

PROPOSED LOCAL RULES BEFORE PUBLIC COMMENT – January 1, 2027, Cycle

CHAPTER 3: **COURT CALENDARS, CASE MANAGEMENT, AND DELAY REDUCTION**

RULE 3.13 MANDATORY SETTLEMENT CONFERENCES

- A. All mandatory settlement conferences are subject to California Rules of Court, rule 3.1380 and are conducted in unlimited civil cases only. All mandatory settlement conferences are held either remotely via a court-hosted videoconference platform or in person at the Ventura Division of the Ventura Superior Court, unless otherwise ordered by the court.
- B. In addition to the mandatory settlement conference statement provided in California Rules of Court, rule 3.1380, a party may elect to lodge an additional confidential settlement conference statement with the court, no later than five (5) court days before the date set for the settlement conference.

C. Mandatory Settlement Conferences will be conducted remotely from chambers when no participants appear in person.

RULE 3.24.1 MEDIATOR COMPLAINT PROCEDURE

Pursuant to *California Rules of Court*, rule 3.856 et seq., the Ventura Superior Court maintains the following Mediator Complaint Procedure:

- A. All grievances, complaints or issues concerning the conduct of a mediator on the Ventura Superior Court’s Civil Mediation Panel must be referred initially to the **ADR Coordinator**~~Court Program Manager for Civil/Appeals/Small Claims~~, who has been designated by the Presiding Judge, as the Complaint Coordinator. All complaints must be in writing, addressed to:

***Civil Mediation Complaint Coordinator
800 South Victoria, Room 210
Ventura, CA 93009***

or by e-mail to VenturaCivilMediation@ventura.courts.ca.gov at <http://www.ventura.courts.ca.gov/email> and checking “Court Mediation Program”.

- B. After sending the complainant a written acknowledgment that the court has received the complaint, the Complaint Coordinator will conduct a preliminary review of the

complaint to determine whether or not the complaint can be resolved informally and closed. If the complaint is resolved informally or closed after preliminary review, the Complaint Coordinator will send the complainant written notification of the resolution.

- C. If it is determined that further investigation is warranted, the Complaint Coordinator will send the mediator written notice of the complaint, that the complaint has been referred to the Chair(s) of the **Bench** ADR committee and the mediator will have twenty (20) days from the mailing of said notice to provide the court with a written response. The Chair(s) of the ADR Committee will designate an individual who has experience as a mediator and who is familiar with the rules of conduct for mediators set forth in *California Rules of Court, rule 3.850 et seq.*, or will establish a complaint committee that has at least one such individual as a member, to conduct the investigation and prepare a written recommendation concerning court action on the complaint. The Chair(s) of the ADR Committee and/or their designee may determine that the mediator will be removed from the active/eligible list pending the final decision on the complaint.
- D. The final decision on the complaint will be made by the Presiding Judge or his or her designee, who did not conduct the investigation, and the final decision will be communicated to both the complainant and the mediator in writing. The final decision-maker may take one or more of the following action(s): direct that no action be taken on the complaint; counsel, admonish, or reprimand the mediator; impose additional training requirements as a condition of the mediator remaining on the court's panel; temporarily suspend the mediator from the court's panel or otherwise temporarily prohibit the mediator from receiving future mediation referrals from the court; and/or permanently remove the mediator from the court's panel or otherwise permanently prohibit the mediator from receiving future mediation referrals from the court.
- E. The final decision is in the sole discretion of the final decision-maker and is not subject to any subsequent review or appeal. Ultimately, mediators on the court's Civil Mediation Panel may be temporarily or permanently removed from the panel at any time at the sole discretion of the court without cause.
- F. All court communications and/or proceedings relative to complaints against mediators on the court's Civil Mediation Panel will occur in private and be kept confidential except as required by law and except for authorized disclosures as follows: after the decision on a complaint against a mediator has been made, the Presiding Judge or his or her designee may authorize the disclosure of information or records concerning the complaint proceeding that do not reveal any mediation communications. The disclosures that may be authorized include the name of the mediator against whom action is being taken, the action taken and the general basis on which the action was taken.
- G. A person who has participated in a complaint proceeding or otherwise received information that is publicly disclosed will not subsequently hear or determine any contested issue of law, fact, or procedure concerning the dispute that was the subject of the underlying mediation or any other dispute that arises from the

mediation as a judge, arbitrator, referee, or juror, or any other adjudicative capacity, in any court action or proceeding.

(~~Revised Effective January 1, 2027~~)

RULE 3.33 FEE WAIVERS: CLERK AUTHORITY

Pursuant to Government Code section 68634, subdivision (d), the court delegates to the court clerk the authority to grant applications for initial fee waivers that meet the standards of eligibility established by Government Code sections 68632 and 68633.

(Effective January 1, 2027)

CHAPTER 4:

COURT PLEADINGS, FORMS AND DOCUMENT FORMAT

RULE 4.05 ELECTRONIC DELIVERY

Electronic delivery of filings in ~~civil, small claims, family law and probate cases~~, are permitted to the extent set forth below, and shall conform to the provisions of *Code of Civil Procedure* § 1010.6 and *California Rules of Court*, rules 2.252 et seq.

- A. Court users electing to submit documents by electronic delivery must submit all documents to the court's approved electronic service provider under *California Rules of Court*, rule 2.255. Court users must also comply with the terms and conditions of electronic delivery set forth on the court's website at www.Ventura.courts.ca.gov.
- B. Upon receiving a document(s) by electronic delivery, a "Notice of Receipt of Documents," containing the ~~eFiling-eDelivery~~ ID number and confirming that the court has received the document(s), will be sent to the email address provided by the submitting party.
- C. Any document(s) received by electronic delivery will be accepted by the court, if the document(s) meets all legal filing requirements and any required fees are paid and correct. An email will be sent to the email address provided by the submitting party stating that the document(s) is accepted. If a document(s) is not accepted, an email stating that the document(s) is rejected will be sent to the email address provided by the submitting party.
- D. Any electronic document submitted for filing received by the court between 8:00 a.m. and 4:00 p.m. on a court day, shall be deemed filed as of that day. This rule concerns only the method and effective date of filing; any document that is electronically filed must satisfy all other legal filing deadlines and requirements. This rule also does not affect any statutory or court ordered requirements that a document be filed by a set date.
- E. Notwithstanding any other provision of law or these rules, the following documents

shall not be electronically submitted and/or filed by a party or user:

1. Any document exceeding 200 pages ~~(limit applies to Family Law cases only);~~
2. No lodgings, except for proposed orders;
3. ~~Will, codicil or testamentary trust; (Deleted effective 01/01/2027);~~
4. Bond or undertaking;
5. Any order with an original judicial officer's signature;
6. Out-of-State Commission;
7. ~~Abstract of Judgment; (Deleted effective 01/01/2027);~~
8. ~~Writ of Execution; (Deleted effective 01/01/2027);~~
9. Confidential document(s) lodged conditionally under seal;
10. Certificate of Facts Re Unsatisfied Judgment;
11. Family Law Request for Entry of Default, Judgment and the Notice of Entry of Judgment;
12. ~~Letters of Administration; (Deleted effective 01/01/2027);~~
13. ~~Affidavit Re Real Property of Small Value (Probate); (Deleted effective 01/01/2027);~~
14. Any and all documents relating to restraining order matters, ~~including applications/requests for restraining orders, proposed temporary restraining order and notice of hearing (i.e., Domestic Violence, Civil Harassment, Elder Abuse, etc.);~~
 - a. Domestic Violence
 - b. Gun Violence
 - c. Workplace Violence
 - d. Elder Abuse
 - e. Retail Crime
 - f. Post Secondary School
 - g. Civil Harassment

Domestic Violence Restraining Orders may be submitted in person or by email to: EmergencyRestrainingOrdersFamilyandCivil@venturacourts.ca.gov

~~14. All other restraining orders may be submitted in person, via drop box or through eFiling.~~
15. Notice of Pendency of Action;
16. All Family Law Ex Parte Applications; and
17. Any paper document ordered by the court to be filed in the clerk's office.

(Revised effective January 1, ~~2024~~2027)

RULE 4.08 ELECTRONIC SERVICE

- A. For Unlimited Civil and Limited Civil, (including Civil Harassment, Elder Abuse, Gun Violence, Workplace Violence, Post Secondary School, and Retail Crime Restraining Orders) and Probate case types, electronic service is mandatory pursuant to Code

of Civil Procedure 1010.6 and California Rules of Court, rule 2.251(e), except in those circumstances when personal service is required by law or where a party is self-represented.

B. Self-represented litigants are exempt from mandatory electronic service and must affirmatively consent to electronic service by filing and serving a Consent to Electronic Service and Notice of Electronic Service.

1. Any party subject to mandatory electronic service may request to be excused from the requirement and may be permitted to serve documents by conventional means due to undue hardship or significant prejudice per Civil Code of Procedure section 1010.6 subdivision (g)(3). A party making such a request shall submit a *Request for Exemption from Mandatory Electronic Filing and Service* and proposed *Order of Exemption from Electronic Filing and Service*.

2. Parties required to serve and accept service electronically must provide an email address for service on the first occasion that the party files any paper electronically pursuant to California Rule of Court, 2111(1).

3. A party whose electronic service address changes must promptly notify the Court and all parties by electronically filing a Notice of Change of Electronic Service Address.

C. Family Law and Domestic Violence Restraining Orders case types electronic service is permissive. Represented parties and self-represented litigants may consent to electronic service by filing and serving a Consent to Electronic Service and Notice of Electronic Service.

1. A party who consents to electronic service and whose electronic service address has changed must promptly notify the Court and all parties by electronically filing a Notice of Change of Electronic Service Address.

D. Previous consent to electronic service filed before to July 1, 2025, must submit another Consent to Electronic Service and Notice of Electronic Service form in order to consent to electronic service from the Court.

(Effective January 1, 2027)

CHAPTER 5:

COURT FILES AND EXHIBITS

RULE 5.02 COURT RECORDS

A. REMOVAL OF PAPERS. No papers shall be removed from the files or replaced therein except by authorized court personnel.

B. RETURN OF EXHIBITS. No exhibits shall be released from the possession of the

Executive Officer and Clerk except on order of the court and the giving of a receipt therefor.

C. ACCESS TO CONFIDENTIAL PARENTAGE FILES. All requests for access to confidential parentage files shall require individual review and court approval using form **VN280 Declaration and Order to Inspect Confidential Parentage File (Family Law)** submitted through the Family Law Clerks office.

1. The District Attorney Child Abduction and Recovery Unit shall attach a copy of their District Attorney employee identification card to the declaration for order to inspect confidential parentage file and/or obtain certified copies, as necessary to perform functions pursuant to Family Code sections 3130 to 3132.

B-2. A copy of the signed order must be presented at time of request for access to file for review.

(Revised Effective January 1, ~~2027~~1997)

CHAPTER 7:

TELEPHONIC REMOTE APPEARANCES

RULE 7.06 REMOTE APPEARANCE

Remote appearances may be offered through Zoom ~~and CourtCall depending upon the technology available in the courtroom in which the proceeding is conducted.~~ (See *Code of Civil Proc.* §367.75 and *Cal. Rules of Court*, rules 3.670 and 3.672). However, personal appearance at a hearing may be required if the bench officer determines that “in-person appearance would materially assist in the determination of the proceeding or in the effective management or resolution of the case.” (*Cal. Rules of Court*, rule 3.672(d)(1)). Information regarding remote appearance is available on the court’s website (www.ventura.courts.ca.gov).

(Revised Effective ~~July~~ January 1, ~~2022~~2027)

7.07 DECORUM AND DUTIES FOR REMOTE APPEARANCES

All rules of courtroom civility and decorum apply equally to appearances by remote video. Individuals appearing by remote video must take measures to ensure there will be no interruptions or distractions while court is in session.

(Effective January 1, 2027)

CHAPTER 8:

CIVIL LAW AND MOTION HEARINGS CALENDAR PROCEDURES

RULE 8.12(L) JURY INSTRUCTIONS AND VERDICTS. Instructions and verdict forms should be discussed and agreed to prior to trial.

1. (Deleted effective 7/1/1996)
2. (Deleted effective 01/01/2026)
3. ~~Jury instructions prepared by counsel will be accepted only in the format of Exhibit A hereto, unless otherwise ordered or allowed by the trial court. (Deleted effective 01/01/2027)~~
4. Unless otherwise ordered by the trial court, jury verdict forms will be prepared by plaintiff's counsel and served on other parties before the first witness is sworn. Additionally, jury verdict forms shall be agreed upon by all counsel and lodged with the clerk of the trial department before the plaintiff rests.

EXHIBIT A CITATIONS OF AUTHORITY

~~JONES v. SMITH (1991) 100 Ca.3d O.)~~

Request by Plaintiff		Requested by Defendant		Requested by	
Given as Requested		Given as Modified		Given Court's Motion	
Refused					
Withdrawn		Judge			

RULE 8.12(O) CHECKLIST FOR WORKING WITH THE COURTROOM CLERK.

O. CHECKLIST FOR WORKING WITH THE COURTROOM CLERK.

5. Check in with the courtroom clerk. If you are an attorney representing a client, provide three (3) business cards and name of your client.
6. ~~File Email~~ trial briefs and motions **in limine** ~~with courtroom clerk to trial department's email proxy (e.g. courtroom20@ventura.courts.ca.gov),~~ not in Clerk's Office.
7. File witness list and statement of the case with courtroom clerk, not in Clerk's Office.
8. Arrange for payment of any jury fees and reporter fees.
9. Pre-mark and exchange exhibits. Prepare a joint exhibit list and exhibit binders. An

exhibit binder is needed for each of the following 1) opposing counsel(s), 2) witness stand, 3) bench, and 4) clerk (if ordered by the judge).

10. File jury instructions and jury verdict form with courtroom clerk, not in Clerk's Office.

11. Lodge all original depositions with the courtroom clerk on the first day of trial with a Notice of Lodging.

12. (Deleted effective 01/01/2026)

13. All depositions, documents, exhibits and other items lodged with the court must be removed from the courtroom by counsel lodging same upon conclusion of proceedings unless such documents were marked and/or admitted into evidence.

14. (Deleted effective 01/01/2026)

(Revised effective January 1, ~~2026~~2027)

CHAPTER 9:

FAMILY LAW RULES/GENERAL RULES

RULE 9.01 MATTERS ASSIGNED TO THE FAMILY LAW DEPARTMENT

All proceedings filed in the following matters are assigned to the Family Law Department, to be governed by these family law rules:

- A.** Proceedings related to the dissolution, nullity or legal separation of partners of a domestic partnership.
- B.** Matters arising from the Family Law Act, including cases where the ~~District Attorney~~ Department of Child Support Services appears on behalf of Ventura County or any other party;
- C.** Matters arising from the Uniform Divorce Recognition Act;
- D.** Matters arising from the Uniform Child Custody Jurisdiction and Enforcement Act;
- E.** Matters arising from the Uniform Parentage Act;
- F.** Matters arising from *Family Codes* §§5700.101 through 5700.905 (UIFSA);
- G.** Matters arising from *Family Code* §3900 (support of adult children or parents);
- H.** Post-dissolution judgment actions involving omitted or reserved property issues;
- I.** Non-marital property right actions consolidated with Family Law Act or Uniform Parentage Act proceedings;
- J.** Matters arising from the Domestic Violence Prevention Act, *Family Code* §6200 et seq.;
- K.** Requests for Civil Harassment Restraining Order;
- L.** Matters arising from Domestic Partnership Act;
- M.** Requests for Elder or Dependent Adult Abuse Restraining Order;
- N.** Petitions for Workplace Violence Restraining Order;
- O.** Petitions for Private Post-secondary School Violence Restraining Order;
- P.** Petitions for Order Prohibiting Abuse or Program Misconduct; and
- Q.** Petitions for Firearms Restraining Order

(Revised effective January 1, ~~2018~~2027)

CHAPTER 9:

FAMILY LAW RULES – LAW AND MOTION

RULE 9.09 SPECIFIC EX PARTE ORDERS

A. TEMPORARY RESTRAINING ORDERS ("TRO'S") – DOMESTIC VIOLENCE

When seeking TRO'S, the current forms adopted by the Judicial Council shall be used. These forms are the specialized Domestic Violence Forms including DV-100, DV-110 and other applicable Domestic Violence forms.

B. EX PARTE RESIDENCE EXCLUSION ORDERS – DOMESTIC VIOLENCE

Ex Parte Residence Exclusion Orders will not be issued unless there is a clear showing of assault against or threats to assault the party seeking protection, a person under the control of the party seeking protection, or of a minor child of the parties or party, and that physical or emotional harm would otherwise result. This showing shall include a full description, in detail, of the most recent instance(s) of actual assault or threats to assault, disposition toward violence, intoxication or use of drugs or other such facts, and shall specify the date of each occurrence. The parties are referred to *Family Code* §6321 for other requirements.

C. STAY AWAY ORDERS – DOMESTIC VIOLENCE

Requests for orders requiring a party to stay away from the other party's residence, place of business, or child's school, shall indicate whether the party to be restrained is residing in the residence or has moved and the date he or she moved, and whether the order requested would be problematic due to the fact that both parties work at the same place or have good cause to go to the child's school.

D. CUSTODY/VISITATION ORDERS

A party requesting an order establishing or modifying custody or visitation shall, by declarations, establish the following: (1) the provisions of any existing order; (2) the actual current custody arrangement; (3) the requested relief; (4) the immediate harm or irreparable injury; and (5) the status of any referral to Child Protective Services or law enforcement.

E. CIVIL HARASSMENT, WORKPLACE VIOLENCE, ELDER & DEPENDENT ADULT ABUSE, PRIVATE POST-SECONDARY SCHOOL VIOLENCE, TRANSITIONAL HOUSING MISCONDUCT, RETAIL CRIME, AND GUN VIOLENCE PREVENTION RESTRAINING ORDERS.

When seeking Civil Harassment, Workplace Violence, Elder and Dependent Adult Abuse, Private Post-secondary School Violence and Transitional Housing Misconduct, Retail Crime, and Gun Violence Prevention Temporary Restraining Orders, the current forms adopted by the Judicial Council shall be used. A declaration in support of the TRO shall be included setting forth with specificity, the harassing conduct including dates, specific acts and words and any injuries suffered by the requesting party.

(Revised effective January 1, ~~2018~~2027)

CHAPTER 9:

FAMILY LAW REQUESTS FOR ORDERS AND MOTIONS

RULE 9.12 HEARINGS

A. DAILY CALENDAR. Check-In. Courtrooms shall open their doors prior to scheduled calendar call for "check-in" with the court clerk. At that time, counsel shall inform the clerk if a conference with the court is desirable or if priority is requested.

B. MANDATORY SETTLEMENT ATTEMPT. Prior to the scheduled hearing, counsel shall make good faith efforts to resolve the issues pending before the court, to exchange all information required by these rules, and to delineate those issues remaining to be presented to the court at the time of the hearing.

C. TIME LIMITATIONS. The law and motion calendar is designed for hearings estimated to take no longer than 30 minutes. If it is anticipated that a longer hearing will be required, participants shall so advise the court at the law and motion hearing.

D. PRESENTATION OF EVIDENCE.

1. Limitations on Oral Testimony. In granting or denying applications for orders, it is the court's policy whenever possible to determine contested issues based solely on the pleadings, admissible evidence contained in declarations timely

filed with the court, and arguments based thereon. All declarations shall be received in evidence at the hearing, subject to legal objections and cross examination.

2. The court shall follow *Family Code* §217 and *California Rules of Court*, rule 5.113 when deciding to receive or refuse live testimony at hearings on any order to show cause, notice of motion or request for orders.

E. STIPULATED CONTINUANCES OF HEARINGS.

1. If the parties stipulate to a continuance of a hearing, the parties shall immediately advise the secretary of the assigned family law judge by submitting a Request to Reschedule Hearing (Judicial Council Form) for Continuance (Local Form VN-230), signed by both attorneys/pro per litigants, via eDelivery, in person at the Clerk's Office counter or mailed to the Clerk's Office—facsimile transmission or walk-through. The Request for Continuance to Reschedule Hearing must be submitted to the court at least two (2) three (3) court days before the hearing. The judicial assistant's minute order memorializing the continuance will serve as the written record of said continuance. The fee required under *Government Code* §70677(c) shall be paid within ten (10) days at the time of submission of the Request for Continuance. If the court date is being continued for less than ten (10) days, the fee must be paid prior to the new court date.
2. After one (1) continuance, as set forth in Local Rule 9.12.E.1 above, any further continuance of the hearing will require a showing of good cause by declaration for the continuance, and an order of the court.

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- K. **MATTERS TAKEN OFF CALENDAR.** After service of the moving papers, no matter shall be taken off calendar without immediate telephonic notice both to the clerk of the assigned family law judge and to the responding party. Once responding papers requesting affirmative relief have been filed, no matter shall be taken off calendar without the written consent of the responding party. Parties may also take matters off calendar by submitting a Request for Continuance/Off Calendar (Local Form VN-230), via facsimile transmission or walk-through eDelivery, in person at the Clerk's Office counter or mailed to the Clerk's Office.

(Revised effective January 1, ~~2018~~2027)

CHAPTER 9:

FAMILY LAW CHILD CUSTODY RECOMMENDING COUNSELING

RULE 9.33 CCRC ORDERS

- A. In all cases in which there is a dispute as to custody and/or visitation, the parties may stipulate to private CCRC instead of having the Ventura Superior Court Family Court Services Department conduct CCRC pursuant to *Family Code* §3170. Should the parties elect to participate in private CCRC, they shall enter into a written stipulation. The form "Stipulation and Order for Private CCRC" shall be mandatory and may be obtained in the office of the Clerk of the Ventura Superior Court. Any private RC shall meet the minimum statutory requirements of a court RC.
- B. Attorneys need not be present at the commencement of CCRC but shall be available by telephone during CCRC and shall be present in the CCRC department for the last half hour of CCRC or at another time as directed by the RC. Attorneys are responsible for communicating with the RC at the beginning of the CCRC to determine the time when they will be required to be present.
- C. CCRC sessions are customarily conducted with only the parties and the children. The RC will interview children involved in the controversy when the RC considers the interview appropriate or necessary. The RC has the discretion to interview or include

other immediate or significant family members if the RC believes that it will be helpful to resolution. The RC shall not contact any other source, except as permitted by *California Rules of Court*, rule 5.215 or to investigate concerns relating to child abuse or neglect under *Penal Code* §11164 et seq., unless both parties and counsel, if represented, give written consent to the contact, or by order of the court. It is the responsibility of each party to arrange for proposed collateral contacts to be available by telephone during the CCRC appointment.

- D. Use of audio or visual recording devices of any type is not permitted at CCRC.
- E. All cases involving allegations of domestic violence shall be screened by a RC for determining the necessity for separate waiting areas for the parties, and separate CCRC sessions, to insure safety and facilitate the CCRC.
- F. Support persons will be permitted to attend as provided by *Family Code* §6303.
- G. The RC may meet with the parties separately or together in a joint session, in order to isolate the points of agreement and disagreement in an effort to settle the dispute.
- H. Upon completion of the CCRC, the RC shall complete a Report of RC which will incorporate proposed orders for a parenting plan based on the parties' agreement or the RC's recommendation, and/or will inform the court of related information and/or the RC's recommendations as to the need for orders relating to issues such as:
 - 1. More CCRC time and/or collateral contacts;
 - 2. A child custody investigation or evaluation of this family pursuant to *Family Code* §§3110 et seq.;
 - 3. A psychological evaluation of the parties;
 - 4. Appointment of an attorney for the child(ren);
 - 5. The issuance of restraining orders to protect the well-being of the child(ren).
- I. Following the CCRC session, the RC shall meet with counsel and/or unrepresented parties.
 - 1. If the parties have reached an agreement, the RC will review the terms of the proposed Order with the parties and/or counsel, obtain their signatures, and deliver it to the court for approval.
 - 2. If no agreement has been reached, the RC will provide them with a copy and review the terms of the Report of the RC and proposed Order and advise them that the RC may be called as a witness by either party, by way of subpoena subject to the right of cross examination by the other.
- J. As employees of the Superior Court, witness subpoenas for FCS counselors, are governed by Government Code 68097.2(a)(b), including the subpoenaing party's obligations for all statutory fees and salary reimbursements
- K. Before serving the subpoena, the party must first contact FCS to confirm availability on the scheduled hearing date and time. After confirmation of the RC's availability, FCS must be served with the subpoena at least 10 calendar days prior to the hearing along with the required fee deposit of \$275.00 as indicated on the Fee Schedule.
- L. In the instance of a hearing going off calendar or being rescheduled the subpoenaing party must notify FCS at their earliest opportunity.
 - 1. If the counselor's appearance is still required for a rescheduled hearing, a new subpoena will not be necessary if the subpoenaing party does both of the following:
 - a. Contacts FCS to determine the RC's availability on the continued hearing date and time.
 - b. Immediately provides FCS written notice that the RC's appearance is required on the continued hearing date and time.
 - c. For purposes of this rule, "written notice" means notice transmitted to the email address or other electronic method designated by FCS for subpoena matters. The notice shall include the case name and number, the name of the RC, and the date, time, and courtroom for the hearing. Notice provided directly to the RC does not constitute notice to FCS.
 - d. Written notice is deemed received when transmitted to the designated FCS email address or electronic system, provided that the sender does not receive notice that the transmission was unsuccessful. If the sender receives notice of a failed transmission, the sender shall promptly use another

method designated by FCS to provide notice.

M. If at the time of hearing the RC is no longer an employee of the Superior Court, is on leave, or other circumstances prevent the Superior Court from producing the RC as a witness in response to a subpoena, it will be at the judicial officer's discretion to, proceed without the RC testimony, or order FCS to assign the case for another child recommending counseling session with a different RC.

(Revised effective ~~July~~ January 1, 20252027)

CHAPTER 10:

PROBATE, DECEDENTS' ESTATES, CONSERVATORSHIPS, GUARDIANSHIPS, GUARDIANSHIPS OF THE ESTATE ONLY AND TRUSTS

RULE 10.04

M. STATUTORY COMPENSATION AND COSTS IN DECEDENT'S ESTATE

1. Calculation Must Be Shown. All petitions requesting payment of statutory compensation -- even if accompanied by a waiver of accounting -- must show the calculation of the compensation requested in the form stated in *California Rules of Court*, rule 7.705(a).
2. Detailed Schedules on Waiver of Accounting. When an account has been waived, if the basis for the statutory commissions or fees is other than the inventory and appraisal total, detailed schedules for receipts and gains and losses must be included. (*California Rules of Court*, rule 7.705(b).) Also, if there are losses, the fee base must deduct the losses.
3. Expenses of Tax Related Services, Accounting and Bookkeeping. The personal representative may employ tax counsel, tax auditors, accountants, or other tax experts for the preparation of tax returns and for other tax related services and pay from the funds of the estate for such services. The Court may deduct from the personal representative's statutory compensation any sums paid from estate funds for performance of the representative's ordinary duties such as ordinary accounting and bookkeeping services, including the preparation of schedules for court accountings.
4. **Reimbursement of Costs.**
 - a. Allowed Reimbursements. Allowable reimbursement costs include but are not limited to:
 - (i). Court Clerk's fees;
 - (ii). Newspaper publication fees;
 - (iii). Surety bond premium;
 - (iv). Appraisal fees;
 - (v). eFiling Fees;
 - (vi). ~~Court Call Fees~~(Deleted effective 01/01/2027);
 - b. Absorbed as Part of Statutory Compensation. The following costs are absorbed as part of the statutory compensation:
 - (i). Photocopies and postage, unless justified due to extraordinary nature of costs (i.e., voluminous pleadings and/or mailings);
 - (ii). Secretarial and word processing time;
 - (iii). Paralegal time for ordinary services;
 - (iv). Costs for research subscriptions (i.e., Lexis, Westlaw);
 - (v). Local travel, mileage, and parking.
 - c. Reimbursed Only in Court's Discretion. The following costs may be reimbursed in the court's discretion:
 - (i). Substitutes for U.S. Postal Service (Federal Express, UPS, etc.);
 - (ii). Attorney Services;
 - (iii). Long distance travel;
 - (iv). Photocopy of voluminous pleadings and/or mailings).

N. DISTRIBUTION

1. Receipts on Distribution

- a. Receipts for property received in preliminary distributions must be filed with the court before the petition for final distribution and must follow the requirements of rule 4.17.8.
- b. Receipts for property received by a successor personal representative, trustee, guardian, or conservator must be filed with the court before the filing of the first accounting filed by the successor fiduciary. Such receipt shall follow the requirements of subsection 2.

2. Receipts on Final Distribution

- a. Receipts for property received on final distribution must be signed by (1) the distributee, unless there is a showing of good cause why the distributee cannot or will not sign the receipt, (2) the attorney-in- fact for the distributee under a valid power of attorney where a true copy of the power of attorney is attached to the receipt and the attorney-in-fact certifies under penalty of perjury that the power of attorney is in full force and effect, or (3) the conservator or guardian of the estate of the distributee, or (4) the personal representative of the estate of the distributee.
- b. A receipt must be specifically itemized, giving the valuation of each asset and the total value of all the property received.

3. Property to be Distributed Must Be Listed

- a. The prayer of a petition for distribution must list and describe in detail all property to be distributed, including cash. The proposed distribution of cash must specify the exact dollar amount to be distributed to each recipient. Proposed distribution of non-cash assets must specify the percentage to be distributed to each recipient.
- b. The description of promissory notes must indicate whether they are secured or unsecured; if secured, the security interest must be described.
- c. Real property descriptions must include a complete legal description and street address and Assessor's Parcel Number.
- d. A description of stocks must include the number of shares of each stock. A description of mutual funds must include the number of shares in each fund.
- e. The description must be set forth in the prayer.
- f. Description by reference to the inventory is not acceptable.
- g. The carry value of each individual asset on hand and the total value of the assets must be set forth.
- h. Vehicle and mobile home descriptions must include the make, model, year, and Vehicle Identification Number (VIN).

(Revised effective January 1, 20222027)

CHAPTER 11:

CRIMINAL AND TRAFFIC HEARING CALENDAR PROCEDURES

11.07 CRIMINAL CALENDARING

To schedule a hearing in a criminal case, all parties must submit the Court's 'Calendaring Request' (VN279) form in person at the appropriate business office. Scheduling by phone is not permitted.

(Effective January 1, 2027)

CHAPTER 12:

JUVENILE CALENDAR PROCEDURES

RULE 12.00.1 PROCEDURE FOR FILING PETITION FOR DISCLOSURE OF JUVENILE CASE FILE

- A. In all cases in which a person or agency requires a court order to inspect, obtain a copy of, disseminate to others or use documents in a juvenile case file, the person or agency shall file a Petition for Disclosure (JV570), and comply with *California Rules of Court*, rule 5.552.
- B. The Petition shall state with specificity the information sought and the relevance to any related legal action, including the specific details of the related legal action. The Petition shall be supported by a declaration of counsel and/or a Petitioner, and if necessary, a memorandum of points and authorities. If the Petition is filed in relation to a pending civil litigation, the petitioner must attach a copy of the complaint and answer, if any. If the Petition is filed in relation to a pending criminal case, the petitioner must attach a copy of the charging document.
- C. If Petitioner has the right without a court order to inspect ~~by~~ but not copy the juvenile case file, the Petition shall identify the requested document(s) with particularity, (including the title of the document, the date of the document, and the page number of the document), and shall identify the contents of each page which is relevant to the Petition and the reasons that the content should be copied, released for dissemination, or used pursuant to the requirements of *California Rules of Court*, rule 5.552.

(*Revised Effective January 1, ~~2020~~2027*)

CHAPTER 26:

PHOTOGRAPHING, RECORDING AND BROADCASTING IN COURT

B. USE OF CELLULAR PHONES AND OTHER ELECTRONIC DEVICES

- 1. No one may use a camera, cell phone camera, video, photographic, audio or other electronic device to transmit, record, or take pictures in any part of the courthouse except as permitted by local rule, Government Code section 68150, subdivision (l)(3)(A) and *California Rules of Court*, rule 1.150 or upon written approval of the Presiding Judge. For purposes of this rule, court facilities include the full entry security screening areas, lobby, courtrooms, judges' chambers, clerk's offices, court offices and the hallways adjacent to these areas. Court facilities do not include offices occupied by non-court agencies including the District Attorney's Office and Victim Services Division, the Public Defender's Office or the County Law Library.

(*Revised effective January 1, ~~2026~~2027*)