

RULE 111 – Time for Filing

- A. ~~The failure to include sufficient fees, required case identification information, adequate number of copies and/or supporting documentation with any filing, may result in the court's good cause delay of the filing of the document(s) to the next court day or the date on which the missing information, copies and/or fees are received.~~
- B. ~~Conformed copies of a filing will not be returned via mail to any individual failing to provide a return envelope with adequate postage thereon.~~
- C. ~~Only those documents filed with the court or deposited in the court's drop box before 4:00 p.m. on any court day, will be deemed to have been filed on that day. Any document received by the court after 4:00 p.m., will be filed on the next court day. Documents received by the court after 3:00 p.m. will be processed consistent with Local Rule 124.~~

Public service demands upon staff are high and, therefore, all documents must be filed with the court in a timely manner.

All standard filings: All documents will be filed with the date they are submitted or deposited in the courts drop box when received **before 4:00p.m.** that day. All documents submitted **after 4:00p.m.** will be filed on the next court day. ~~must be submitted to the court or deposited in the court's drop box before 4:00 p.m. in order to be filed on that day. Documents submitted after 4:00 p.m. will be filed on the next court day.~~

All filings in connection with next day appearances: All documents in connection with a next day appearance must be submitted to the court no later than 3:00p.m. the day before the hearing is schedule.

Criminal filings for *in-custody defendants* approaching a 48-hour deadline for an arraignment and/or probable cause hearing:

Hearings scheduled on **Monday through Thursday:** All documents must be submitted to the court **no later than 1:00 p.m.**

Hearings scheduled on **Friday:** All documents must be submitted to the court **no later than 11:00 a.m.**

The failure to include sufficient fees, required case-identification information, adequate number of copies and/or supporting documentation with any filing, may result in the court's good cause delay of the filing of the document(s) to the next court day or the date on which the missing information, copies and/or fees are received. Conformed copies of a filing will not be returned via mail to any individual failing to provide a return envelope with adequate postage thereon.

(Eff. 7/1/08; as amended and renumbered, eff. 1/1/13; amended 7/1/15; amended eff. 1/2/2021.)

RULE 124 – Filing of Documents After 3:00 p.m.

~~Public service demands upon staff are high and, therefore, all documents must be filed with the court in a timely manner. Pursuant to Administrative Order 94-04, documents filed with the Clerk of the Court after 3:00 p.m. will be stamped in as “filed” but will not be processed nor made available for court review and consideration until the afternoon of the next working day. Documents tendered for filing after 3:00 p.m. in connection with a next day court hearing will be required to be filed in court the next day. (Eff. 1/1/14; amended eff. 7/1/19.; repealed eff. 1/2/2012.)~~

Rule 126 – Renumbered to Rule 125

- I. **Failure to Comply.** Any document which fails to comply with this Rule, California Rules of Court, Rule 2.250, *et. seq.*, California Code of Civil Procedure Section 1010.6, and all other applicable statutes and/or rules, may ~~be refused or rejected filing by the Clerk and/or his designated agent~~ may not be considered by the Court.

(Eff. 10/1/14; amended 7/1/18; amended and renumbered eff. 1/1/2021.)

Rule 127 – Renumbered to 126

D. Conventionally filed documents failing to comply with these rules may ~~be rejected by the Clerk of the Court and/or otherwise have their filing and~~ result in the delayed entry of the document into the Court’s electronic case management system and/or may not be considered by the Court.

E. Documents electronically filed with the court must comply with the requirements set forth in Local Rule 126.

(Eff. 7/1/15; as amended, 7/1/16; renumbered eff. 1/1/2021.)

RULE 509 - Petitions for Relief under California Penal Code Section 1170.18 (Proposition 47) and California Health & Safety Code Section 11361.8 (Proposition 64)

A. The Kings County Superior Court has developed forms for use in connection with requests for relief under California Penal Code Section 1170.18 and California Health & Safety Code Section 11361.8. The forms are optional but their use is preferred. The forms are available on the court’s website or by written request. A separate form should be used for every criminal case to be addressed.

B. Requests for relief which are not on the optional form(s) and/or otherwise formatted as a motion/petition will not be forwarded for judicial action. Letters or notes

requesting relief under California Penal Code Section 1170.18 and California Health & Safety Code Section 11361.8 ~~will be rejected from filing without further action.~~ may not be considered by the Court.

RULE 511 - Requests for Dismissal Pursuant to VC § 41500

All requests for dismissal pursuant to California Vehicle Code Section 41500, subdivision (a), must include a verified statement or official document from the California Department of Corrections and Rehabilitation, Division of Juvenile Justice, or county jail, confirming the date of defendant's commitment. Requests lacking such information may ~~be returned by the Clerk without processing~~ may not be considered by the Court. (Eff. 7/1/17 as Rule 510, renumbered 1/1/18; amended eff. 1/1/2021.)

RULE 603 – Motion Requirements

A. ~~No noticed motion will be accepted by the Court unless it is accompanied by proof of service.~~ Noticed motions should be accompanied by a proof of service compliant with California Code of Civil Procedure § 1013.

Rule 707

2. Except as provided in Family Code section 6300, unless notice of the application for an ex parte order (including an application for an orders shortening time) or a Temporary Restraining Order would result in great irreparable injury to the applicant before the matter can be heard on notice, the applicant shall give the other party the notice required by law. Any party seeking to have a Request for Temporary Emergency (Ex Parte) Order decided by the court without service of notice upon the opposing party must include a declaration setting forth sufficient facts to support the waiver of notice. Any Request for Temporary Emergency (Ex Parte) Order which does not include the required declaration ~~will be rejected~~ may not be considered by the Court.