



Judicial Council of California

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January 19, 2024

Subject Text

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File #: 15-352, **Version:** 1

Title

Appellate Procedure: Prehearing Conferences (Action Required)

Summary

The Appellate Advisory Committee recommends that rule 8.248, which governs prehearing conferences in the Court of Appeal, be amended to limit the circumstances under which a justice who participates in such a conference is barred from subsequently participating in or influencing the determination of the appeal to when settlement of the case was addressed at the conference. This proposal, which is based on a suggestion from the presiding justice of a Court of Appeal, is intended to facilitate the use of prehearing conferences in appellate proceedings for case management, which can save the parties and the appellate courts time and resources.

Recommendation

The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2016, amend California Rules of Court, rule 8.248, to limit the circumstances under which a justice who participates in a prehearing conference is barred from subsequently participating in or influencing the determination of the appeal to when the settlement of the case was addressed at the conference.