Public Counsel

Federal *Pro Se* Clinic

CENTRAL DISTRICT OF CALIFORNIA: WESTERN DIVISION

◘ How to Submit a Motion ◘

A motion is a formal request to the Court. To file a motion in the U.S. District Court for the Central District of California, you will need to prepare the following documents:

1) Notice of Motion and Motion
2) Memorandum of Points and Authorities in Support of Motion
3) Declaration in Support of Motion
4) (Proposed) Order
5) Proof of Service by Mail

A form for each of these documents is included in this packet.

Description of Each Document

1) Notice of Motion and Motion

The Notice of Motion and Motion explains to the Court what you are asking the Court to do.

2) Memorandum of Points and Authorities in Support of Motion

The Memorandum of Points and Authorities includes any legal authorities and arguments that support your motion. If handwritten, the memorandum must not exceed 25 pages. If prepared on a computer, the memorandum must not exceed 7000 words.

3) Declaration in Support of Motion

A Declaration is a sworn statement to the Court where you write the facts that support your motion.

4) (Proposed) Order

This is an Order for the judge to sign if he or she wants to grant your motion. You do not sign the proposed order—instead, you leave a space for the judge's signature.

5) Proof of Service by Mail

In this document, you or someone else will swear to the Court that you have mailed a copy of the motion documents to the opposing counsel.

Guide Prepared by Public Counsel.
© 2011-2026 Public Counsel. All rights reserved.

Meeting and Conferring with Opposing Counsel Prior to Filing Your Motion

Before filing a motion, you must call counsel for the opposing party to discuss and try to resolve the issue that has led to the need for a motion. You must talk to counsel for the opposing party at least **7 days** before filing the motion. Include the date on which you talked to opposing counsel in the last paragraph of your Notice of Motion and Motion. In your Declaration, state the date on which you spoke with opposing counsel as well as each party's position on each disputed issue raised in the motion.

The purpose of this rule is to encourage parties to resolve problems without having to resort to a formal motion. Do not be afraid to ask opposing counsel to agree to whatever it is you are asking for in your motion. If the opposing counsel says no, explain that you will then be filing a formal motion with the Court.

Scheduling a Hearing Date

When you file a written motion, you must propose a hearing date—a date on which you and the other party or the party's lawyer must appear before the judge assigned to your case to orally argue about the motion. In the Central District, the date must be at least **31 days** after the date you file the motion and serve a copy by mail. You will write this date under the title of your motion. **Note, however, that judges will often move a scheduled hearing date or cancel the hearing altogether and decide the motion based only on the written documents**.

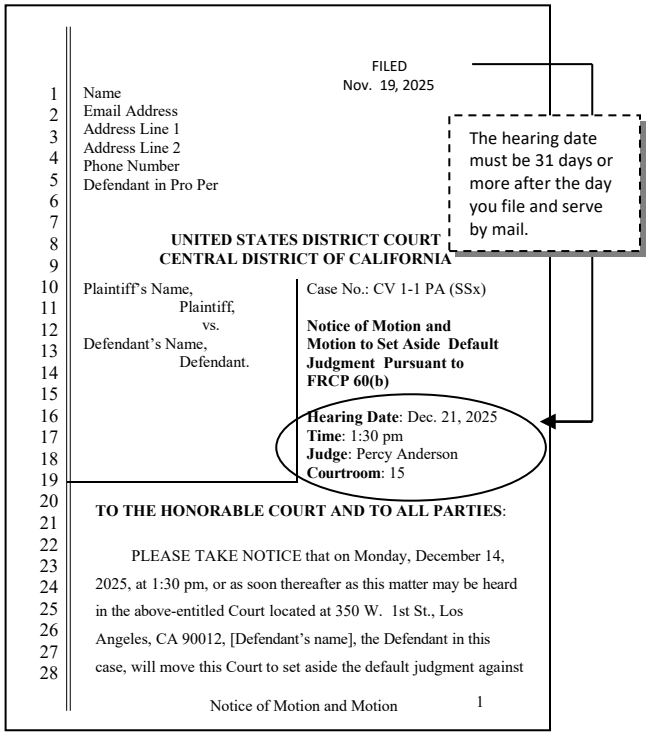
To schedule a motion date, you must look at your judge's schedule and find out when the judge hears civil motions. To find this information online, do the following:

1) Go to the Central District's website, at http://www.cacd.uscourts.gov.
2) On the central navigation bar of the website, click on the link "Judges' Requirements" and then click on "Judges' Procedures and Schedules."
3) Click on your judge's name.
4) Read your judge's procedures, and look for the day that he or she hears civil motions. For example, your judge may hear civil motions every Monday at 1:30 p.m. If that is the case, you must propose a hearing date on a Monday that is 31 days or more after the day you file your motion.
5) Towards the beginning of each judge's page, there is a link that says, "Click here to view Closed Motion Dates." That page lists the dates on which each judge will **not** be hearing motions. Click that link to make sure that you are not scheduling a hearing on a closed motion date.

Guide Prepared by Public Counsel.
© 2011-2026 Public Counsel. All rights reserved.

Formatting Your Motion

By following the instructions below, you will comply with the format requirements of the Local Rules for the Central District of California:



1) **Pleading Paper**: Motions must be written on pleading paper. "Pleading paper" is letter-sized (8.5" x 11") paper that has the numbers 1-28 typed down the left-hand side. You can download a pleading paper template in Microsoft Word format at www.publiccounsel.org/services/federal-court/

   - On the left hand side, click on the link to "Forms, Guide, and Samples."
   - Under the "pleading paper" section, click on the link that says "Pleading Paper."

2) **Font and Margins**: 14 pt size font (suggested fonts: Times New Roman or Arial); 1-inch margins.

3) **Name and Contact Information**: Starting on Line 1, write your name, address, and phone number. write "Plaintiff in Pro Per" or "Defendant in Pro Per" underneath your personal information.

4) **Line 8 or below**: Type the name of the court (UNITED STATES DISTRICT COURT). On the next line, write the district name (CENTRAL DISTRICT OF CALIFORNIA).

5) **Party Names**: Below the name of the court and district, write the names of the plaintiff and the defendant(s).

6) **Case Number**: Your case number goes to the right of the party names. Be sure to include all of the letters that make up the judges' initials.

7) **Title of Document**: Under the Case Number, write the title of your document. For example, if you are moving to dismiss a case filed against you, your title would be, "Notice of Motion and Motion to Dismiss."

8) **Hearing Information**: For your Notice of Motion, Memorandum of Points and Authorities, and Declaration, you should include your proposed hearing date, time, judge, and courtroom below the title of your document.

9) **Date and Signature**: When you have finished writing your motion or supporting document, write the date, your signature and print your name.

© 2011-2026 Public Counsel. All rights reserved.

10) **Certificate of Compliance:** If you draft your memorandum using a computer, you must include a certification that it is no longer than 7000 words. You can use the following language on the last page of your memorandum:

> The undersigned, _____ (*your name*) certifies that this brief contains _____ (*number of*) words, which (*choose one*):
> __ complies with the word limit of L.R. 11-6.1.
> __ complies with the word limit set by court order dated _____.
> _____ (*date, name, and signature*)

11) **Footer and Page Numbers**: Type the title of your document in the footer. Be sure to number every page.

Filing and Serving Your Motion

When you have completed your motion, you must file it with the Civil Intake Division of the courthouse in which the judge who is hearing your motion is located. File **1 original** and **1 copy** of each document with the Civil Intake Division. In addition, send **1 copy** of each document to the opposing counsel by mail on the same day that you file.

You may file your motion with the Court in person, by mail, or through the electronic document submission system for pro se litigants (EDSS). Keep in mind that mailing your motion may delay the date on which it is filed. The addresses for the Civil Intake Division for the Central District of California courthouses are as follows:

LOS ANGELES
United States Courthouse
Central District of California
255 East Temple St., Ste TS-134
Los Angeles, CA 90012

SANTA ANA
United States Courthouse
Central District of California
Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701-4516

RIVERSIDE
United States Courthouse
Central District of California
Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

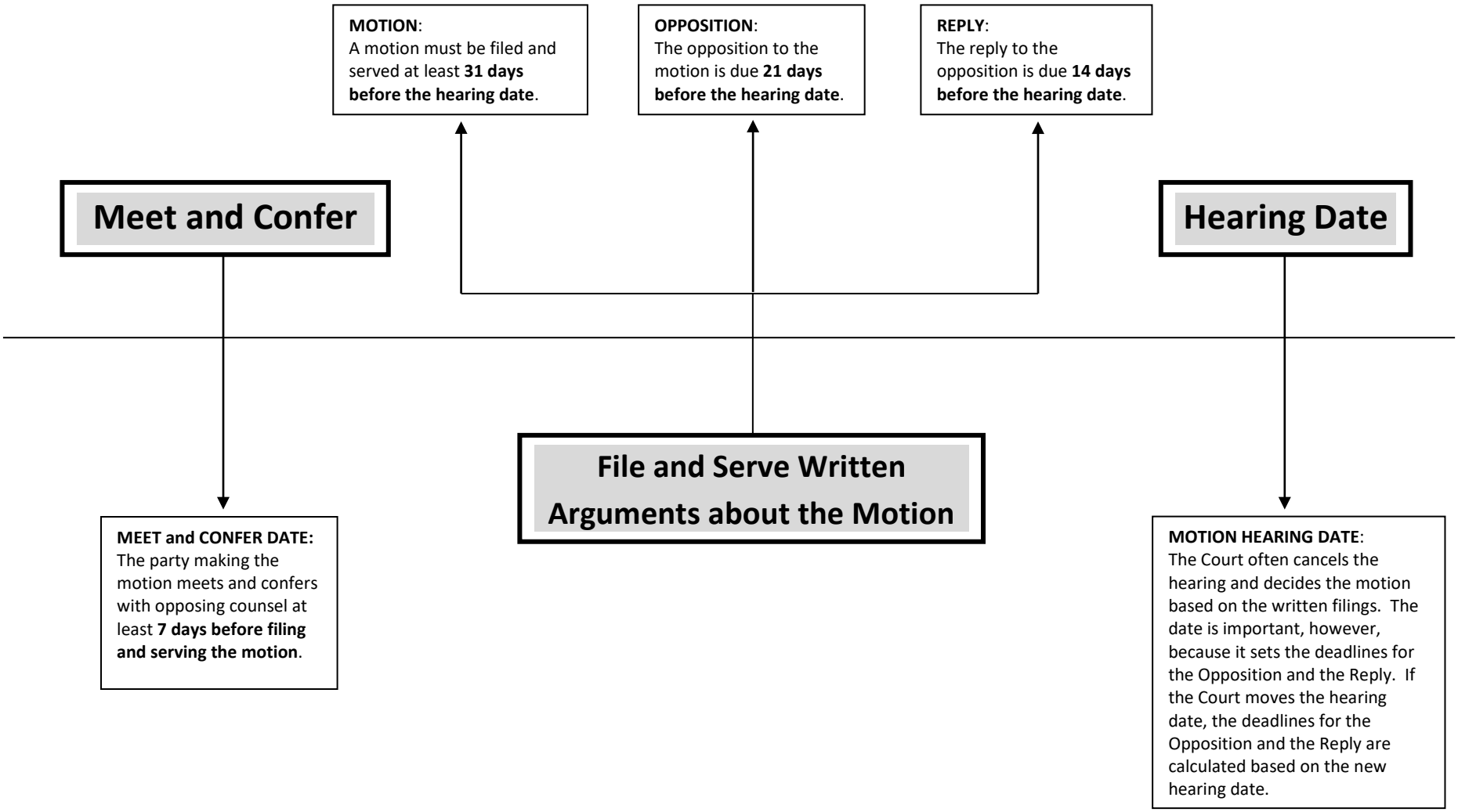
Response Deadlines

Any opposition to a motion must be filed no later than **21 days before the motion hearing date**. The person who made the motion is not required to reply to an opposition. Those who wish to reply, however, must do so no later than **14 days before the motion hearing date**. You may title the reply, "Reply to Opposition to Motion to (insert the title of your motion)."

A reply should be short. Some judges impose page limits on replies. Be sure to read any orders issued by your judge carefully to make sure you are complying with your judge's rules.

Guide Prepared by Public Counsel.
© 2011-2026 Public Counsel. All rights reserved.

Typical Motion Timeline in the Central District of California



Guide Prepared by Public Counsel.
© 2011-2026 Public Counsel. All rights reserved.

_____(Full Name)

_____(Email Address)

_____(Address Line 1)

_____(Address Line 2)

_____(Phone Number)

_____ in Pro Per
(indicate Plaintiff or Defendant)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

_____,

Plaintiff,

vs.

_____

_____

_____,

Defendant(s).

Case No.: _____

_____'s
(indicate Plaintiff or Defendant)

NOTICE OF MOTION AND MOTION _____

_____

_____

_____

Hearing Date: _____

Hearing Time: _____

Judge: _____
(Judge's name)

Place: _____
(courtroom number)

TO THE HONORABLE COURT AND TO ALL PARTIES:

PLEASE TAKE NOTICE that on _____ (date) at _____ (time),

or as soon thereafter as this matter may be heard in the above-entitled Court

located at _____,
(address of the Court in which the motion is being made)

Form Prepared by Public Counsel.
© 2011-2026 Public Counsel. All rights reserved.

_____, the _____
(your name) (indicate Plaintiff or Defendant)

in this case, will move this Court to: _____
(describe the nature of your motion)

_____

_____

_____

_____.

This motion is based upon the following documents:

_____
(list the documents, such as a Memorandum of Points and Authorities and a Declaration, that support your motion)

_____

_____,

the complete files and records in this action, and upon such oral and documentary evidence as may be allowed at the hearing of this motion.

This motion is made following the conference of counsel pursuant to L.R. 7-3 which took place on _____.
(date)

DATED: _____

By: _____
(sign)

_____
(print name)

_____ in Pro Per
(indicate Plaintiff or Defendant)

_____(Full Name)

_____(Email Address)

_____(Address Line 1)

_____(Address Line 2)

_____(Phone Number)

_____ in Pro Per
(indicate Plaintiff or Defendant)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

_____,

Plaintiff,

vs.

_____

_____

_____,

Defendant(s).

Case No.: _____

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION_____

_____

_____

_____

Hearing Date: _____

Hearing Time: _____

Judge: _____
(Judge's name)

Place: _____
(courtroom number)

Form Prepared by Public Counsel.
© 2011-2026 Public Counsel. All rights reserved.

I. INTRODUCTION

(Include a brief statement of the facts and the procedures in the case that are relevant to this motion.)

II. ARGUMENT

III. CONCLUSION

For the reasons stated above, this Court should _____

_____

_____

_____

_____

_____

_____

Dated: _____

Sign: _____

Print Name: _____

_____ in pro per
(indicate Plaintiff or Defendant)

If you have prepared this memorandum on a computer, complete the following:

The undersigned, _____ certifies that this brief contains
(your name)

_____words, which (choose one):
(number of)

☐ complies with the word limit of L.R. 11-6.1.
☐ complies with the word limit set by court order dated _____.
(date)

_____
(date, your name, and your signature)

_____(Full Name)

_____(Email Address)

_____(Address Line 1)

_____(Address Line 2)

_____(Phone Number)

_____ in Pro Per
(indicate Plaintiff or Defendant)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

_____,

Plaintiff,

vs.

_____

_____

_____,

Defendant(s).

Case No.: _____

DECLARATION IN SUPPORT OF MOTION _____

_____

_____

_____

Hearing Date: _____

Hearing Time: _____

Judge: _____
(Judge's name)

Place: _____
(courtroom number)

I, _____, declare as follows:
(print name)

1. I am the _____ in the above-entitled case.
(indicate Plaintiff or Defendant)

© 2011-2026 Public Counsel. All rights reserved.

2. I have personal knowledge of the following facts, and, if called as a witness, I could and would competently testify thereto.

3. I discussed and attempted to resolve the issues raised in this motion with the opposing counsel in this case on : _____.
(date)

4. Opposing counsel and I were not able to resolve the following issues during our discussion: _____
(describe unresolved issues)
_____

5. _____
_____
_____

6. _____
_____
_____

7. _____
_____
_____

8. _____
_____
_____

9. _____
_____
_____

10. _____
_____
_____

11. _____
_____
_____

12. _____
_____
_____

13. _____
_____
_____

14. _____
_____
_____

15. _____
_____
_____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, in _____.
(date of signing) (city, state of signing)

_____
(signature)

_____
(name)

_____ in Pro Per
(indicate Plaintiff or Defendant)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

_____,

Plaintiff,

vs.

_____

_____

_____,

Defendant(s).

Case No.: _____

(PROPOSED) ORDER GRANTING MOTION _____

_____

_____

_____

Having considered _____'s Motion and finding good cause therefore,
(indicate Plaintiff or Defendant)

IT IS HEREBY ORDERED that _____'s Motion
(indicate Plaintiff or Defendant)

_____
(describe your motion)

_____

is GRANTED.

Dated: _____ Signed: _____

Hon. :_____
(Judge's name)

Form Prepared by Public Counsel.
© 2011-2026 Public Counsel. All rights reserved.

_____(Full Name)

_____(Email Address)

_____(Address Line 1)

_____(Address Line 2)

_____(Phone Number)

_____ in Pro Per
(indicate Plaintiff or Defendant)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

_____,

Plaintiff,

vs.

_____

_____

_____

_____

_____

_____

_____,

Defendant(s).

Case No.: _____

PROOF OF SERVICE BY MAIL

I, _____, declare as follows:
(name of person serving documents)

My address is _____

_____, which is located in the county where the mailing described below took place.

Form Prepared by Public Counsel.
© 2011-2026 Public Counsel. All rights reserved.

On _____, I served the document(s) described as:
(date of mailing)

_____
(list the names of the documents you are mailing)

_____

_____

_____

_____

_____

_____

on all interested parties in this action by placing a true and correct copy thereof in a sealed envelope, with first-class postage prepaid thereon, and deposited said envelope in the United States mail at or in _____,
(city and state of mailing)
addressed to:

_____ (name) _____ (name)

_____ (address) _____ (address)

_____ (address) _____ (address)

_____ (address) _____ (address)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____.
(date) (city and state of signing)

_____
(sign)

_____
(print name)