



**Superior Court of California
COUNTY OF ALAMEDA**

March 14, 2023

Notice to Attorneys and to All Interested Parties:

Invitation to Comment on Proposed Amendments to Local Rules and Forms

As required by California Rules of Court, Rule 10.613(g), the Superior Court of California, County of Alameda hereby distributes for public comment the attached proposal to amend its local rule.

The proposal also may be viewed [here](#) or [here](#). In addition, a hard copy of the proposal is available upon request by email at pcomments@alameda.courts.ca.gov or by phone at 510-891-6012.

Important dates:

- The last day to comment is **April 28, 2023, at 5:00 p.m.**
- The proposed amendment takes effect upon approval of the Chair of the Judicial Council or on **July 1, 2023**, whichever is sooner.

Text of Proposed Rules and Amendments: *see attached.*

Comments must be submitted in writing to:

Andrew Taylor
Superior Court of California, County of Alameda
1225 Fallon Street, Room 209
Oakland, CA 94612
E-mail: pcomments@alameda.courts.ca.gov

Local Rules of the Superior Court of California, County of Alameda

Title 3. Civil Rules

Chapter 2. Limited and Unlimited Civil Cases

Rule 3.131. Assignment of limited civil cases and collection cases

(a) Assignment to commissioner as temporary judge

The presiding judge may assign a commissioner to act as a temporary judge for limited civil cases and collection cases.

(b) Notice of assignment

The court will provide notice of assignment indicating that the case is assigned to a commissioner acting as a temporary judge.

(c) Stipulation to commissioner

A party is deemed to have stipulated to a commissioner acting as a temporary judge unless that party files a written objection within 30 days after notice of assignment of the case to a commissioner acting as a temporary judge or, if a party has not yet appeared in the action, then within 30 days after the appearance, whichever is later.

A party that does not file a responsive pleading before default is entered is deemed to have stipulated to a commissioner acting as a temporary judge.

(d) Objection to commissioner

If a party objects to a commissioner acting as a temporary judge, the commissioner may still hear the matter and can then make findings of fact and recommend an order for a review by a judge. The judge may ratify the recommended order following independent review taking into consideration whether any party objected to the recommended order. The judge may also order a hearing on the matter.

Rule 3.131 adopted effective July 1, 2023.