 and to the extent not prohibited by or inconsistent with such sections, this rule. *Rule 6.4.1. amd. eff. 1/1/2011; eff. as rule 6.5.1. eff. 1/1/2007; renumbered Rule 6.4.1 eff. 1/1/2010.*

**RULE 6.4.2.** Informal requests for discovery are deemed to occur at arraignment. *Rule 6.4.2. amd. eff. 1/1/2011; eff. as rule 6.5.2. eff. 1/1/2007; renumbered Rule 6.4.2. eff. 1/1/2010.*

**RULE 6.4.3. [REPEALED 2008]** *Rule 6.4.3. renumbered eff. 1/1/2011; eff. as rule 6.5.3. eff. 1/1/2007; repealed eff. 1/1/2008; renumbered rule 6.4.3. eff. 1/1/2010. The repealed rule related to the discovery duties of the District Attorney.*

**RULE 6.4.4.** The District Attorney and the defense shall, immediately after arraignment, identify and initiate such investigation, including independent acquisition of prior conviction records, interviews of witnesses, retainers of experts, and chemical/scientific testing as is necessary and appropriate to case evaluation and will permit meaningful pre-trial and/or pre-preliminary examination conference and timely preliminary examination and/or trial. *Rule 6.4.4. amd. eff. 1/1/2011; eff. as rule 6.5.4. eff. 1/1/2007; renumbered rule 6.4.4 eff. 1/1/2010.*

**RULE 6.4.5. [REPEALED 2008]** *Rule 6.4.5. renumbered eff. 1/1/2010; eff. as rule 6.5.5. eff. 1/1/2007; repealed eff. 1/1/2008. The repealed rule related to requests for discovery.*

**RULE 6.5. DISPOSITIVE PLEAS**

*Rule 6.5. amd. eff. 1/1/2011; eff. as rule 6.7. eff. 1/1/2007; renumbered rule 6.5. eff. 1/1/2010.*

**RULE 6.5.1.** Notwithstanding the limitations of PC sections 1192.5 and 1192.6 to felony offenses, the provisions of those sections shall apply also when a defendant enters a plea of guilty or no contest to any misdemeanor offense involving use of a weapon, the infliction of any injury, domestic violence, and/or aggravating facts subjecting the defendant to increased penalties (e.g. prior conviction). *Rule 6.5.1. amd. eff. 1/1/2011; eff. as rule 6.7.1. eff. 1/1/2007; previously amd. eff. 1/1/2008; renumbered rule 6.5.1. eff. 1/1/2010.*

**A.** In all cases coming under this rule in which a plea is conditioned upon the court's acceptance of a limitation on the punishment to be imposed, the defendant shall state on the record the terms of the conditional plea, and the District Attorney shall state approval thereof on the record. *Rule 6.5.1. A. re-lettered eff. 1/1/2011; eff. as rule 6.7.1. (1) eff. 1/1/2007; previously amd. eff. 1/1/2008; renumbered Rule 6.5.1. (1) eff. 1/1/2010.*

**B.** In all cases coming under this rule in which charges contained in the original accusatory pleading are to be amended or dismissed, the District Attorney shall state the reasons for the amendment or dismissal on the record. *Rule 6.5.1. B. re-lettered eff. 1/1/2011; eff. as rule 6.7.1. (2) eff. 1/1/2007; previously amd. eff. 1/1/2008; renumbered Rule 6.5.1. (2) eff. 1/1/2010.*

**C.** In all cases coming under this rule in which the District Attorney seeks dismissal of a charge in a complaint, information, or indictment the District Attorney shall state the specific reasons for the dismissal on the record. *Rule 6.5.1.C. re-lettered rule eff. 1/1/2011; eff. as rule 6.7.1. (3) eff. 1/1/2007; previously amd. eff. 1/1/2008; renumbered rule 6.5.1. (3) eff. 1/1/2010.*

**D.** In all cases coming under this Rule in which the District Attorney recommends what punishment the court should impose or how it should exercise any of the powers legally available to it, the District Attorney shall state such recommendation on the record. *Rule 6.5.1.D. re-lettered eff. 1/1/2011; eff. as rule 6.7.1. (4) eff. 1/1/2007; previously amd. eff. 1/1/2008; renumbered rule 6.5.1. (4) eff. 1/1/2010.*

**RULE 6.5.2.** In any case in which plea bargaining is presumptively prohibited by PC section 1192.7 and a plea bargain is proposed to the court, the District Attorney shall

state on the record the reasons it is believed the case is exempt from the prohibition. *Renumbered rule 6.5.2. eff. January 12010; eff. as rule 6.7.2. eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 6.5.3.** Pleas to all felonies and to misdemeanor offenses that subsequently may be charged as priors shall be accomplished by the contemporaneous filing of a fully executed relevant change of plea form. Counsel shall explain the entirety of the form to defendants and defendants shall be prepared to respond to inquiries from the court about the contents of the form and the intended plea. *Renumbered Rule 6.5.3. eff. 1/1/2010; eff. as rule 6.7.3. eff. 1/1/2007.*

**RULE 6.5.4.** Pleas to offenses, whether charged and/or the subject of felony or misdemeanor plea, with special sentence consequences (e.g., drug or domestic violence programs, registration as drug or sex offender) shall be accomplished by the contemporaneous filing of a fully executed relevant change of plea form. Counsel shall explain the entirety of the form to defendants and defendants shall be prepared to respond to inquiries about the contents of the form and the intended plea. *Renumbered rule 6.5.4 eff. 1/1/2010; eff. as rule 6.7.4. eff. 1/1/2007.*

**RULE 6.5.5. [REPEALED 2008]** *Renumbered Rule 6.5.5. eff. 1/1/2010; eff. as rule 6.7.5. eff. 1/1/2007; repealed eff. 1/1/2008. The repealed rule related to pleas entered by counsel.*

**RULE 6.5.6.** Pleas of no contest and/or pursuant to *People v. West*, 3 Cal.3d 595, are permitted only if accompanied by a statement of factual basis or reference to and submission of specific documentary evidence supporting the plea, consistent with *People v. Holmes*, 32 Cal.4th 432, and *People v Willard*, 154 Cal.App.4th 1329. *Renumbered rule 6.5.6. eff. 1/1/2010; eff. as rule 6.7.6. eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 6.5.7.** Pleas with waivers pursuant to *People v. Harvey*, 25 Cal.3d 754, are permitted only if accompanied by a statement on the record identifying the dismissed counts or charges to which such waiver does and does not apply. *Renumbered rule 6.5.7. eff. 1/1/2010; eff. as rule 6.7.7. eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 6.6. CONTINUANCES; SPECIAL APPEARANCES.**

*Eff. 1/1/2011; renumbered rule 6.6. eff. 1/1/2010; eff. as rule 6.9. eff. 1/1/2007.*

**RULE 6.6.1.** Continuances frustrate the disposition time goals and orderly processes of the court and are disfavored. However, in consideration of the court's remote location, it is the policy of the court reasonably to accommodate unavoidable conflicting commitments of counsel and defendants. Scheduling of continued matters shall be consistent with the regular calendars of the court. Routine requests to move matters from one calendar to another are disfavored. Conflicts arising after the scheduling of a given matter generally shall not constitute good cause. *Renumbered rule 6.6.1. eff. 1/1/2010; eff. as rule 6.9.1. eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 6.6.2.** Motions to continue which fail to comply with PC section 1050, particular applicable statutes, and CRC are disfavored. A stipulation alone will not constitute grounds for any continuance but may be presented as part of a motion. *Renumbered rule 6.6.2. eff. 1/1/2010; eff. as rule 6.9.2. eff. 1/1/2007; previously amd. eff. 1/1/2008,*

**RULE 6.6.3. [REPEALED 2008]** *Renumbered rule 6.6.3. eff. 1/1/2010; eff. as rule 6.9.3. eff. 1/1/2007; repealed eff. 1/1/2008. The repealed rule related to special appearances by one attorney for another in criminal matters.*

**RULE 6.7. JUDGMENT AND SENTENCING/ PROBATION.**

*Eff. as rule 6.10 eff. 1/1/2007; renumbered rule 6.7. eff. 1/1/2010.*

**RULE 6.7.1.** Judgment and Sentence/ Probation shall follow promptly upon an entry of plea or verdict of guilty; immediate sentencing may occur in the absence of a probation report upon stipulation of the parties, waiver of time by the defendant, and approval by the court. Unless otherwise ordered by the court, judgment and sentencing/ probation hearings requiring probation reports or pursuant to time waivers by defendants shall be held not later than the fourth week following plea or verdict. *Renumbered rule 6.7.1. eff. 1/1/2010; eff. as rule 6.10.1. eff. 1/1/2007.*

**RULE 6.7.2.** Judgment and Sentence/ Probation Orders for time served in county jail are satisfied by custody in El Dorado County (Placerville or South Lake Tahoe) pursuant to cooperative agreement with Alpine County. Delayed surrender shall be permitted only upon a showing of good cause and when accompanied by the defendant's acknowledgment of the principles of and waiver pursuant to *People v. Cruz*, 44 Cal.3d 1247, and *People v. Masloski*, 25 Cal.4th 1212. Requests for weekend time in custody shall be accompanied by specific dates, time, and place of self-surrender and be accompanied by a similar Cruz/Masolski acknowledgment and waiver. *Renumbered rule 6.7.2. eff. 1/1/2010; eff. as rule 6.10.2. eff. 1/1/2007; previously amd. eff. 1/1/2008.*

**RULE 6.7.3. [REPEALED 2008]** *Renumbered rule 6.7.3, eff. 1/1/2010; eff. as rule 6.10.3. eff. 1/1/2007; repealed eff. 1/1/2008. The repealed rule related to the Sheriff's Work and Community Service programs.*

**RULE 6.7.4. [REPEALED 2008]** *Renumbered rule 6.7.4. eff. 1/1/2010; eff. as rule 6.10.4. eff. 1/1/2007; repealed eff. 1/1/2008. The repealed rule related to out-patient or in-patient counseling.*

**RULE 6.7.5. [REPEALED 2008]** *Renumbered rule 6.7.5. eff. 1/1/2010; eff. as rule 6.10.5. eff. 1/1/2007; repealed eff. 1/1/2008. The repealed rule related to sentencing in the defendant's absence.*

**RULE 6.7.6. [REPEALED 2008]** *Renumbered rule 6.7.6. eff. 1/1/2010; eff. as rule 6.10.6. eff. 1/1/2007; repealed eff. 1/1/2008. The repealed rule related to summary reports given to the Court by the Probation Officer.*

**RULE 6.7.7. [REPEALED 2008].** *Renumbered rule 6.7.7. eff. 1/1/2010; eff. as rule 6.10.7. eff. 1/1/2007; repealed eff. 1/1/2008. The repealed rule related to judgments of imprisonment.*

**RULE 6.7.8. [REPEALED 2008]** *Renumbered rule 6.7.8. eff. 1/1/2010; eff. as rule 6.10.8. eff. 1/1/2007; repealed eff. 1/1/2008. The repealed rule related to the defendant's actual days already in custody.*

**RULE 6.8. WORKING COPIES OF MOTION PLEADINGS, PRETRIAL MANAGEMENT  
CONFERENCE STATEMENTS, AND TRIAL BRIEFS.**

*Renumbered rule 6.8. eff. 1/1/2010; eff. as rule 6.11. eff. 1/1/2007.*

**RULE 6.8.1.** Any pleading consisting of eight or more pages, inclusive of attachments, when filed shall be accompanied by an additional copy conspicuously marked "Working Copy". *Renumbered rule 6.8.1, eff. 1/1/2010; eff. as rule 6.11.1. eff. 1/1/2007.*

**RULE 6.8.2.** At any time a visiting judge is appointed to hear an Alpine County Superior Court matter, the parties shall file all original pleadings with the Alpine County Superior Court, and forward a courtesy working copy to the visiting judge at his home court or office. *Eff. 1/1/2011.*

**CHAPTER 7: TRAFFIC RULES****RULE 7. TRAFFIC CASE MANAGEMENT****RULE 7.1 TRIAL BY WRITTEN DECLARATION**

The court, pursuant to this rule, adopts the trial by declaration process, defined in Vehicle Code (hereinafter "VC") section 40902. Trials by declaration will be processed in accordance with the provisions of CRC Rule 4.210. *Eff. 07/1/2011*

**RULE 7.2 TRIAL BY DECLARATION IN ABSENTIA**

Pursuant to VC section 40903, any person who fails to appear as provided by law may be deemed to have elected a trial by written declaration. The matter may then proceed in the manner set forth in VC section 40903(b). *Eff. 7/1/2011*

**RULE 7.3 TRAFFIC AND ENGINEERING SURVEYS**

The court takes judicial notice of all surveys lodged with the court. Upon request, the certified survey shall be produced by the court for inspection by the defendant. *Eff. 7/1/2011*

**RULE 7.4 CONTINUANCES**

- (1) Except as provided for trials below, prior to the date on which the defendant promised to appear, the defendant may request a continuance pursuant to VC section 40506.5. The clerk is authorized to grant a three (3) week continuance. *Amd. 7/1/2024; eff. 7/1/2011*
- (2) Any request to continue a traffic trial must be supported by good cause and received by the court at least ten (10) days before the date of trial. No request for continuance received after that date will be granted unless the interests of justice require a continuance. *Amd. 7/1/2024; Eff. 7/1/2011*

**RULE 7.5 MANDATORY APPEARANCES**

**RULE 7.5.1** When juveniles are issued citations for infractions, they will be ordered to appear in court. The court will require the appearance of the juvenile and at least one parent. For good cause shown, the parent's appearance and/or the juvenile's appearance may be excused. *Eff. 7/1/2024*

**RULE 7.5.2** When a defendant is issued a speeding citation in which the alleged speed is more than 100 mph, the court will order the defendant to appear in court. *Eff. 7/1/2024*

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ATTORNEY OR PARTY WITHOUT AN ATTORNEY <i>(Name, state bar number, and address)</i>  TELEPHONE NO: _____ FAX NO: _____ EMAIL: _____	<b>FOR COURT USE ONLY</b>
 <b>SUPERIOR COURT OF CALIFORNIA          COUNTY OF ALPINE          14777 STATE ROUTE 89, PO BOX 518          MARKLEEVILLE, CA 96120          530-694-2113</b>	
PLAINTIFF: <b>THE PEOPLE OF THE STATE OF CALIFORNIA</b> <b>vs.</b> DEFENDANT:	
<b>REQUEST TO BE PLACED ON COURT'S CALENDAR          (MISDEMEANOR/ FELONY)</b>	CASE NUMBER: _____

I am the  defendant  attorney of record for the defendant.

I request this matter be placed on calendar for the following reason(s):

Surrender on warrant  Arrest warrant  Bench warrant

NOTE: defendant may be remanded into custody at time of hearing.

Modification of Program/ Re-referral

DUI Program

Batterer's Treatment Program

Other Program *(specify)*: \_\_\_\_\_

Modification of sentence/ Terms and conditions of probation

Date to report to jail

Convert fine to jail time

Requirement for ignition interlock device (IID)

Modification of payment installment plan

Other: \_\_\_\_\_

Information in support of this request is attached *(attach additional sheets as necessary)*.

I am requesting to appear remotely for this hearing. A Request for Remote Appearance (ALP-CR-002) is attached.

**Proof of service on the Alpine County District Attorney and / or other persons entitled to notice of the hearing must be attached to this request.**

**[TO BE COMPLETED BY COURT]**

The request is denied.


Other: \_\_\_\_\_

The request is granted. A hearing is scheduled as follows:

<b>Court hearing date:</b> DATE: _____ TIME: _____	<b>The court hearing will be at:</b> ADDRESS: Alpine County Courthouse 14777 State Route 89, Markleeville, CA 96120
<b>Remote appearance:</b> <input type="checkbox"/> approved <input type="checkbox"/> denied	

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge of the Superior Court

ATTORNEY OR PARTY WITHOUT AN ATTORNEY ( <i>Name, state bar number, and address</i> ):  TELEPHONE NO: _____ FAX NO: _____ EMAIL: _____	<b>FOR COURT USE ONLY</b>
 <b>SUPERIOR COURT OF CALIFORNIA          COUNTY OF ALPINE          14777 STATE ROUTE 89, PO BOX 518          MARKLEEVILLE, CA 96120          530-694-2113</b>	
PLAINTIFF: <b>THE PEOPLE OF THE STATE OF CALIFORNIA</b> <b>vs.</b> DEFENDANT:	
<b>REQUEST FOR REMOTE APPEARANCE (MISDEMEANOR/ FELONY)</b>	CASE NUMBER: _____

You must use this form to request to appear remotely in a criminal case. You may also use it to notice all other parties in the case of your request. Check the court's website at [www.alpine.courts.ca.gov](http://www.alpine.courts.ca.gov) for information about how to appear remotely.

The person who requests to appear remotely via Zoom is (*check and complete all that apply*):

Defendant (*name*): \_\_\_\_\_

Attorney or Co-Counsel for Defendant (*name*): \_\_\_\_\_

Other (*name and role in case*): \_\_\_\_\_

This request is made for the following hearing:

Nature of proceeding: \_\_\_\_\_ set on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_

The following applies to this request:

I request to appear remotely for a proceeding that may require judicial approval. I am requesting to appear remotely for the following reason(s):  
 \_\_\_\_\_

I request to appear remotely for a proceeding that is preauthorized for approval pursuant to Alpine County Superior Court Local Rule 1.7, California Rules of Court, or other statutory law.

List the name, role (attorney, defendant, etc.) and contact information for all who are requesting to appear via Zoom.

Name and Role	Email address	Phone number (cell phone preferred)

- A page with additional names and contact information is attached to this form.
- Criminal cases are public record. Check this box if you want your contact information redacted/ confidential.

If you are the attorney of record or co-counsel for defendant, check all of the following that apply:

My client has consented and authorized me to request to appear remotely.

My client will appear in person.

My client is requesting to appear remotely and waives the right to appear personally.

If my client has not signed the terms and conditions below, I represent to the court that:

1. I have fully explained the terms and conditions of remote appearances as set forth below.
2. My client has indicated to me that they fully understand the terms and conditions.
3. My client has authorized me to inform the court that they agree to be bound by the terms and conditions set forth below.

**Terms and conditions of remote appearances for criminal proceedings:**

1. A person appearing remotely should conduct themselves as though they are appearing in court in person. Any actions that occur during the hearing are subject to all applicable rules, statutes, and laws and are enforceable in the same manner as if the remote attendee was in the courtroom.
2. By making this request for a remote appearance, the requesting party or parties agree they do not have any scheduling conflicts with the appearance. The requesting party will be ready to participate in the hearing on the scheduled date and time. Be prepared and available throughout the entire calendar session for when your matter is called. The requesting party will not be engaged in any other activity while participating in the scheduled hearing.
3. If you are not connected to the Zoom videoconference platform at the time the court calls your case, or if your connection drops during the hearing, the court may consider the failure of connection and/ or the dropped call a failure to appear. The court may thereafter vacate the hearing from the calendar, proceed with the hearing, make rulings in the party's absence as allowed by law, and/ or issue a bench warrant for the defendant's failure to appear. Any warrant issued for failure to appear may have a bail set up to and including a no bail warrant.
4. In the interests of justice, the court may exercise its discretion to terminate the remote appearance if there is any disruption, noise, misconduct, miscommunication or technical problem, or other interference issue.
5. The court retains discretion at all times to require any person to appear in person instead of remotely and/ or to continue the hearing.
6. Except as provided in California Rules of Court Rule 1.150, court proceedings shall not be photographed, recorded, or broadcasted. Violators may be cited for contempt of court, or the court may impose monetary sanctions.

I have read and/ or been advised of, understand, and knowingly accept the terms and conditions of remote appearances set forth above:

\_\_\_\_\_  
Date Printed Name  
\_\_\_\_\_  
Signature

---

**[TO BE COMPLETED BY COURT]**

**By Deputy Court Clerk:**

- Request for remote appearance is preauthorized:
- Pursuant to Local Rule 1.7, CA Rule of Court, statutory law.
  - Due to being granted on the record from a previous proceeding on (date) \_\_\_\_\_.

\_\_\_\_\_  
Date Deputy Court Clerk

**By Judicial Officer:**

The request for remote appearance is  Granted  Denied

\_\_\_\_\_  
Date Judge of the Superior Court

**CLERK’S CERTIFICATE OF SERVICE**

I am not a party to this action.

I caused the “Request for Remote Appearance (Misdemeanor/ Felony)” to be served by enclosing a copy in an envelope as shown below and caused the envelope to be deposited with the United States Postal service with first-class postage fully prepaid at Markleeville, California.

Defendant/ Counsel:

Agency:

Alpine County District Attorney  
Interoffice Mail

I certify that the foregoing is true and correct.

\_\_\_\_\_

Date

\_\_\_\_\_

Deputy Court Clerk



**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ALPINE**  
14777 STATE ROUTE 89, PO BOX 518  
MARKLEEVILLE, CA 96120  
530-694-2113

FOR COURT USE ONLY

PLAINTIFF:  
**THE PEOPLE OF THE STATE OF CALIFORNIA**  
vs.  
DEFENDANT:

**CERTIFICATE/ PROOF OF CORRECTION  
(Vehicle Code § 40616)**

CASE NUMBER:

CITATION NUMBER:

**INSTRUCTIONS:** If your copy of your citation (*TR-130 Traffic/ Non-Traffic Notice to Appear*) is lost, damaged, or otherwise unavailable, use this form to provide proof of correction of your violation(s) to the court. For a reduced bail amount, present this form to an authorized agency to sign off when you have corrected your violation.

**NOTE:** If you were cited for an insurance violation, you must submit proof of valid insurance as of the date of the violation.

**CORRECTABLE VIOLATIONS:**

If “correctable” was checked on the front of your citation concerning a specific violation, show an officer, authorized inspection agency, or DMV agent (license and registration issues only) that you have corrected the issue, and they will sign below. The violation will be dismissed upon the court’s receipt of the proof of correction and a \$25.00 transaction fee, per corrected violation.

Proof of correction may consist of a certification by an authorized representative of one of the following agencies that the alleged violation has been corrected:

- (a) Brake, lamp, smog device, or muffler violations may be certified as corrected by any station licensed or contracted to inspect and certify for the violation.
- (b) Driver’s license and registration violations may be certified as corrected by the Department of Motor Vehicles.
- (c) Most violations, except for insurance violations such as Vehicle Code Section 16028(a) may be certified as corrected by a police department, the California Highway Patrol, sheriff, marshal, or other law enforcement agency regularly engaged in enforcement of the California Vehicle Code.

Vehicle License No: \_\_\_\_\_ Vehicle Make: \_\_\_\_\_ Vehicle Model: \_\_\_\_\_

**CERTIFICATE OF CORRECTION (MUST BE RETURNED TO COURT)**

Section(s) Violated	Signature of Person Certifying Correction	Serial No./ID/ Badge #	Agency	Date



**SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF ALPINE  
 14777 STATE ROUTE 89, PO BOX 518  
 MARKLEEVILLE, CA 96120  
 530-694-2113**

*FOR COURT USE ONLY*

PLAINTIFF:  
**THE PEOPLE OF THE STATE OF CALIFORNIA**  
 vs.  
 DEFENDANT:

**REQUEST TO ATTEND TRAFFIC SCHOOL AND ORDER**

CASE NUMBER:

CITATION NUMBER:

I am the defendant in this case. I am requesting to attend and complete traffic violator school prior to the disposition of my case in relation to my violation of the California Vehicle Code section referenced below.

Count: \_\_\_\_\_ California Vehicle Code Section: \_\_\_\_\_

Alleged speed: \_\_\_\_\_ mph in a \_\_\_\_\_ mph maximum speed limit zone, \_\_\_\_\_ mph over the posted maximum speed limit.

**I was cited for a speeding violation in which the alleged speed was more than 25 mph over the posted maximum speed limit. The court clerk does not have authority to grant traffic violator school per California Rule of Court Rule 4.104(b)(2)(G). Traffic violator school must be court ordered.**

I have attached information or documentation about my driving conduct for the judicial officer's consideration in connection with their determination. *(You may use California Judicial Council form MC-030: Declaration for any written statement.)*

Number of attached documents: \_\_\_\_\_

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Defendant's Signature

**[TO BE COMPLETED BY JUDGE]**

The defendant's request is denied.

The court has more questions about your request.

Contact the court within 20 days of the clerk's certificate of service to schedule a hearing date. Court clerk's office phone number: (530) 694-2113. Remote appearances via Zoom, a videoconference platform, are allowed.

The defendant's request is granted. Defendant is to attend a California traffic violator school. If not already submitted, defendant is to pay a nonrefundable administrative fee of \$52.00 plus \$\_\_\_\_\_ to the court by:

\_\_\_\_\_.

A Traffic School Notice is attached to this order. A certificate of completion of traffic violator school must be received by the court clerk within 60 days of today's date.

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Judge of the Superior Court

**CLERK'S CERTIFICATE OF SERVICE**

I am not a party to this action.

I caused the "Request to Attend Traffic School and Order" to be served by enclosing a copy in an envelope as shown below and caused the envelope to be deposited with the United States Postal service with first-class postage fully prepaid at Markleeville, California.

Defendant:

I certify that the foregoing is true and correct.


---

Date

---

Deputy Court Clerk



ATTORNEY OR PARTY WITHOUT AN ATTORNEY <i>(Name, state bar number, and address)</i>  TELEPHONE NO: _____ FAX NO: _____ EMAIL: _____	<b>FOR COURT USE ONLY</b>
 <b>SUPERIOR COURT OF CALIFORNIA          COUNTY OF ALPINE          14777 STATE ROUTE 89, PO BOX 518          MARKLEEVILLE, CA 96120          530-694-2113</b>	
PLAINTIFF: <b>THE PEOPLE OF THE STATE OF CALIFORNIA</b> <b>vs.</b> DEFENDANT: _____	CITATION NUMBER: _____
<b>REQUEST FOR TRAFFIC COURT TRIAL</b>	CASE NUMBER: _____

I am the defendant in this case. I am pleading not guilty to all violations alleged on my citation and I am requesting to schedule a court trial before a judge.

I have been retained by the defendant in this matter. I have advised the defendant of the charges, possible pleas and defenses, potential direct consequences of conviction, and his/her constitutional and statutory rights, including without limitation the right to a speedy trial. I am entering a plea of not guilty to all alleged violations on behalf of my client and requesting to schedule a court trial before a judge.

The defendant  waives  does not waive time for the purposes of setting a trial within 45 days of the filing date of this request. *(If defendant waives time, the court has discretion to schedule the trial up to 90 days from the filing date of this request.)*

I am requesting to appear remotely via Zoom, a videoconference platform, for the court trial. My email address for receipt of remote appearance information is: \_\_\_\_\_

I understand that by appearing remotely for trial, any evidence I wish the court to consider must be received by the court no later than five days prior to my trial date and served on all parties in this matter.

\_\_\_\_\_ Date \_\_\_\_\_ Defendant's / Attorney's Signature


**[TO BE COMPLETED BY COURT]**

The defendant's request is denied.  
 Other: \_\_\_\_\_

The defendant's request is granted. A court trial is scheduled as follows:

<b>Court hearing date:</b> DATE: _____ TIME: _____	<b>The court hearing will be at:</b> ADDRESS: Alpine County Courthouse 14777 State Route 89, Markleeville, CA 96120
<b>Remote appearance:</b> <input type="checkbox"/> approved <input type="checkbox"/> denied	

\_\_\_\_\_ Date \_\_\_\_\_ Deputy Court Clerk

ATTORNEY OR PARTY WITHOUT AN ATTORNEY <i>(Name, state bar number, and address)</i>  TELEPHONE NO: _____ FAX NO: _____ EMAIL: _____	<b>FOR COURT USE ONLY</b>
 <b>SUPERIOR COURT OF CALIFORNIA          COUNTY OF ALPINE          14777 STATE ROUTE 89, PO BOX 518          MARKLEEVILLE, CA 96120          530-694-2113</b>	
PLAINTIFF: <b>THE PEOPLE OF THE STATE OF CALIFORNIA</b> <b>vs.</b> DEFENDANT:	CITATION NUMBER:
<b>REQUEST FOR CONTINUANCE OF TRAFFIC COURT TRIAL AND ORDER</b>	CASE NUMBER:

**Instructions:** This Request for Continuance of Traffic Court Trial form must be filed at least 10 COURT DAYS prior to the court trial hearing date. If this request is not filed timely, it may be denied.

I am the  defendant  attorney of record for defendant  officer subpoenaed in this case.

I am unable to appear for the court trial scheduled on the date of \_\_\_\_\_ due to:  
*(Detail reason(s) including dates on which any training or appointments were scheduled and if there are any pre-paid reservations. Include any information or documentation you wish the judicial officer to consider.)*

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There have been \_\_\_\_\_ continuances previously granted.

Defendant  waives time  does not waive his/her rights to a speedy trial.

I declare under penalty of perjury under the laws of the State of California that the foregoing information is true and correct.

\_\_\_\_\_  
 Date Defendant's / Attorney's / Officer's Signature

**[TO BE COMPLETED BY COURT]**

The request is denied. Trial remains as previously set.

Other: \_\_\_\_\_

The request is granted. A court trial is scheduled as follows:

<b>Court hearing date:</b> DATE: _____ TIME: _____	<b>The court hearing will be at:</b> ADDRESS: Alpine County Courthouse 14777 State Route 89, Markleeville, CA 96120
<b>Remote appearance:</b> <input type="checkbox"/> approved <input type="checkbox"/> denied	

\_\_\_\_\_  
 Date Judge of the Superior Court

**CLERK'S CERTIFICATE OF SERVICE**

I am not a party to this action.

I caused the "Request for Continuance of Traffic Court Trial and Order" to be served by enclosing a copy in an envelope as shown below and caused the envelope to be deposited with the United States Postal service with first-class postage fully prepaid at Markleeville, California.

Defendant/ Counsel:

Agency:

I certify that the foregoing is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Deputy Court Clerk