



**Superior Court of California
COUNTY OF ALAMEDA**

March 16, 2022

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 **May 2, 2022 at 5:00 p.m.**
- The proposed amendment takes effect upon approval of the Chair of the Judicial Council or on **July 1, 2022**, 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

Title 3. Civil Rules

Chapter 1. Rules Applicable to All Civil Cases

Rule 3.31. Discovery

Unless otherwise authorized by the court, discovery meet and confer obligations require an in-person, telephonic, or video conference between parties. If a resolution is not reached, an informal ~~D~~discovery ~~C~~conference (“IDC”) with the court ~~pursuant to~~ ~~under~~ Code of Civil Procedure ~~S~~section 2016.080 must be requested and either held or denied before a party may obtain a reservation number for the filing of ~~any discovery-related~~ motion, including a motion ~~against a represented party for further discovery or~~ for a protective order ~~or for an order to~~ quash. Department-specific instructions regarding ~~use or modification of~~ this rule are located on the ~~C~~court’s website page for each department.

1. To ~~schedule request~~ an IDC, ~~parties must~~ contact the clerk of the assigned department by email, with a copy to all parties.
2. ~~Unless otherwise authorized by the court,~~ the requesting party must file and serve an IDC declaration limited to three pages that must ~~summarize~~~~include a~~ ~~brief summary of~~ the meet and confer efforts and the disputed discovery. A courtesy copy of the IDC declaration must be emailed or delivered to the assigned department at least three court days before the IDC. The responding party ~~must~~~~shall~~ file and serve an IDC response limited to three pages briefly summarizing the ~~responding party’s~~~~basis of its~~ position. A courtesy copy of the IDC response must be emailed or delivered to the assigned department at least one court day before the IDC.
3. ~~Unless otherwise authorized by the court,~~ no additional documents ~~may~~~~shall~~ be attached to any IDC ~~declaration~~~~statement~~ or response except a privilege log. ~~If a claim of~~~~Where~~ privilege is ~~the~~~~a~~ basis of a discovery dispute~~for refusal to produce documents~~, a privilege log must be provided.
4. The ~~deadline for filing the discovery motion is tolled by the~~ email requesting an IDC ~~will toll the deadline for filing the discovery motion~~. If no IDC is held, ~~the deadline is tolled~~ ~~tolling shall continue~~ until the denial of the hearing by the ~~court~~~~judge~~ or by operation of law. If an IDC is held, the deadline ~~is~~~~shall be~~ tolled until such time as the ~~c~~Court issues a direction or order setting a new deadline for filing a discovery motion.

Rule 3.31 proposed amended effective July 1, 2022; ~~previously amended effective July 1, 2021~~; adopted effective January 1, 2019; ~~previously amended effective July 1, 2021~~.