

LPI

LAW OFFICE PROCEDURES MANUAL

2025 REVISION #1

HIGHLIGHTS

All codes, rules, forms, and other information have been reviewed and are current. There were changes made to all sections of this publication for clarity.

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HIGHLIGHTS (2025 LOPM Revision #1)

The Litigation Chart, Checklist and Timetable have been given significant importance. They provide a guide to help manage litigation proceedings effectively and efficiently. The chapter's content is designed to assist in keeping track of important dates, deadlines, and documents, ensuring a well-organized and successful litigation process.

All Judicial Council forms are filled out **AS AN EXAMPLE ONLY** and display a watermark with the word **SAMPLE** across the form, including the pleading forms prepared in pleading format. We have added the Judicial Council form number and/or other appropriate form number. Follow your supervising attorney's preference and direction on how to fill out any form.

Judicial Council forms used as examples are frequently revised and new forms approved; caution should be exercised to use the most current form available. The use of Judicial Council forms are mandatory, and Local Court Rules must be closely followed as to Attorney's Name, Address, Office/Fax Number, State Bar Number, and email address on all forms.

Refer to our "Disclaimer" contained in this publication regarding all forms.

A. COURT STRUCTURE

This chapter was checked for accuracy, proofread, and minor edits were made for consistency and clarity.

B. CIVIL PROCEDURE

As of January 2, 2025, the deadline to file and serve a Motion for Summary Judgment and all supporting documents is 81 days before the hearing. The deadline to file and serve the opposition to motion for summary judgment is 20 days before the hearing. The deadline to file and serve a reply to a motion for summary judgement is 11 days before the hearing.

C. LOCAL RULES

As we have seen throughout the years, many of the courts in Northern and Southern California have made e-filing mandatory pursuant to California Rules of Court, Rule 8.70. California Supreme Court and the Courts of Appeal has permitted electronic filing, electronic service, and electronic signatures. Check your local court rules for the most current information since the court requires an approved electronic filing service provider to file on behalf of the electronic filer.

D. DISCOVERY

This chapter contains a massive overhaul of many discovery forms. With regard to interrogatories, requests for production and/or requests for admission, these forms may now include preliminary language, sample definitions and suggested objections. Of course, the proffered language must be tailored to the specific substance of the action at issue and the examples provided are only suggestions and are not inclusive.

E. UNLAWFUL DETAINER

In an Unlawful Detainer action, the defendant has 10 days to file a responsive pleading with the court after the defendant has been served with the Summons and Complaint, not including Saturdays and Sundays and other judicial holidays. The 10 days begin after the day the effective date of service, which in the case of posting is on the 10th day after the Summons and Complaint are mailed to the defendant.

F. REAL ESTATE LAW

This chapter was checked for accuracy, proofread, and minor edits were made for consistency and clarity. All forms have been checked, updated and/or revised accordingly.

G. CRIMINAL LAW

The passage of Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act, which went into effect on December 18, 2024, made significant changes to the way many drug and property crimes are charged and their associated penalties. While those changes are not specifically addressed in this chapter, a change which allows a law enforcement officer to make an arrest on a misdemeanor theft charge not committed in their presence is included.

H. FAMILY LAW

This chapter was checked for accuracy, proofread, and minor edits were made for consistency and clarity. All forms have been checked, and/or revised accordingly. Updates regarding child support and spousal support calculations and calculators have been made pursuant to current legislation.

I. ADOPTIONS

This chapter was checked for accuracy, proofread, and minor edits were made for consistency and clarity. All forms have been checked, updated and/or revised accordingly.

J. PROBATE

Decedent's estates cover matters dealing with transferring assets and liabilities after death. This chapter is designed for those who would like to learn how to handle routine decedents' estate administrations in California.

K. CONSERVATORSHIPS AND GUARDIANSHIPS

Conservatorship matters pertain to adults while guardianship matters pertain to minors. California is one of a few states that use both conservatorships and guardianships. Conservatorship and guardianship matters are both protective proceedings for persons needing assistance with their personal care or financial matters.

Two conservatorship forms have been updated and one new conservatorship form has been added.

L. CORPORATIONS AND LIMITED LIABILITY COMPANIES

California Secretary of State's bizfile Online platform for online business filings and orders can be found at www.bizfileonline.sos.ca.gov/. You will need to create an Okta account to access the portal to file initial filings, amendments, Statements of Information, and to order certificates online. You will have the option to choose standard, expedited or same-day services at the time of filing. Submitting consecutive documents back-to-back will not be possible if you want to submit them at the same time. Refer to the Secretary of State's website for more information on business entity filings.

M. BANKRUPTCY

This chapter was checked for accuracy, proofread, and minor edits were made for consistency and clarity. All forms have been checked, updated and/or revised accordingly.

N. APPEALS

This chapter was checked for accuracy, proofread, and minor edits were made for consistency and clarity. All forms have been checked, updated and/or revised accordingly.

