



Stanislaus Superior Court Corrections to Local Rules – To Become Effective 09/01/2022

3.01 Law and Motion/Ex Parte Hearings – Redline Version

A. Law and motion is heard Tuesday through Friday at 8:30 am. If Monday is a Court holiday, then Wednesday through Friday. If you would like to schedule a law and motion matter for hearing, call (209) 530-3162, 11:00 a.m. – 4:00 p.m.

B. Any reserved law and motion date will be vacated if the moving documents are not filed within **five (5)** Court days after reserving the date.

C. Tentative rulings will be issued on law and motion matters the Court day prior to the hearing date. Tentative rulings can be accessed on the Internet at www.stanct.org after 1:30 p.m.

D. You may request a hearing on a law and motion matter by calling the calendar line at (209) 530-3162 or the main line at (209) 530-3100, prior to 4:00 p.m. or by e-mailing at civil.tentatives@stanct.org. E-mail requests must be made prior to 4:00 p.m. AND confirmed by return e-mail. If you do not receive confirmation e-mail from the clerk, you MUST call (209) 530-3162 to request your hearing. (1/1/22)

E. You may request a staff court reporter to cover a law and motion hearing by calling the Supervising Court Reporter at (209) 530-3105 or by emailing civil.tentatives@stanct.org. Requests must be made by 4:00 p.m. the day before the law and motion hearing and confirmed by return email or phone call. Priority coverage for a staff court reporter is given to Departments 21 and 23 on Wednesday and Friday; and to Departments 22 and 24 on Tuesday and Thursday. (1/1/22)

1. If a Superior Court staff reporter is **not** available to report the law and motion hearing, then the party, at their own expense, may arrange for the presence of a certified shorthand reporter to serve as an official pro tempore reporter pursuant to California Rules of Court, rule 2.956.

2. Only one court reporter will be allowed per hearing; therefore, parties must check with the Supervising Court Reporter regarding the availability of a staff court reporter prior to engaging a pro tempore reporter. The Supervising Court Reporter can be contacted via e-mail to civilreporters@stanct.org or by phone at (209) 530-3105.

3. A party with an approved fee waiver may request an official court reporter to cover a law and motion hearing within the time limits set forth in this rule at no expense to the party. An approved fee waiver does not cover the cost of a reporter's transcript.

4. Any law and motion hearing lasting more than an hour will be billed at the ½ day rate of **\$350**. If the hearing continues after the noon hour, then the full day rate of **\$700** applies.

Parties requesting an ex parte hearing shall contact the assigned department. The bailiff/courtroom clerk of the department will schedule the hearing. The moving party shall then e-file its ex parte hearing request and supporting papers with the Clerk's Office no later than 2:00 p.m. on the Court day prior to the scheduled ex- parte hearing. (Parties not required to utilize e-filing may hand file their ex parte hearing request and supporting documents with



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the Clerk's Office no later than 2:00 p.m. on the Court day prior to the scheduled ex parte hearing.) If the ex parte hearing request and supporting paperwork is not filed with the Clerk's Office by 2:00 p.m. on the Court day prior to the scheduled hearing (whether by e-filing or by hand) the ex parte hearing will be dropped. Notice of the ex parte hearing shall be given as prescribed in California Rules of Court rule 3.1203.

G. You may request a staff court reporter to cover an ex parte hearing by calling the Supervising Court Reporter at (209) 530-3105 or emailing civilreporters@stanct.org at the same time you request an ex parte hearing. (1/1/22)

1. If a staff reporter is not available to report the ex parte hearing, then the party, at their own expense, may arrange for the presence of a certified shorthand reporter to serve as an official pro tempore reporter pursuant to California Rules of Court, rule 2.956. If a staff court reporter is available to report an ex parte hearing, the party requesting the reporter shall pay a \$30 reporter fee for any hearing under an hour.
2. Only one court reporter will be allowed per hearing; therefore, parties must check with the Supervising Court Reporter as set forth in 3.01(G) regarding the availability of a staff court reporter prior to engaging a pro tempore reporter.
3. A party with an approved fee waiver may request an official court reporter to cover an ex parte hearing at no expense to the party. The request must be made in a timely fashion as set forth in this rule. An approved fee waiver does not cover the cost of a reporter's transcript.
4. Any ex parte hearing lasting more than an hour will be billed at the ½ day rate of **\$350**. If the hearing continues after the noon hour, then the full day rate of **\$700** applies. (1/1/22)