



Superior Court

State of California
County of Lake
Courthouse
Lakeport, California 95453
707-263-2262

MARY E. SMITH
—
COURT EXECUTIVE/CLERK
JURY COMMISSIONER
—

October 5, 2011

INVITATION TO COMMENT NOTICE TO ATTORNEYS AND ALL INTERESTED PARTIES

Below are proposed amendments to Local Rules. These amendments are in addition to the rules currently out for comment. Please submit your comments to mary.smith@lake.courts.ca.gov by close of business November 7, 2011.

CHAPTER 4 **CRIMINAL RULES**

4.2 Preliminary Examination Readiness Conference (new 1/1/2010, and 1/1/2012)

Unless otherwise ordered for good cause for all felony charges, a preliminary examination readiness conference date ~~shall~~ **may** be set. At that conference all counsel who will participate in the preliminary examination shall be present. Counsel are expected to have discussed the case among themselves and exchanged offers with a view toward resolving the matter prior to preliminary examination.

Both counsel for the people and for the defendant shall inform the court of any special needs, such as interpreters or appointment of counsel for witnesses, that are needed for the preliminary examination, and the estimated time for hearing.

CHAPTER 8 **CASE MANAGEMENT**

8.8 Dismissal Calendar (eff. 6/30/91, and 1/1/2012)

~~Quarterly~~ **As frequently as needed** there will be a dismissal calendar, on which the clerk will place all unresolved cases in which the complaint was filed more than 5 years before the date of the dismissal calendar. Notice will be given to the parties, by the

clerk, 50 days in advance of the date of the dismissal calendar. A party desiring to oppose the dismissal of the case for lack of prosecution pursuant to Code of Civil Procedure § 583.310-583.360 must file with the clerk, within 15 days after the date of the clerk's notice, a written opposition to the dismissal and, thereafter, shall promptly file declarations containing whatever evidentiary showing is desired to be given in support of the opposition. At the dismissal calendar, the case will be dismissed unless opposition to the dismissal has been filed in accordance with this rule and the case may be dismissed, notwithstanding such opposition.

DEADLINE FOR COMMENTS - NOVEMBER 7, 2011