

RIVERSIDE SELF-CALENDARING INSTRUCTIONS

The self-calendar system is designed to allow both counsel and parties to schedule hearing dates for matters heard on regular notice, without having to contact the Calendar Clerk to obtain a hearing date. Matters that do not require hearings may be filed in accordance with Local Bankruptcy Rule 9013-1(o)(1). Please refer to the appropriate Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules regarding the filing and service of motions.

- I. The following matters **may not** be self-calendared:
- A. Applications for orders shortening time
 - B. Matters heard on shortened notice or on an ex parte basis
 - C. Mass objections to claims (more than 5 objections set for a single hearing)
 - D. Motions for temporary restraining orders or preliminary injunctions
 - E. Status and Pre-trial conferences - all chapters
 - F. Trials in adversary proceedings
 - G. Reaffirmation agreements
 - H. Matters requiring more than 15 minutes
 - I. Motions for Summary Judgment

- II. The following matters **may** be self-calendared:

Please note that the Judge's Self-Calendar is color coded. **RIVERSIDE** hearings are in **BLACK**, and **RIVERSIDE AND SANTA ANA TRIAL DATES** are in **GREEN**.¹

Generally, commencing January 1, 2021, Riverside hearings are on Tuesdays. The Judge's Trial week is available for either Riverside or Santa Ana hearings.

RIVERSIDE CASES (Appearances allowed in RS and SA, unless otherwise specified):

All Riverside hearings should be noticed for the Riverside Courthouse in Video Courtroom 126, unless otherwise specified.

- A. Motions for relief from stay - chapter 7:
Tuesdays at 10:00 a.m.
- B. Chapter 7 miscellaneous matters:
Tuesdays at 11:00 a.m.
- C. Motions in adversary proceedings - chapter 7:
Tuesdays at 1:30 p.m.
- D. Chapter 11 matters, including adversary proceedings, and motions for relief from stay: Tuesdays at 1:30 p.m.

¹ Please note that the Judge's Self Calendar Instructions for **SANTA ANA** are set forth in a separate document on the Judge's website.

NOTE: Before self-calendaring, refer to the calendar schedule below for a list of available dates.

III. Certain motions for relief from stay may be heard on shortened time without court order.

The following categories **do not** require an application for order shortening time:

- A. ~~Residential unlawful detainer actions.~~ **Please note that the Court has temporarily removed this category from those matters which may be heard on shortened time without a court order. Movants may still seek shortened time by filing an Application for a hearing on shortened time, as set forth in LBR 9075-1.*
- B. Post-petition transfers of real property to the debtor.
- C. Pre-petition transfers to the debtor either within 30 days of the debtor's petition date or involving a fractionalized interest in real property.
- D. If the movant wishes to have a motion heard on shortened time and the motion is not in one of the above categories, the movant must apply for an order shortening time or utilize emergency motion procedures under Local Bankruptcy Rule 9075-1.

NOTE: Motions calendared on shortened time in accordance with this procedure must be filed with the Court and served on all parties entitled to receive notice of the motion so that the moving papers and notice of hearing are received not later than 10 days prior to the of the hearing. Telephonic notice of the date, time and place of the hearing on the motion must also be given to all parties entitled to receive notice not later than 10 days prior to the hearing. **IN ADDITION TO PROVIDING WRITTEN NOTICE, The MOVING PARTY MUST ALSO PROVIDE DIRECT TELEPHONIC NOTICE TO THE DEBTOR. IF THE MOVING PARTY IS UNABLE TO PROVIDE TELEPHONIC NOTICE TO THE DEBTOR DIRECTLY, THE MOTION MUST BE HEARD USING THE REGULAR NOTICE PROCEDURES AND MAY NOT BE HEARD ON SHORTENED TIME.**

For matters that may be self-calendared, follow the steps outlined below:

STEP 1: Identify available dates and times for the type of matter that you want to calendar by referring to the monthly calendars posted in the Judge's courtroom or on the Court's website (www.cacb.uscourts.gov) or by calling the Court's general information number (855) 460-9641 and selecting the menu options necessary to direct you to the calendaring information for Judge Clarkson. Also refer to the dates listed on the website.

NOTE: Calendar dates are subject to periodic revision, so please verify that you are referring to the current version of the Judge's monthly calendar.

STEP 2: Prepare a notice of hearing for the date and time you have selected.

NOTE: By choosing a date for a relief from stay hearing that is greater than 30 days from the date you file your motion, you are deemed to have waived the time limits of Bankruptcy Code Section 362(e).

- STEP 3:** Give sufficient notice of all matters to all parties entitled to receive such notice pursuant to the applicable provisions of the Local Bankruptcy Rules and Federal Rules of Bankruptcy Procedure. Schedule hearing dates according to Local Bankruptcy Rule 9013-1(d) notice requirements and time limits for service and filing of motions and Local Bankruptcy Rule 9013-1(i) regarding evidence supporting the motion. If proof of service is insufficient, the motion may be continued or denied.
- STEP 4:** File and serve your moving papers in a timely manner. Deliver a Judge's copy (marked "Judge's Copy") of all papers to the Judge's chambers with the time and date of the scheduled hearing placed underneath the title of the pleading. **All Judge's copies shall be served in accordance with Local Bankruptcy Rule 5005-2(d) and Section 3-F and Appendix F of the Court Manual.** ***Please note that the Court has temporarily suspended this requirement through the end of 2020.*
- STEP 5:** Confirmation that your matter has been calendared will be sent back to you if you provide Intake with an extra copy of your notice and a self-addressed stamped envelope, or an entry will be made on the case docket scheduling the hearing. **The Court reserves the right to reschedule any hearing.** If the date you have selected is unavailable for any reason, the Calendar Clerk will either contact you to arrange an alternative date or make an entry on the case docket advising you how to proceed. You will be notified promptly either by an entry on the docket or by the Calendar Clerk if your hearing has been re-set.
- STEP 6:** Upload the order on LOU immediately following the hearing. **Do not lodge the proposed order prior to the hearing.** However, you are strongly encouraged to serve the proposed order on other parties to afford them an opportunity to review the order, or as otherwise required by the Local Bankruptcy Rules.