

PART TWO. Prerogative Writs of Mandate

2.26 Prerogative Writs of Mandate.

(A) ~~_____ Upon the filing of a p~~Except as provided in paragraph (H), petitions for writs of mandate, ~~the case will be,~~ review, and prohibition shall be filed with the clerk of the court and shall be immediately assigned to a judge for all purposes, ~~as directed by the Presiding Judge and a Notice of Assignment shall issue.~~ ~~_____ If the petition is combined with a complaint for injunctive and/or declaratory relief, the assignment will~~shall apply to the complaint as well as the petition.

(B) ~~_____ When filing any papers related to a petition for prerogative writ, the parties shall furnish the court with one original which is unbound and clipped or rubber banded and two copies in a format pursuant to California Rules of Court, rule 3.1110.~~

(C) ~~_____ All subsequent documents in the case shall be filed and paid for at the court's public filing counter. Documents filed within one day of the hearing shall be filed and paid for at the court's public counter and an endorsed copy shall be delivered to the assigned department.~~

(~~BD~~) Unless otherwise ordered by the court, points and authorities prepared for a hearing on the merits of a writ petition shall be filed in accordance with the following schedule and page limits: ~~The opening brief memorandum of points and authorities shall be filed at least~~ at least 45 calendar days ~~before prior to the hearing date;~~ the opposition brief shall be filed ~~at least at least~~ 25 calendar days ~~before prior to the hearing date;~~ and the reply brief shall be filed at least 15 calendar days ~~before prior to the hearing.~~ The opening and opposition ~~briefs memorandum shall not exceed 30 pages, and t~~ in length with double spaced lines (or 22 pages with one and one half spaced lines). The reply shall not exceed 20 pages ~~in length with double spaced lines (or 15 pages with one and one half spaced lines).~~ The court prefers that all memoranda use double spaced lines. Points and authorities prepared for a motion ~~to be heard~~ prior to the merits of ~~the a~~ writ petition shall comply with the filing schedule and page limits specified in California Rules of Court, rule 3.1113 and rule 3.1300. ~~In the event that the points and authorities exceed 10 pages in length, the filing party must also comply with subsection (B) above. All~~ If the assigned writ department uses a tentative ruling system, any notices of ~~motions or hearings or notice of motion~~ must contain the tentative ruling language in Local Rules, rule 1.06.

(~~CE~~) ~~_____ Litigants in a writ proceeding are required to obtain and follow the~~A ~~guide to Writ of Mandate Guide for~~ the procedures for prosecuting petitions for prerogative writs in the Sacramento County Superior Court, which ~~is is~~ available on the Court's website and is also provided by the ~~filing legal process clerks if to each party filing in person at the court. The writ guide sets forth the procedures litigants are required to follow throughout the writ proceeding. Failure to comply with any procedure in the writ guide may result in the Court imposing sanctions, vacating the applicable hearing, or taking no action in response to the subject filing.~~ filing a civil writ petition, is available from the clerk in each assigned writ department, and is posted on the Sacramento Superior Court's internet website. Counsel shall obtain and follow this procedural guide in applying for a stay, setting a hearing by notice or alternative writ on the merits of a writ petition, bringing a motion prior to a hearing on the merits, and taking other actions covered in the guide.

(F) ~~_____ All applications for relief from this rule shall be made to the judge assigned the case.~~

(G) ~~_____ Mediation in Land Use and Environmental Actions. The petitioner in land use and environmental writ proceedings, at the time of the deadline for the response to the petition, shall prepare and lodge with the assigned department a notice form for the court's signature inviting mediation pursuant to Government Code section 66031(b). A sample form may be obtained from the clerk in the assigned department.~~

(DH) ~~Any~~ ~~petitions~~ for ~~a~~ writs of ~~mandate~~, review, ~~and~~ prohibition arising from any misdemeanor ~~case~~, infraction ~~case~~, or limited civil ~~case-action~~ shall be filed with the clerk of the appellate unit of the clerk's office and heard by the Appellate Division of the Superior Court in accordance with the rules of the Appellate Division.

(ED) _____ In addition to compliance with this local rule, any party alleging one or more claims pursuant to the California Environmental Quality Act (CEQA) (Pub. Res Code, §§ 21000, et seq.) must comply with Local Rule 1.27.

(Adopted 1/1/2013; Revised 7/1/14, 7/1/26)