

~~Strike through~~ are deletions; **Bold/underline** are additions

#### Rule 4-5. Contents of Application

A. The original application for writs shall be signed by the applicant or counsel of record, and shall contain an affidavit verifying the allegations of the application and certifying that a copy has been delivered or mailed to the respondent judge and to opposing counsel, and to any opposing party not represented by counsel. The affidavit shall list all parties and all counsel, indicating the parties each represents. The affidavit also shall list the addresses and telephone numbers (if available) of the respondent judge, opposing counsel and any opposing party not represented by counsel.

B. The original and duplicates shall have the pages of the application and attached documents and exhibits consecutively numbered; The entire submission shall be hole punched and bound in two places along the top margin, preferably with 4 1/4 inch metal file fasteners such that no part of the text on any page is obscured, and in sections consisting of no more than 250 pages; and. **No tabs shall be used in lieu of consecutive page numbering and no tabs or extensions shall be placed outside the paper dimensions. Documents within the bound submission shall not contain any staples, clips or other fasteners.**

C. The submission shall contain these items:

- ~~(A)~~ (1) an index of all items contained therein;
- ~~(B)~~ (2) a concise statement of the grounds on which the jurisdiction of the court is invoked;
- ~~(C)~~ (3) a concise statement of the case, including the status of the case at the time the writ application is filed, in order to reflect any trial dates or hearing dates that are pending;
- ~~(D)~~ (4) the issues and questions of law presented for determination by the court;

~~(E)~~ (5) the assignments or specifications of errors and a memorandum in support of the application, in accordance with Rules 2-12.2 and 2-12.10, and a prayer for relief;

~~(F)~~ (6) a copy of the judgment, order, or ruling complained of (if by written judgment, order, or ruling);

~~(G)~~ (7) a copy of the judge's reasons for judgment, order, or ruling (if written);

~~(H)~~ (8) a copy of each pleading on which the judgment, order, or ruling was founded, including the petition(s) in civil cases and the indictment or the bill of information in criminal cases;

**(9) a copy of any opposition and any attachments thereto filed by a party in the trial court or a statement by the relator that no opposing written document was filed.**

~~(I)~~ (10) a copy of pertinent court minutes; and

~~(J)~~ (11) the notice of intent and return date order required by Rules 4-2 and 4-3.

~~(K)~~ (12) a separate page entitled "REQUEST FOR EXPEDITED CONSIDERATION" and indexed as such shall be included if the applicant seeks expedited relief or a stay order as required by Rule 4-4(B) and a corresponding affidavit as required by Rule 4-4(C).

~~(L)~~ **D.** If any trial or hearing date is set after a writ application is filed or if any trial or hearing date included in a filed writ application is changed or continued, the applicant shall notify the court by facsimile or by e-mail, if directed by the Court of Appeal, of the setting, change, or continuance of the hearing date no later than three business days after the setting, change or continuance. The filed writ application shall be supplemented with this information not later than one week after the setting, change or continuance.

*Amended March 26, 1992, effective April 1, 1992; amended Oct. 3, 1994, effective Jan. 1, 1995; amended October 29, 1995, effective January 1, 1996; amended October 2, 2000; amended March 14, 2002, effective Jan. 1, 2003; amended October 2, 2006, effective November 1, 2006; amended effective April 15, 2010*