

Superior Court of California County of Marin

COURT ADMINISTRATION



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March 30, 2022

Public Notice

The Marin County Judges have Adopted Emergency Local Rules 22.01, 22.02, 22.03 and 22.04

22.01 IMPLEMENTATION OF eDELIVERY AS A MEANS TO PROVIDE TOUCHLESS SERVICES DURING THE COVID-19 PANDEMIC AND THE RESULTING NEED TO PROVIDE EQUAL ACCESS

The Court's implementation of eDelivery allows litigants to submit pleadings to the Court at any hour of the day. Any pleadings submitted by a party via eDelivery, subsequently reviewed by the Court and found to be in compliance with all filing requirements, will be deemed filed on the day received. A day is defined as the period starting at Midnight until 11:59 p.m. of the same date.

For those who do not have the ability to use eDelivery and must submit documents to the Clerk's Office (Room 113) for filing or by depositing them in the Court's Dropbox (the Dropbox) located outside of Room 113, such individuals must do so by no later than 4:00 p.m. to be considered filed on that date. All pleadings deposited in the Dropbox and time-stamped on or before 4:00 p.m. will be reviewed by the Court, and if found to be in compliance with all filing requirements, be deemed filed on the date received.

For those who are granted a fee waiver, and do not have the ability to use eDelivery and attempted to deliver your pleading outside of regular business hours to the Court's dropbox, you may, by no later than noon of the next court day, request a hearing with a judicial officer to have the document deemed filed on the date of attempted delivery. Attempted delivery requires that you declare under penalty of perjury that you either: 1) deposited your pleadings into the Court's dropbox between 4:00 p.m. and 11:59 p.m. or 2) tried to deposit your pleadings into the Court's dropbox between 4:00 p.m. and 11:59 p.m. but were unable to do so because the building was closed.

22.02 REMOTE APPEARANCES AT NON-EVIDENTIARY HEARINGS IN CIVIL CASES

Unless an in-person appearance is expressly ordered by the court or otherwise required by law, parties are encouraged to appear at non-evidentiary hearings via remote technology rather than in person. By doing so, those persons will be deemed to have requested a remote appearance. No written request to appear remotely is necessary.

Persons intending to appear remotely shall notify all opposing parties of their intention before the hearing. That notice may be given informally, including by telephone, email, or text message. No advance notice to the court of the intention to appear remotely is required prior to the date of the hearing.

If for any reason the court denies the request to allow a remote appearance, the hearing shall be continued to a date at which the parties will be ordered to appear in person.

This rule applies to all non-evidentiary hearings in civil cases as defined in California Rules of Court, rule 1.6(4), except family law cases, which are subject to Emergency Local Rule 22.03. Non-evidentiary hearings are those in which oral testimony will not be received, such as (a) hearings on motions and ex parte applications; (b) case management proceedings such as case management conference; (c) Mandatory Settlement Conferences; and (c) hearings in response to orders to show cause other than those for contempt.

This rule shall remain in effect until July 1, 2023.

22.03 REMOTE APPEARANCES AT NON-EVIDENTIARY HEARINGS IN FAMILY LAW MATTERS

Unless an in-person appearance is expressly ordered by the court or otherwise required by law, parties intending to appear remotely shall notify all opposing parties of their intention before the hearing. That notice may be given informally, including by telephone, email or text message. No advance notice to the court of the intention to appear remotely is required prior to the date of the hearing.

If for any reason the court determines that an in-person appearance is required, the hearing may be continued to a date at which the parties will be ordered to appear in person.

This rule applies to all non-evidentiary hearings in cases brought under the Family Code.

Non-evidentiary hearings are those in which oral testimony will not be received, such as (a) hearings on motions, request for orders and ex-parte applications; (b) case management proceedings such as case status conferences, mandatory settlement conferences and trial readiness conferences; and (c) hearings in response to orders to show cause other than those for contempt.

This rule shall remain in effect until July 1, 2023.

22.04 REMOTE APPEARANCES IN SMALL CLAIMS, TRAFFIC
MATTERS, AND THE APPELLATE DIVISION

Unless an in-person appearance is expressly ordered by the court or otherwise required by law, all Small Claims, Traffic matters AND Appellate Division matters will be conducted via remote technology rather than in person.

By appearing remotely, a party will be deemed to have agreed to appear remotely. Any party opposing remote appearances or testimony may state their objection at the proceeding. If an objection is stated, the court will then determine if an in-person appearance by any other party or witness is necessary.

This rule shall remain in effect until July 1, 2023.