



# Superior Court of California

## County of San Diego

EXECUTIVE OFFICE

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SAN DIEGO, CA 92101

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January 3, 2022

### NOTICE TO THE PUBLIC

#### **CHANGE IN REMOTE APPEARANCES PROCEDURES FOR ALL CIVIL CASE TYPES**

On December 29, 2021, the court was notified that the California Judicial Council, inter alia, suspended the majority of California Rules of Court, rule 3.670<sup>1</sup> and added CRC 3.672, effective January 1, 2022. Among other changes, CRC 3.672 establishes advance notice requirements for parties in any civil action “as defined in rule 1.6(3), including all cases except criminal cases and petitions for habeas corpus under Welfare and Institutions Code section 5000 et seq., which are governed by [rule 3.672].”

However, with some exceptions, CRC 3.672 authorizes trial courts to establish alternative procedures by way of creating a local rule, provided the rule includes the following: “(A) A requirement that notice to intent to appear remotely be given to the court and to all parties or persons entitled to receive notice of the proceedings; (B) A clear description of the amount of notice required; and (C) For evidentiary hearing and trials, an opportunity for parties to oppose the remote proceedings.” (CRC 3.672, subdivision (e).)

The San Diego Superior Court plans to adopt local rules in conformity with CRC 3.672. In the interim, please see the attached General Order of the Presiding Department 010122-44 “In re Remote Appearances and California Rule of Court 3.672.”

A handwritten signature in black ink that reads "Michael Roddy". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

**MICHAEL M. RODDY**  
Executive Officer

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<sup>1</sup> “CRC” will be used hereinafter for all further references to the California Rules of Court.

**F I L E D**  
Clerk of the Superior Court

**DEC 30 2021**

By: A. Husted, Deputy

**THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO**

**IN RE: REMOTE APPEARANCES AND  
CALIFORNIA RULE OF COURT 3.672**

**GENERAL ORDER OF THE  
PRESIDING DEPARTMENT**

**ORDER NO. 010122-44**

**THE COURT FINDS AND ORDERS AS FOLLOWS:**

On December 29, 2021, the Judicial Council suspended the majority of California Rules of Court, rule 3.670 and added California Rules of Court, rule 3.672, effective January 1, 2022.

California Rules of Court, rule 3.672, allows trial courts to create their own local rules for remote appearances, "so long as the procedures are consistent with the requirements of Code of Civil Procedure section 367.75, posted on the court's website, and include the following provisions: (A) A requirement that notice of intent to appear remotely be given to the court and to all parties or persons entitled to receive notice of the proceedings; (B) A clear description of the amount of notice required; and (C) For evidentiary hearing and trials, an opportunity for parties to oppose the remote proceedings."

The San Diego Superior Court intends to create its own local rules to comply with the new rule. In the meantime, if a party wishes to appear remotely in any civil proceeding, as defined by California Rules of Court, rule 3.672, the party must provide notice to the court and

1 parties. Notice may be made either orally or in writing, and should be made in advance of the  
2 hearing. If the notice is in writing, parties must use the mandatory Judicial Council form (RA-  
3 010).

4 Any individual wishing to oppose an appearance of a party or witness at an evidentiary  
5 hearing or trial may do so orally at the hearing or by filing a written opposition at least two court  
6 days prior to the hearing, using the mandatory Judicial Council form. (RA-015).

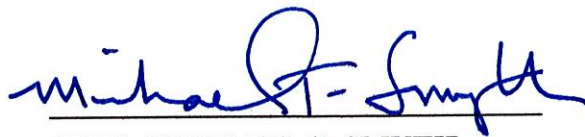
7 Prior to each hearing for which an appearance will be made remotely, by telephone or  
8 video, parties must refer to the court's website, including the general instructions for their  
9 particular case-type and departmental rules, as well as the Notice of Hearing for current and  
10 detailed instructions on how to appear. Directions will be posted on the website on how to alert a  
11 judicial officer of technology or audibility issues during a remote proceeding.

12 To the extent any portion of this order conflicts with any San Diego Superior Court Local  
13 Rule that portion of the rule is rescinded.<sup>1</sup>

14 This order shall go into effect immediately and be in effect up and until ordered  
15 otherwise by this court.

16 **IT IS SO ORDERED.**

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18 Dated: December 30, 2021



19 **HON. MICHAEL T. SMYTH**  
20 **PRESIDING JUDGE**

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28 <sup>1</sup> The terms remote and virtual for purposes of the rules are synonymous.