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

Title 5. Family Rules

Chapter 1. General Provisions

Rule 5.31. Emergency rule re submitting requests for orders on the pleadings during COVID-19 crisis

During the COVID-19 crisis, and commencing forthwith, those parties wishing to submit their Requests for Orders (RFOs) on the pleadings may submit a request directly to the email account of the department where the RFO is calendared.

(1)   The request for submission applies to all Requests for Orders, Domestic Violence Restraining Orders and Elder Abuse Restraining Orders calendared from March 17, 2020, through June 30, 2020.

(2)   The requesting parties or their counsel must submit local form ALA-FL-EMER-060 (*Stipulation and Waiver of Right to Hearing on Request for Order*) by email with signatures of both parties or attorneys of records, or a combination of the two. That form must specify what documents have been filed that the parties are requesting the Court to consider.

(3)   Each party may submit up to 10 additional pages of pleadings/documents (including exhibits) relating to the request. Those additional documents should be attached to the stipulation and must have been shared with the opposing party at the time of submission. The Court will consider those additional pleadings in making its decision. Those additional documents as well as the stipulation will not be filed with the Court until normal operations resume.

(4)   If there is a request for support, each side must file and serve a current income and expense declaration, with evidence of income attached, consistent with rules 5.92(b)(2) and (3) and 5.260(a)(3) of the California Rules of Court.

(5)   All supporting declarations filed shall be consistent with rule 5.111(b)(2) of the California Rules of Court.

(6)   With the stipulation, the Court will render a decision and notify parties when order is ready, and will work with the parties to determine the method of delivery.

Rule 5.31 adopted effective April 20, 2020.