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609 9th St.

saclaw.org

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ALERT: COVID-19 has temporarily changed the way courts are providing services. Our guides do not reflect these temporary changes. Contact the court directly for the most up to date information on court processes and procedures. www.saccourt.ca.gov

LIMITED CIVIL CASE STATUS MEMORANDUM

Request for Trial in a Limited Civil Case

This Guide includes instructions and a sample form. The Guide and related form may be downloaded from: saclaw.org/limited-case-status-memo

BACKGROUND

A Limited Civil Case Status Memorandum (CV/E-202) is a Sacramento County Superior Court local form that tells the judge that one party is ready for trial, whether they want a jury, and how many hours they expect the trial to take.

When do I use a Limited Civil Case Status Memorandum?

When all parties have answered or been dismissed AND the relevant documents have been processed by the Court, the case is "at issue" (ready for trial). Any time after that, if you are ready to go to trial, you can file (and serve on the other parties) a Limited Civil Case Status Memorandum (CV\E-202) to set the trial date.

The Limited Civil Case Status Memorandum (CV\E-202) has its own Proof of Service form on the second page. Be sure to

Trial Preparation for the Self-Represented Litigant

Find all this information on our website at saclaw.org.

have someone who is over the age of 18 and not a named party to the lawsuit complete the Proof of Service.

What do I do if I get one from the other party?

If you agree that the case is "at issue" (ready for trial) and with the rest of the statements by the other party, you do not need to do anything at all. If you have any objections, you have 15 days to file and serve your own Limited Civil Case Status Memorandum (CV\E-202).

You can download Limited Civil Case Statues Memorandum (CV/E-202) from the Sacramento County Superior Court's website (www.saccourt.ca.gov).

If you think the case is *not* ready to go to trial, mark "Counter Limited Civil Status Memorandum" and check "Not at issue." In the space that follows, explain why you don't think the case is ready to go to trial and what you are doing to get the case ready. For example, if the case is not ready because you need to do more discovery, say that, and indicate when you believe your discovery will be completed. You may also wish to request or object to an expedited jury trial, or request or object to arbitration.

Disclaimer: This Guide is intended as general information only. Your case may have factors requiring different procedures or forms. The information and instructions are provided for use in the Sacramento County Superior Court. Please keep in mind that each court may have different requirements. If you need further assistance consult a lawyer.

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What is an "expedited jury trial" and do I want one?

If a jury trial is requested in a case expected to take under one day, the case will be set for an **expedited jury trial (EJT)** unless one of the parties requests to opt out.

Expedited jury trials can be faster and less expensive, but the parties cannot appeal, and there are other important differences.

If you want to opt out of the EJT Program at this time, check "REQUEST TO OPT OUT OF EXPEDITED JURY TRIAL PROCEDURES" box and attach the Judicial Council form Request to Opt out of Mandatory Expedited Jury Trial Procedures (EJT-003) (bit.ly/ETJ-003). (You can file this form separately to opt out at any time.)

If the other party has requested to opt out, but you want to use the EJT Program, check "OBJECTION TO OPT OUT OF EXPEDITED JURY TRIAL PROCEDURES" and attach the Judicial Council form Objection to Request to Opt Out of Mandatory Expedited Jury Trial Procedures (EJT-004) (bit.ly/ETJ-004).

How do I serve and file the Limited Civil Case Status Memorandum?

Make four (4) copies of your *Limited Civil Case Status Memorandum*. Have someone (NOT YOU) over the age of 18 serve one copy on the other side's attorney (or the other party, if the other side does not have an attorney). The person who does the service should then sign Page 3 of the original. Staple each of the copies, but leave the original unstapled.

An expedited jury trial differs from a regular jury trial in several important ways intended to streamline the trial:

- All parties waive the right to appeal.
- Each side has a limit of 3 hours to present its case.
- A smaller jury means faster jury selection.
- Parties must exchange evidence and make other agreements a few weeks before the trial.

For more information, see the Judicial Council's <u>Expedited Jury Trial Info</u> <u>Sheet (bit.ly/ETJ-Info)</u>

File the original and the other three copies in the drop box at the downtown courthouse at 720 9th St. along with a self-addressed, stamped envelope. There is no fee to file this form. You will receive one conformed (stamped) copy back for your records.

What's next?

If neither party objects, the case will be set for trial. If either party objects, or other issues need to be resolved, the Court may set a hearing in the Limited Civil Pretrial Department (currently Department 13) to determine disputed matters.

Short cause civil cases (without a jury) will be set for trial in Department 47 at 8:30 a.m. on Fridays. Expedited Jury Trials will be set for trial in Department 47 at 8:30 a.m. on Tuesdays. All long-cause limited civil cases will be referred to the Court's Irial Setting Process (bit.ly/saccourt-trial-setting) according to Rule LC-B(c) of the Limited Civil Case Program (Limited Civil Case Program (Lic. (<a href="Lic.")Lic. (Lic. (<a href="

IF YOU HAVE QUESTIONS ABOUT THIS GUIDE, OR IF YOU NEED HELP FINDING OR USING THE MATERIALS LISTED, DON'T HESITATE TO ASK A REFERENCE LIBRARIAN.

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ATTACHMENTS: FORM AND INSTRUCTIONS

The Sacramento County Superior Court Local Form used in this procedure is:

<u>Limited Civil Case Status Memorandum (CV/E-202)</u> www.saccourt.ca.gov/forms/docs/cv-202.pdf

Download the blank form from this link or www.saccourt.ca.gov.

A sample filled-in form with instructions is available at the end of this Guide.

Limited Civil Case Status Memorandum

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ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME, STATE BAR		per lawy awar new mindra and position in	RT USE ONLY
David Defendant	Your name, address, and phone		
and the control of th	.3 Elm St. number. "In Pro		
Sacramento CA 95814	are representin	g yoursen.	
TELEPHONE NO.916-555-1212 FAX NO. (Optional)			
EMAIL ADDRESS (Optional)			
ATTORNEY FOR (NAME): In Pro Per			
Superior Court of California, County of Sacramento			
720 Ninth Street, Room 102			
Sacramento, CA 95814-1380			Case number.
Website: http://www.saccourt.ca.gov			
PLAINTIFF/PETITIONER: Petra Plaintiff		CASE NUMBER:	
	nes of Plaintiff	34-2019-0012	3456
DEFENDANT/RESPONDENT: David Defendant and	Defendant.	J=1 201-1 0012	-)-()Ψ
LIMITED CIVIL CASE ST	ATUS MEMOR	RANDUM	
This form is to be filed ONLY if the case is at issue. Stipu	lations to arbitra	tion and/or mediat	ion on Limited Civil
cases shall be submitted on Local Form CV\E-203		C11: 41 B.4	
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☐ COUNTER CASE STATUS MEMORANDUM	CHECK Ga	se ctatas incinioral	iddiii.
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■ Not At Issue			
Specify: Have not completed discovery; expected	to be complete	by Sept. 2019	
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ARBITRATION
Plaintiff elects to refer this case to judicial arbitration.
☐ The case is suitable for arbitration.Specify:
☐ The case is NOT suitable for arbitration. Specify:
Discovery to remain open 30 days from the date ordered into Arbitration/Mediation.

Use this page to request or object to judicial arbitration, and (if you wish) to request discovery remain open after arbitration/mediation.

If both parties agree to arbitration, you must also file <u>Stipulation and Order to Arbitration/Mediation - Limited Civil Cases (CV\E-203)</u> (<u>www.saccourt.ca.gov/forms/docs/cv-203.pdf</u>) along with this Limited Civil Case Statues Memorandum.

For more info on arbitration or mediation in limited civil cases, see Rule LC-B of the Limited Civil Case Program (LC) Rules (bit.ly/2iA2gos).

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LIMITED CIVIL CASE STATUS MEMORANDUM

Proof of Service

Fill in address of the person who will serve the papers.

My residence or business address is: 456 Sycamore Drive, Sacramento Ca 94814 3. On (date): May 2, 2019		serve the papers.
3. On (date): Way 2, 2019 I mailed from (city and state): Sacramento CA: the Limited Civil Case Status Memorandum for Case # 34-2019-00123456 4. I served the documents by enclosing them in an envelope and (check one): ■ a depositing the sealed envelope with the United States Pos placing the envelope for collection and mailing following our familiar with Inis businesses practice for collecting and processing our processi	1.	I am over 18 years of age and not a party to this action Lam a resident of or employed in the county where the mailing took place.
I served the documents by enclosing them in an envelope and (check one): a. depositing the sealed envelope with the United States Post familiar with this inspesses practice for collecting and processing our same day that correspondence is placed for collection and mailing following our course of business with the United States Post ourse of business with postage fully prepaid. The envelope was addressed and mailed as follows (please include the person's name and address where ite was sent): Potra Plaiwtiff Tabo Oak St. Sacramewto, CA 94814 Server signs and dates the declaration after placing the papers in the mail. I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct. 1 declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.	2.	My residence or business address is: 456 Sycamore Drive, Sacramento Ca 94814
a. depositing the sealed envelope with the United States Position of the envelope for collection and mailing following our case number. b. placing the envelope for collection and mailing following our familiar with this susinesses practice for collecting and processing conceptor for mailing out the same day that correspondence is placed for collection and mailing, it is deposited in the ordinant course of business with the United States Posts. The envelope was addressed and mailed as follows (please include the person's name and address where its was sent): Petra Plaintiff 780 Oak St. Sacramewro, CA 94814 Server signs and dates the declaration after placing the papers in the mail. I declare under penalty of perjusy under the laws of the state of California that the foregoing is true and correct. 6	3.	On (date): May 2, 2019 I mailed from (city and state): Sacramento CA the Limited Civil Case Status Memorandum for Case # 34-2019-00123456
which the server mails the papers, and your case number. b. placing the envelope for collection and mailing following oul familiar with this businesses practice for collecting and processing correspondence is placed for collection and mailing, it is deposited in the ordinan course of business with the United States Posta Check method of mailing. The envelope was addressed and mailed as follows (please include the person's name and address where ite was sent): Petra Plaiwtiff 780 Oak St. Sacramento, CA 94814 Server signs and dates the declaration after placing the papers in the mail. I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct. Bate: Way 2, 2019	4.	I served the documents by enclosing them in an envelope and (check one):
Was sent): Petra Plaintiff 78D Oak St. Sacramento, CA 94814 Server signs and dates the declaration after placing the papers in the mail. I declare under penalty of periody under the laws of the state of California that the foregoing is true and correct. Date: Way 2, 2019		which the server mails the papers, and your case number. familiar with this businesses practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Commission and all anything with postage fully
Name and address of the other party or other party's attorney. Server signs and dates the declaration after placing the papers in the mail. I declare under penalty of period under the laws of the state of California that the foregoing is true and correct. Date: Way 2, 2019	5.	The envelope was addressed and mailed as follows (please include the person's name and address where item was sent):
Date: Way 2, 2019	Ld	Server signs and dates the declaration after placing the papers in the mail.
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