



Judicial Council of California

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Subject Details (With Text)

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Title Civil Practice and Procedure: Summary Judgment Proceedings (Action Required)

Summary

To reduce the amount of facts and evidence presented in motions for summary judgment and not pertinent to a decision on the motion, the Civil and Small Claims Advisory Committee and the Appellate Advisory Committee recommend amending the California Rules of Court relating to summary judgment motions. Specifically, the committees recommend amending rule 3.1350 to define “material facts” and clarify that the separate statement of undisputed material facts in support of or opposition to a motion for summary judgment should include only material facts and not any facts that are not pertinent to the disposition of the motion. In addition, they recommend amending rule 3.1354 to eliminate one example of an objection on relevance grounds to evidence in support of summary judgment.

Recommendation

The Civil and Small Claims Advisory Committee and the Appellate Advisory Committee recommend that the Judicial Council, effective January 1, 2016:

1. Amend rule 3.1350 to define “material facts” and clarify that the separate statement of undisputed material facts in support of or opposition to a motion for summary judgment should include only material facts; and
2. Amend rule 3.1354 to eliminate one example of an objection on relevance grounds to evidence in support of summary judgment.