

Local Civil Rule 53.2  
COURT COMMISSIONERS

(e) Revision by the Court.

(1) Motion Content and Service Deadlines. A party seeking revision off a Court Commissioner's ruling shall within ten (10) days of entry of the written order, file and serve a Motion for Revision. The motion must set forth specific grounds for each claimed error and argument and legal authorities in support thereof. The motion shall be accompanied by a copy of the order for which revision is sought, along with copies of all papers which were before the Commissioner in support, or in opposition in the original proceedings. A copy of the motion and all supporting documents shall be provided to all other parties to the proceedings and to the Court Administrator who shall refer the motion to the appropriate Judge for consideration. The responding party shall have five (5) working days from the receipt of the motion to file a written response with the Clerk and provide copies to all other parties and to the Court Administrator.

(2) Transcript Required. When seeking revision of a ruling of the Court Commissioner which was based on testimony, such testimony must be transcribed and attached to the motion. If the transcript is not timely available, the moving party must set forth arrangements which have been made to secure the transcript.

(3) Review is De Novo. Review of the Commissioner's order shall be de novo based on the pleadings and transcript submitted and without oral argument unless requested by the reviewing Judge.

(4) Scope of Motion. The Judge may deny the motion, revise any order or judgment which is related to the issue raised by the motion for revision or remand to the Commissioner for further proceedings. The Judge may not consider evidence or issues which were not before the Commissioner or not raised by the motion for revision. The Judge may consider a request for attorney fees by either party for the revision proceedings.

(5) Effect of Commissioner's Order. The Court Commissioner's written order shall remain effective unless and until revised by the Judge or unless stayed by the Judge pending proceedings related to the motion for revision.

[Adopted September 1, 2003]

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