

Preliminary/Evidentiary Hearing Process

Summary:

1. All preliminary hearings, motions to suppress, Pitchess motions and other evidentiary hearings shall be calendared Monday through Friday at 8:30 a.m. or 1:30 p.m. in Dept. 3D.
2. All parties will appear in-person in Dept. 3D at their scheduled calendar time for assignment. Upon assignment, parties will immediately report to the assigned department to begin the hearing. Attorneys should notify witnesses of the department to which the assignment is made. The Court will post daily assignments on the Court's website on the Criminal Court Calendar page: [Today's Calendar for Dept. 3D](#). Dept. 3D staff will be available to direct witnesses to assigned departments.
3. All counsel on cases calendared for Monday through Friday at 8:30 a.m. or 1:30 p.m. in Dept. 3D must check in via the Criminal Readiness Notification System, during the specified check-in window, and provide readiness and the estimated hearing length. This window is between 8:00 a.m., 3 days before the hearing, and 12:00 p.m., the day before the scheduled hearing. Self-represented defendants shall notify the Court of their readiness and hearing length estimate via email at Dept3D@saccourt.ca.gov. An attorney or party who fails to check in, as required, may be subject to sanctions pursuant to section 177.5 of the Code of Civil Procedures.
4. If a party intends to exercise a challenge to the judge assigned to preside over any preliminary/evidentiary hearing, pursuant to CCP 170.6, the party shall file a fully executed CCP 170.6 form in Dept. 3D immediately upon assignment.
5. All exhibits shall be provided to the courtroom clerk in the assigned department at the start of the preliminary/evidentiary hearing. The Courtroom clerk will mark all exhibits and prepare exhibit lists. All exhibits shall be provided in their physical form. Counsel are encouraged to provide a full and complete photographic record of large exhibits instead of the physical item pursuant to Penal Code section 1417.3.

6. If a matter is going to resolve with a plea for felony probation and immediate J&S, the defense attorney shall obtain probation conditions from the Probation Dept. The Probation Dept. liaisons can be contacted via email. When emailing for conditions, the defense attorney shall include the following:

- a. Defendant's name and x-ref. #,
- b. Terms of the plea, and
- c. Name of the DDA handling the case.

Probation Email: AdultCourtLiaison@saccounty.net