

ALTERNATIVE DISPUTE RESOLUTION PROGRAM
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MIRIAM R. ARFIN
DEPUTY DIRECTOR

450 GOLDEN GATE AVENUE
SAN FRANCISCO, CA 94102
TEL: (415) 556-2130
FAX: (415) 550-0147

FAX TRANSMITTAL FORM

TO: Donna Stienstra

FAX No.: (202) 633-6335

FROM: Mirmi Arfin

NUMBER OF PAGES (Not including this transmittal form): 2

DATE: May 5, 1992

REMARKS: This is the information Stephanie discussed with you. Our CJRA Liaison Committee of Judges considered including it in our case management pilot, but chose to refer it to our Local Rules Committee, recommending it for courtwide implementation. Please call if you would like more information.

MOTIONS

A. Form/papers.

1. Counsel shall not file, as separate documents, (1) a notice of motion, (2) motion, (3) memorandum of points and authorities, (4) declarations and attachments thereto, and (5) a proposed order. Instead, counsel shall include in one filed document:
 - a. a first paragraph that constitutes notice of motion (including date and time of hearing, if known),
 - b. a second paragraph that states concisely what relief or court action the movant seeks,
 - c. third section that constitutes the points and authorities in support of the motion, and
 - d. a fourth section that contains any declarations and evidentiary attachments that the movant wants the court to consider in ruling on the motion.
2. Unless expressly ordered to do so by the judge hearing the motion, counsel shall not file a proposed order.
3. Unless the court in an individual case expressly orders otherwise, only the moving papers (accompanied, as appropriate, by declarations and evidentiary exhibits), an opposition (accompanied, as appropriate, by declarations and evidentiary exhibits), and a reply (accompanied, as appropriate, by declarations and evidentiary exhibits) may be filed in connection with any motion.
 - a. After the reply is filed, no additional memoranda or letters shall be filed without prior approval by the court.
 - b. Counsel may bring to the court's attention, by simple citation and without comment, relevant judicial opinions that are made public after the reply is filed.
4. The only paper that may be filed by a party seeking an order shortening time for hearing of a motion is a declaration (which may be accompanied, as appropriate, by evidentiary exhibits).

B. Page limits

Except with respect to motions related to discovery that are heard on shortened time, and unless the court in an individual case expressly orders otherwise, counsel may file briefs and memoranda of up to 25 pages of text, as long as they comply with LR 220-4.

C. Motions for sanctions

Every motion for sanctions must be (1) filed separately, (2) scheduled in conformity with LR 220-2 on the minimum 28 day cycle, and (3) include competent declarations which set forth the facts and circumstances that support the motion, describe the efforts made by the moving party to secure compliance (without court intervention) with the rule or obligation that allegedly has been violated or breached, and itemizes with particularity the otherwise unnecessary expenses (including attorneys' fees) directly caused by the alleged violation or breach.

D. Fax/next day delivery of papers re motions to be heard on shortened time.

All papers (moving, opposition, reply) filed in connection with any motion heard on shortened time (less than the minimum 28 day schedule called for in LR 220-2) shall be delivered to counsel for each other party, by fax or other means, no later than the day after they are filed.