

OAH Los Angeles Office announces changes in law and motion procedures.

Effective immediately, the Los Angeles office of OAH is instituting new law and motion procedures for certain motions:

1. The law and motion matters specified in paragraph 2. will be heard on assigned calendar days, specifically the 2nd Monday and 4th Friday of each month (unless the day falls on a State holiday).
2. The types of motions and petitions to be heard on the law and motion days are limited to: (1) motions for dismissal based on applicable statutes of limitations, (2) motions/petitions to compel discovery, motions for protective orders or in camera review, (3) motions to quash subpoenas, (4) motions for sanctions and motions to certify facts for contempt proceedings (Government Code §§ 11455.10-11455.30), (5) *Seering* motions (to exclude respondent from hearing room during hearing) and (6) petitions for deposition pursuant to Government Code § 11511.
3. Before filing and serving the notice of motion and moving papers, moving parties will telephone the OAH calendar clerk at (213) 576-7206 or (213) 576-7200, to obtain a hearing date and time for the motion. All motion hearings will be heard at the Office of Administrative Hearings, 320 West 4th Street, Suite 630, Los Angeles, California.
4. Moving papers must be served on all other parties and filed with OAH (with proof of service attached) no later than 4:30 p.m. at least 15 calendar days before the hearing on the motion. Opposing papers must be served on all parties and filed with OAH (with proof of service attached) no later than 4:30 P.M. at least 3 calendar days before the hearing (see Title 1, California Code of Regulations, § 1022(f)). All papers may be served and filed by facsimile transmission pursuant to Title 1, California Code of Regulations, and § 1006.
5. Moving papers must include notice to opposing parties of the time, date and location of the motion hearing and the due date for filing opposing papers.
6. Parties shall indicate in their papers whether they wish to waive oral argument; and if not, whether they will stipulate to a telephonic hearing.
7. The parties must comply in all other respects with Title 1, California Code of Regulations, and § 1022.

8. Evidence supporting or opposing the motion may be presented by use of declarations and affidavits, but not by oral testimony unless the ALJ orders otherwise. The evidence shall be attached to or made part of the moving or opposing papers.
9. Motions that will NOT be heard on law and motion days include:
 - a. Motions in limine.
 - b. Motions for testimony by telephone or other electronic means.
 - c. Motions for consolidation or change of venue motions **unless the moving party knows there will be opposition before the motion is filed.**
 - d. Motions for continuance (see Government Code § 11524 and Title 1, California Code of Regulations § 1020).
 - e. Ex parte applications, motions, or petitions (see Title 1, California Code of Regulations, §1012).
10. The types of motions that will not be heard on law and motion days are generally subject to the requirements of Title 1, California Code of Regulations § 1022, except as otherwise provided.
11. No motion will be accepted for filing at OAH unless the case already has an OAH case number.