

# **INVITATION TO COMMENT**

The Superior Court of California, County of Solano, invites comments on proposed revisions to the court's local rules and forms, effective July 1, 2013.

## **CONTENTS**

- Text of Proposed Changes to Local Rules (32 pages):
  - Rule 3 (Civil Cases)
  - Rule 6 (Juvenile)
  - Rule 7 (Probate)
  - Rule 15 (Guardianships and Conservatorships)
- Proposed Changes to Local Forms (3 pages)
- Response Form to Proposed Revisions (1 page)

**DEADLINE FOR COMMENT: 5:00 p.m. on Monday, May 13, 2013**

**Superior Court of California  
County of Solano**

**Rule 3 – Civil Cases**

**3.3 NOTIFICATION OF PLAINTIFF OF ASSIGNMENT TO ONE JUDGE FOR ALL PURPOSES**

Upon the filing of the complaint, the Clerk of the Court shall notify plaintiff, plaintiff's attorney, or an agent of the plaintiff of the assignment to one judge for all purposes; and, if in person, the person receiving notice shall sign an acknowledgement of the notification on a form to be prepared by the Clerk of the Court indicating thereon that the notification is received on behalf of plaintiff. The clerk shall file the acknowledgement of the notification in the court file with an attached proof of personal service. If the notification of the plaintiff, his attorney or agent is not in person and acknowledged in writing, then the clerk shall mail a notice to plaintiff at his or her address of record by first class mail and file a proof of mailing in the court file.

Plaintiff shall promptly notify all parties in the case at the time the assignment is made and notify all parties who later enter the case and file with the court a proof of service of such notification of the assignment to a judge for all purposes within five (5) days after the notice is served.

*(Rule 3.3 amended effective July 1, 2010; adopted effective January 1, 1998.)*

**3.4 DESIGNATION OF COURT [Repealed]**

*(Rule 3.4 repealed effective July 1, 2011; adopted effective January 1, 1998; amended effective October 1, 2002, and July 1, 2010.)*

**3.5 CALENDARING OF HEARINGS**

With the exception of ex parte matters, all hearings shall be scheduled through the Civil Division calendar clerk.

*(Rule 3.5 adopted effective July 1, 2011.)*

**3.6 DEPOSIT OF JURY FEES**

Advance jury fees in the amount of one hundred and fifty dollars (\$150.00) shall be deposited with the Clerk of the Court in compliance with Code of Civil Procedure section 631. Jury fees deposited after June 27, 2012, are nonrefundable. ~~(Senate Bill 1021, chaptered on June 27, 2012 [Chapter 41, Statutes of 2012].)~~

*(Rule 3.6 amended effective ~~July~~ January 1, 2013; adopted as Rule 3.10 effective January 1, 1998; previously amended effective October 1, 2002; previously amended and*

**Superior Court of California  
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**Rule 3 – Civil Cases**

*renumbered effective January 1, 2010; amended effective July 1, 2011, and January 1, 2013.*)

**3.7 FORFEITURE OF JURY FEES PER CCP SECTION 631.3**

For purposes of Rule 3.6 and per Code of Civil Procedure section 631.3, it is deemed necessary for the court to have at least five court days notice of waiver of jury, continuance or settlement of the case in order to notify the jurors that the trial will not proceed at the time set. Failure to notify the court in writing of a waiver of jury, continuance of a jury trial date, or settlement of a case set for trial at least five court days prior to the assigned date of trial shall result in the forfeiture of the jury fee deposit.

Because jury fees deposited after June 27, 2012, are nonrefundable ~~(see Senate Bill 1021, chaptered on June 27, 2012 [Chapter 41, Statutes of 2012])~~, this local rule shall apply only to cases where jury fees were deposited on or before June 27, 2012.

*(Rule 3.7 amended effective July/January 1, 2013; adopted as Rule 3.11 effective January 1, 1998; amended and renumbered effective January 1, 2010; amended effective July 1, 2011, and January 1, 2013.)*

**3.8 NOTIFICATION TO COURT OF DROPS, CONTINUANCES AND STIPULATIONS**

When a matter is to be dropped, continued or stipulated to, counsel for the moving party shall promptly notify the department of the court to which the matter is assigned. No matters will be continued after announcement of a tentative ruling thereon, except by order of the court for good cause.

No matter shall be continued unless the department of the court to which the matter is assigned approves of the continuance date. Any continuance requested within forty-eight (48) hours of the hearing date shall be directed to the department in which the hearing is scheduled for approval.

In the absence of a showing of good cause by counsel, no matter shall be continued on the law and motion calendar pursuant to stipulation of counsel, or otherwise, more than twice.

*(Rule 3.8 amended and renumbered effective January 1, 2010; adopted as Rule 3.13 effective January 1, 1998; former Rule 3.8, which concerned the court case number, repealed effective January 1, 2010.)*

**Superior Court of California  
County of Solano**

**Rule 3 – Civil Cases**

**3.9 TENTATIVE RULINGS**

a. **AVAILABILITY OF TENTATIVE RULINGS**

Per California Rules of Court, rule 3.1308, the court has adopted a tentative rulings procedure for civil law and motion. A tentative ruling on a civil matter will be available after 2:00 p.m. on the court day immediately preceding the scheduled hearing on that matter by signing onto the court's web site at [www.solano.courts.ca.gov](http://www.solano.courts.ca.gov) and selecting "Tentative Rulings," or by telephoning (707) 207-~~74757334~~. Tentative rulings will not be posted for unlawful detainer matters.

*(Subd (a) amended effective ~~July 1, 2013~~ ~~January 1, 2012~~; adopted as Rule 3.14 effective January 1, 1998; previously amended effective October 1, 2002; amended and relettered effective January 1, 2010; previously amended effective July 1, 2011, ~~and January 1, 2012.~~)*

b. **NOTIFICATION OF INTENT TO APPEAR AT HEARING**

The tentative ruling shall become the ruling of the court unless a party desiring to be heard so advises the judicial assistant of the department hearing the matter at the telephone number indicated in the tentative ruling no later than 4:30 p.m. on the court day preceding the hearing, and further advises that such party has notified all other parties of its intention to appear and argue.

*(Subd (b) amended effective July 1, 2010; adopted as Rule 3.15 effective January 1, 1998; relettered as subd (b) effective January 1, 2010.)*

c. **ARGUMENT ON TENTATIVE RULING**

Where an appearance has been requested or invited by the court, limited argument will be entertained, not to exceed 20 minutes per case. Appearances may be made telephonically, in accordance with California Rules of Court, rule 3.670 and Solano County Local Rules, rule 4.12(h), unless the court orders a personal appearance.

*(Subd (c) amended effective July 1, 2011; adopted as Rule 3.16 effective January 1, 1998; previously amended effective January 1, 2009; relettered effective January 1, 2010.)*

d. **NOTICE OF TENTATIVE RULINGS SYSTEM TO BE INCLUDED IN NOTICE OF MOTION**

All motions shall include notice of this local rule in substantially the following form: "Notice: The Superior Court in and for Solano County has adopted a tentative rulings system that is described in the court's local Rule 3.9. Failure to comply with Rule 3.9 may seriously affect parties' rights in this case."

*(Subd. (d) adopted effective January 1, 2012.)*

**Superior Court of California  
County of Solano**

**Rule 3 – Civil Cases**

*(Rule 3.9 amended effective January 1, 2012; adopted as Rule 3.14 effective January 1, 1998; previously amended effective October 1, 2002; amended and renumbered as Rule 3.9 effective January 1, 2010; amended effective July 1, 2010, and July 1, 2011.)*

**3.10 ORDERS AFTER HEARING [Repealed]**

*(Rule 3.10 repealed effective July 1, 2010; adopted as Rule 3.17 effective January 1, 1998; amended and renumbered as Rule 3.10 effective January 1, 2010.)*

**3.11 FAILURE TO NOTIFY COURT WHEN ATTORNEY CANNOT BE PRESENT SHALL BE DEEMED SUFFICIENT CAUSE TO ORDER OFF CALENDAR**

If an attorney cannot be present on time at the call of the matter on calendar, he or she must, prior to the call, inform the courtroom clerk of that department of the reason for and extent of such delay. Failure to appear or furnish such information shall be deemed sufficient cause for ordering the matter off calendar or for proceeding to hear the matter in the absence of counsel, as the court, in its discretion, may determine.

*(Rule 3.11 renumbered effective January 1, 2010; adopted as Rule 3.19 effective January 1, 1998.)*

**3.12 OFF CALENDAR**

A law and motion matter that has gone off calendar may be restored thereto only upon notice, excepting in an extraordinary situation, to be determined by the court in its discretion.

*(Rule 3.12 renumbered effective January 1, 2010; adopted as Rule 3.20 effective January 1, 1998; former Rule 3.12, which concerned the California Rules of Court, repealed effective January 1, 2010.)*

**Superior Court of California  
County of Solano**

**Rule 3 – Civil Cases**

**3.13 EX PARTE MATTERS**

Ex parte matters will be heard daily only upon appointment scheduled directly with the designated department. The date and time of the ex parte hearing must be confirmed with the designated department prior to the moving party giving notice of the hearing. For purposes of this rule, the designated department is the department already assigned to the case, or, if the case has not yet been assigned to a department or judicial officer, the designated department is the department assigned by the Supervising Judge.

~~The ex parte application~~ ~~Said application~~ shall comply with California Rules of Court 3.1200-3.1207, and shall be heard only upon presentation of a receipt demonstrating payment of the requisite filing fees.

On the day of the ex parte appearance, the moving party shall file the original motion with the clerk and pay the applicable filing fees. The party shall provide the judicial officer with a copy of the receipt showing the payment of fees to the court at the time of the ex parte appearance; otherwise, the hearing shall not take place.

*(Rule 3.13 amended effective July 1, ~~2013~~2011; adopted as Rule 3.21 effective January 1, 1998; previously amended effective July 1, 2005; previously amended effective July 1, 2009; renumbered as Rule 3.13 effective January 1, 2010; amended effective July 1, 2010; amended effective July 1, 2011.)*

**3.14 ORDERS REGARDING ORDERS TO SHOW CAUSE, TEMPORARY RESTRAINING ORDERS, AND INJUNCTIONS [Repealed]**

*(Rule 3.14 repealed effective July 1, 2011; adopted as Rule 3.25 effective January 1, 1998; renumbered effective January 1, 2010.)*

**3.15 MOTIONS TO CONSOLIDATE**

Motions to consolidate cases shall be heard in the department to which the case with the lowest file number is assigned.

In the event that cases are consolidated and unless otherwise ordered by the judicial officer hearing the consolidation motion, the pleadings filed thereafter shall be filed in the case file with the lowest file number and the consolidated case shall be assigned for all purposes to the judge to which the case with the lowest file number is assigned.

*(Rule 3.15 amended effective July 1, 2010; adopted as Rule 3.26 effective January 1, 1998; renumbered as Rule 3.15 effective January 1, 2010.)*

**FILED**  
Clerk of the Superior Court

SUPERIOR COURT OF CALIFORNIA  
IN AND FOR THE COUNTY OF SOLANO  
IN SESSION AS A JUVENILE COURT

JUN 23 2010

By C. W. J. [Signature]  
DEPUTY CLERK

IN THE MATTER OF:  
RELEASE OF JUVENILE DELINQUENCY  
RECORDS

STANDING ORDER NO. 2010-001 \_\_\_\_\_

RE: RELEASE OF JUVENILE CASE FILE  
INFORMATION FOR W&I 601 AND 602  
PROCEEDINGS

The Juvenile Court Standing Order No. 2002-01 as it relates to proceedings under Welfare and Institutions Code sections 601 and 602 is vacated. Juvenile Court Standing Order No. 2005-01 is vacated and replaced with this Standing Order.

Pursuant to the provisions of Welfare and Institutions Code section 827 ("section 827") and the duty imposed upon the Court by the decision of the California Supreme Court in the case of *T.N.G. v Superior Court* (1971) 4 Cal.3d 791, the Juvenile Court of the County of Solano makes the following Standing Order:

**I. GENERAL PROVISIONS**

**A. Applicability to Delinquency Proceedings Only.** This order applies to the inspection and copying of juvenile case files for minors currently involved or previously involved in proceedings under Welfare and Institutions Code sections 601 and 602.

**B. Juvenile Case File – Definition and Exclusions.** A Juvenile Case File means a petition filed in any juvenile court proceeding, reports of the probation officer, and all other documents filed in the case or made available to the probation officer in making his or her report, or to the judge, referee or other hearing officer, and thereafter retained by the probation officer, judge, referee or other hearing officer. A Juvenile Case File includes the file retained by the Court and

1 the file retained by the Probation Department. With the exception of documents  
2 specifically related to a proceeding involving a violation of a court order, the  
3 following documents are not included in the definition of a Juvenile Case File:

- 4 1. Case notes of Probation Officers.
- 5 2. Victim information not already contained in a probation report.
- 6 3. Court Appointed Special Advocates (CASA) records.
- 7 4. Records from the Solano County Juvenile Detention Facility, Fouts Springs  
8 Youth Facility or other placements.
- 9 5. Other documents that are privileged or confidential pursuant to any other  
10 state law, federal law or regulation, including, but not limited to, psychological  
11 or psychiatric evaluations, mental health records and medical records.<sup>1</sup>
- 12 6. Records that have been sealed pursuant to Welfare and Institutions Code  
13 section 398 or 781.

14 C. Such documents may be only be accessed, if at all, at the discretion of the Court  
15 following the filing of a petition pursuant to section 827, or as otherwise provided  
16 by statute

17 D. **Psychological, Psychiatric and Medical Records – Definition.** The terms  
18 “psychological or psychiatric reports, evaluations and other mental health  
19 records” and “medical records” are those records which are created by a mental  
20 health or medical care provider.

21 E. **Exception – Computerized Data Base System.** Nothing in this Standing Order  
22 shall prohibit any city or the County from establishing a computerized data base  
23 system that permits the probation department, law enforcement agencies and  
24 school districts to access probation department, law enforcement, school district

25  
26  
27 <sup>1</sup> See, Welfare and Institutions Code section 827(a)(3)(A). Privileged or confidential records not subject  
28 to the informal release provisions of this Standing Order include, but are not limited to, records protected  
by Welfare and Institutions Code section 10850 [public social services records], Penal Code section  
11167 [mandated reporting of abuse or neglect], Evidence Code section 1040 [official information given in  
confidence] and Government Code section 6253.2, 6254(n) [persons paid to perform in-home supportive  
services, licensing applications].

1 and juvenile court information and records pursuant to the provisions of Welfare  
2 and Institutions Code section 827.1.

3 **F. Minor Permitted to Review and Receive His/Her Own Medical and Mental**  
4 **Health Information.** Notwithstanding any other provision of this Standing Order,  
5 an individual seeking psychiatric evaluations, medical records and/or mental  
6 health records from his or her own Juvenile Case File may receive such records  
7 following execution of a release that is compliant with the federal Health  
8 Information Privacy and Accountability Act ("HIPAA") and the California  
9 Confidentiality of Medical Information Act (Cal. Civil Code §56 et seq.). The  
10 release shall be on a form adopted by the Probation Department and must be  
11 either notarized or signed in the presence of a Probation Department or other  
12 law enforcement official designated by the Chief Probation Officer.

13 **G. Petition Required for Individuals Not Specifically Authorized by Statute to**  
14 **Receive Records.** Except as otherwise provided in this Standing Order,  
15 requests by any individual for access to Juvenile Case File information, or by any  
16 law enforcement agency to disseminate any information in its files to any person  
17 or agency not authorized by either section 827 or this Standing Order to receive  
18 such information shall only be considered by the Juvenile Court on an individual  
19 basis, pursuant to a petition filed under Welfare & Institutions Code section 827.  
20 Except in the case of a deceased child, a petition filed pursuant to section 827  
21 shall be on the appropriate Judicial Council Form, and must be served on the  
22 District Attorney, the minor, counsel for the minor, the minor's parent or  
23 guardian, the Probation Department and County Counsel. Any opposition to the  
24 petition shall be filed not later than ten court days after the date of service of the  
25 petition. This time will be extended by five calendar days if service is by mail. In  
26 the case of a deceased child, the provisions of Welfare & Institutions Code  
27 section 827(a)(2)(D)(E) and (F) shall control.  
28

1 H. No Conflict with Other Laws. Nothing in this Standing Order shall prohibit the  
2 dissemination of information as otherwise required by law.

3 **II. VIEWING JUVENILE CASE FILES**

4 A. Only those persons specifically identified in Welfare and Institutions Code  
5 section 827(a)(1) may view a juvenile case file. Any person not specifically  
6 listed must file a petition under section 827 for permission to view a Juvenile  
7 Case file.

8 B. The Probation Department and the Superior Court may, in their sole discretion,  
9 require proof that a person wishing to view a file falls into one of the categories  
10 listed in Welfare & Institutions Code section 827(a).

11 C. All persons wishing to view a Juvenile Case File must complete and sign a form  
12 which includes an acknowledgment that the records being viewed are  
13 confidential and the information contained is not to be further disseminated  
14 without an order of the Court. The form shall also contain a declaration signed  
15 under penalty of perjury that the person requesting access to the juvenile case  
16 file is authorized either by statute or court order to view the file. The executed  
17 form shall be maintained in the Probation file or Superior Court file being  
18 accessed.

19 D. No information relating to the contents of a Juvenile Case File may be  
20 disseminated by the person viewing the file without a court order, except to  
21 employees of the department employing the person viewing the file with an  
22 official need.

23 **III. OBTAINING DOCUMENTS FROM JUVENILE CASE FILES**

24 A. Only those persons specifically listed in Welfare & Institutions Code section  
25 827(a)(5) may obtain copies of documents contained in the Juvenile Case File  
26 without a court order.

27 B. The Probation Department and the Superior Court may, in their sole discretion,  
28 require proof that a person wishing to obtain copies of documents falls into one

1 of the categories permitted by Welfare & Institutions Code section 827(a)(5), and  
2 may impose a reasonable fee for copying, consistent with the fee schedule set  
3 by the County Board of Supervisors (for Probation records) and the  
4 Administrative Office of the Courts (for Court records).

5 C. All persons wishing to receive copies of documents from a Juvenile Case File  
6 must complete and sign a form which includes an acknowledgement that the  
7 records are confidential and are not to be further disseminated without an order  
8 of the Court. The form shall also contain a declaration signed under penalty of  
9 perjury that the person requesting access to the juvenile case file is authorized  
10 either by statute or court order to obtain copies of documents from the file. The  
11 executed form shall be maintained in the Probation file or Superior Court file  
12 being accessed. Every person receiving copies of documents from a Juvenile  
13 Case File will be provided with a copy of a Protective Order re: Release of  
14 Juvenile Case File Information adopted by the Juvenile Court.

15 D. The Probation Department may, in its discretion, release documents regarding  
16 minors currently under their supervision, as necessary to hospitals, schools,  
17 camps, job corps, ranches, or any other person, group or institution which  
18 requires such information for the placement, treatment or rehabilitation of the  
19 minor, including but not limited to no-contact orders, gang terms and other terms  
20 of probation. The Probation File shall contain a written record of information and  
21 documents released pursuant to this paragraph.

22 E. The Probation Department, may, in its discretion, release to the superintendent  
23 or designee of the school district where the minor is enrolled or attending school  
24 information regarding (1) the minor's status with the Court or Probation and (2)  
25 terms or conditions imposed on the minor as a result of said status which pertain  
26 to the minor's schooling, including, but not limited to, no-contact orders gang  
27 terms and other terms of probation. The Probation File shall contain a written  
28 record of information and documents released pursuant to this paragraph.

1 **IV. OBTAINING VERBAL INFORMATION CONTAINED IN JUVENILE CASE FILES**

2 A. The Probation Department may, in its discretion, verbally release information  
3 regarding a Juvenile Case File to the following persons who have an official  
4 interest and need to know in connection with the discharge of their official  
5 responsibilities, and who are employed by:

- 6 1. California Attorney General.
- 7 2. District Attorney's offices throughout California.
- 8 3. California law enforcement agencies.
- 9 4. Probation Departments in California.
- 10 5. Public Welfare Agencies in California.
- 11 6. California Bureau of Identification and Investigation.
- 12 7. California Department of Corrections and Rehabilitation, Division of  
13 Juvenile Justice.
- 14 8. California Department of Corrections and Rehabilitation.
- 15 9. Any Coroner.
- 16 10. Federal investigative and enforcement agencies.

17 B. The Probation Department may, in its discretion, verbally provide information,  
18 including, but not limited to, no-contact orders, gang terms and other relevant  
19 terms of probation to a minor's school as necessary to promote the rehabilitation  
20 of the minor and to assess the potential for drug use, violence and other forms of  
21 delinquency. The Probation File shall contain a written record of information  
22 released pursuant to this paragraph.

23 C. The Probation Department may, in its discretion, verbally release information  
24 regarding minors currently under their supervision as necessary to hospitals,  
25 schools, camps, job corps, ranches, or any other person, group or institution  
26 which requires such information for the placement, treatment or rehabilitation of  
27 the minor, including, but not limited to, no-contact orders, gang terms and other  
28

1 relevant terms of probation. The Probation File shall contain a written record of  
2 all information released pursuant to this paragraph.

3 D. Victims, parents or guardians of minor victims, attorneys for victims and insurers of  
4 victims may verbally receive the following information without a court order:

- 5 1. Whether or not an arrest has been made.
- 6 2. The offenses for which an arrest has been made.
- 7 3. The disposition of the minor by the law enforcement agency.
- 8 4. Whether or not a petition has been filed with the Juvenile Court and the  
9 charge(s) to be alleged in any such petition.
- 10 5. The results of any detention and/or disposition hearing held.
- 11 6. The date, time and location of any hearing in the case.
- 12 7. The identification of the judge or referee who heard or will hear the case.
- 13 8. The jurisdictional finding and the final disposition of the Court.
- 14 9. Any anticipated release date.
- 15 10. All information received by any recipient shall be kept confidential by that  
16 recipient, and shall not be further released unless utilized to take court  
17 action against a minor, parent or guardian.

18 The Probation File shall contain a written record of information and documents  
19 released pursuant to this paragraph.

20 E. The Probation Department may, in its sole discretion, require proof that a person  
21 wishing to obtain verbal information from a Juvenile Case File is authorized by  
22 this Order to receive such information.

23 **V. RELEASE OF INFORMATION TO THE MEDIA.**

24 The following policy shall apply with regard to the release of information to the media  
25 relating to minor offenses:

26 A. The District Attorney, Chief Probation Officer and law enforcement officials or  
27 their designees may, in their discretion, divulge the following information:

- 28 1. Whether or not an arrest has been made.

2. The offenses for which an arrest has been made.
3. The disposition of the minor by the law enforcement agency.
4. In cases where disclosure of information aids in an investigation, assists in the arrest of a suspect or escapee or otherwise warns the public of danger; the name, date of birth and physical description of a minor and, where relevant to protect public health and safety, the charges against the minor.

B. The District Attorney and Chief Probation Officer or their designees may, in their discretion, divulge the following:

1. Whether or not a petition has been filed with the Juvenile Court and the charge to be alleged in any such petition.
2. The results of any detention hearing held.
3. The date and location of the hearing.
4. The identification of the Judge or Referee who heard or will hear the matter.
5. The jurisdictional finding and the final disposition of the Court.

#### VI. PROTECTIVE ORDER

Unless otherwise specially authorized by the Juvenile Court, or otherwise provided by this Order, every person who receives documents or information from a Juvenile Case File is subject to the following protective order:

A. No documents from a Juvenile Case File or information relating to the contents of records in a Juvenile Case File may be disseminated by the receiving party to any other person or agency, or made attachments to any other document(s) or used in any other proceeding with the prior approval of the Presiding Judge of the Juvenile Court, except as follows:

- a. The records are used in a proceeding to declare the minor who is the subject of the records a dependent child or ward of the juvenile court;
- b. The records are released to immediate office staff, clients, expert witnesses and investigators retained for the purposes of the pending matter only and with no one else.

1 c. District Attorneys, City Attorneys authorized to prosecute criminal  
2 cases, and Public Defenders or other private defense counsel may  
3 disseminate records or disclose information in compliance with their  
4 discovery obligations under statutory and case law.

5 d. Records and information may be disclosed to a judicial officer of  
6 Solano County Superior Court for any purpose associated with that  
7 judicial officer's obligation to render any type of decision concerning  
8 that individual.

9 e. In cooperation with federal authorities consistent with California Penal  
10 Code section 834b.

11 B. Any violation of this Protective Order is punishable as a misdemeanor.

12 C. Any production or dissemination of juvenile records shall be accompanied by a  
13 copy of the Protective Order made herein. A true and correct copy of the  
14 Protective Order is attached and made a part of this Standing Order.

15 D. At the conclusion of the proceedings for which the records were disseminated,  
16 the receiving party shall cause all copies of the documents released to be  
17 destroyed, except that a single copy of the documents may be retained in each  
18 counsel's file, in a sealed condition, and not person shall have access to the  
19 documents thereafter without further order from the juvenile Court.

20  
21 Dated: April 8, 2010



22 \_\_\_\_\_  
23 ROBERT C. FRACCHIA  
24 Presiding Judge of the Superior Court  
25 Juvenile Division

1 SUPERIOR COURT OF CALIFORNIA  
2 IN AND FOR THE COUNTY OF SOLANO  
3  
4 IN SESSION AS A JUVENILE COURT

5  
6 IN THE MATTER OF:  
7 RELEASE OF JUVENILE RECORDS  
8  
9

PROTECTIVE ORDER RE: RELEASE OF  
JUVENILE CASE FILE INFORMATION FOR  
W&I 601 AND 602 PROCEEDINGS

10  
11 Unless otherwise specifically authorized by the Juvenile Court, or otherwise provided by  
12 this Order, every person who receives documents or information from a Juvenile Case File is  
13 subject to the following protective order:

14 A. No documents from a Juvenile Case File or information relating to the contents of  
15 records in a Juvenile Case File may be disseminated by the receiving party to  
16 any other person or agency, or made attachments to any other document(s) or  
17 used in any other proceeding with the prior approval of the Presiding Judge of  
18 the Juvenile Court, except as follows:

- 19 1. The records are used in a proceeding to declare the minor who is the  
20 subject of the records a dependent child or ward of the juvenile court.  
21 2. The records are released to immediate office staff, clients, expert  
22 witnesses and investigators retained for the purposes of the pending  
23 matter only and with no one else.  
24 3. District Attorneys, City Attorneys authorized to prosecute criminal  
25 cases, and Public Defenders or other private defense counsel may  
26 disseminate records or disclose information in compliance with their  
27 discovery obligations under statutory and case law.  
28 3. Records and information may be disclosed to a judicial officer of  
Solano County Superior Court for any purpose associated with that

1 judicial officer's obligation to render any type of decision concerning  
2 that individual.

3 4. In cooperation with federal authorities pursuant to California Penal  
4 Code section 834b.

5 B. Any production or dissemination of records pursuant to this Standing Order shall  
6 be accompanied by a copy of the Protective Order made herein. A true and  
7 correct copy of the Protective Order is attached and made a part of this Standing  
8 Order.

9 C. At the conclusion of the proceedings for which the records were disseminated,  
10 the receiving party shall cause all copies of the documents released to be  
11 destroyed, except that a single copy of the documents may be retained in each  
12 counsel's file, in a sealed condition, and no person shall have access to the  
13 documents thereafter without further order from the Juvenile Court.

14 D. Any violation of this Protective Order is punishable as a misdemeanor.

15  
16  
17 Dated: Dec 18, 2010

  
\_\_\_\_\_  
18 ROBERT C. FRACCHIA  
19 Presiding Judge of the Superior Court  
20 Juvenile Division

VACATED JULY 1, 2013  
Effective

1  
2 SUPERIOR COURT OF CALIFORNIA  
3 IN AND FOR THE COUNTY OF SOLANO  
4 IN SESSION AS A JUVENILE COURT

5  
6 IN THE MATTER OF:

7 RELEASE OF JUVENILE DELINQUENCY  
8 RECORDS

STANDING ORDER NO. 2013-001\_\_\_\_\_

RE: RELEASE OF JUVENILE CASE FILE  
INFORMATION FOR W&I 601 AND 602  
PROCEEDINGS

9  
10  
11  
12 Juvenile Court Standing Order No. 2002-8 as it relates to proceedings under Welfare  
13 and Institutions Code sections 601 and 602 and Juvenile Court Standing Order No. 2005-01  
14 are vacated. Effective July 1, 2013, Juvenile Court Standing Order No. 2010-001 is vacated  
15 and replaced with this Standing Order.

16 Pursuant to the provisions of Welfare and Institutions Code section 827 ("section 827")  
17 and the duty imposed upon the Court by the decision of the California Supreme Court in the  
18 case of *T.N.G. v Superior Court* (1971) 4 Cal.3d 767, the Juvenile Court of the County of  
19 Solano makes the following Standing Order:

20 **I. GENERAL PROVISIONS**

21 **A. Applicability to Delinquency Proceedings Only.** This order applies to the  
22 inspection and copying of juvenile case files for minors currently involved or  
23 previously involved in proceedings under Welfare and Institutions Code sections  
24 601 and 602.

25 **B. Juvenile Case File – Definition and Exclusions.** A Juvenile Case File means  
26 a petition filed in any juvenile court proceeding, reports of the probation officer,  
27 and all other documents filed in the case or made available to the probation  
28 officer in making his or her report, or to the judge, referee or other hearing

1 officer, and thereafter retained by the probation officer, judge, referee or other  
2 hearing officer. A Juvenile Case File includes the file retained by the Court and  
3 the file retained by the Probation Department. With the exception of documents  
4 specifically related to a proceeding involving a violation of a court order, the  
5 following documents are not included in the definition of a Juvenile Case File:

- 6 1. Case notes of Probation Officers.
- 7 2. Victim information not already contained in a probation report.
- 8 3. Court Appointed Special Advocates (CASA) records.
- 9 4. Records from the Solano County Juvenile Detention Facility, Fouts Springs  
10 Youth Facility or other placements.
- 11 5. Other documents that are privileged or confidential pursuant to any other  
12 state law, federal law or regulation, including, but not limited to psychological  
13 or psychiatric evaluations, mental health records and medical records.<sup>1</sup>
- 14 6. Records that have been sealed pursuant to Welfare and Institutions Code  
15 section 398 or 781.

16 **C.** Such documents may be only be accessed, if at all, at the discretion of the Court  
17 following the filing of a petition pursuant to section 827, or as otherwise provided  
18 by statute

19 **D. Psychological, Psychiatric and Medical Records – Definition.** The terms  
20 “psychological or psychiatric reports, evaluations and other mental health  
21 records” and “medical records” are those records which are created by a mental  
22 health or medical care provider.

23 **E. Exception – Computerized Data Base System.** Nothing in this Standing Order  
24 shall prohibit any city or the County from establishing a computerized data base  
25 system that permits the probation department, law enforcement agencies and

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26 <sup>1</sup> See Welfare and Institutions Code section 827(a)(3)(A). Privileged or confidential records not subject to  
27 the informal release provisions of this Standing Order include, but are not limited to, records protected by  
28 Welfare and Institutions Code section 10850 [public social services records], Penal Code section 11167  
[mandated reporting of abuse or neglect], Evidence Code section 1040 [official information given in  
confidence] and Government Code section 6253.2, 6254(n) [persons paid to perform in-home supportive  
services, licensing applications].

1 school districts to access probation department, law enforcement, school district  
2 and juvenile court information and records pursuant to the provisions of Welfare  
3 and Institutions Code section 827.1.

4 **F. Minor Permitted to Review and Receive His/Her Own Medical and Mental**  
5 **Health Information.** Notwithstanding any other provision of this Standing Order,  
6 an individual seeking psychiatric evaluations, medical records and/or mental  
7 health records from his or her own Juvenile Case File may receive such records  
8 following execution of a release that is compliant with the federal Health  
9 Information Privacy and Accountability Act (“HIPAA”) and the California  
10 Confidentiality of Medical Information Act (Cal. Civil Code §56 et seq.). The  
11 release shall be on a form adopted by the Probation Department and must be  
12 either notarized or signed in the presence of a Probation Department or other  
13 law enforcement official designated by the Chief Probation Officer.

14 **G. Petition Required for Individuals Not Specifically Authorized by Statute to**  
15 **Receive Records.** Except as otherwise provided in this Standing Order,  
16 requests by any individual for access to Juvenile Case File information, or by any  
17 law enforcement agency to disseminate any information in its files to any person  
18 or agency not authorized by either section 827 or this Standing Order to receive  
19 such information shall only be considered by the Juvenile Court on an individual  
20 basis, pursuant to a petition filed under Welfare & Institutions Code section 827.  
21 Except in the case of a deceased child, a petition filed pursuant to section 827  
22 shall be on the appropriate Judicial Council Form, and must be served on the  
23 District Attorney, the minor, counsel for the minor, the minor’s parent or  
24 guardian, the Probation Department and County Counsel. Any opposition to the  
25 petition shall be filed not later than ten court days after the date of service of the  
26 petition. This time will be extended by five calendar days if service is by mail. In  
27 the case of a deceased child, the provisions of Welfare & Institutions Code  
28 section 827(a)(2)(D)(E) and (F) shall control.

1           **H.     No Conflict with Other Laws.** Nothing in this Standing Order shall prohibit the  
2           dissemination of information as otherwise required or permitted by law.

3           **II.     VIEWING JUVENILE CASE FILES**

4           A.     Only those persons specifically identified in Welfare and Institutions Code  
5           section 827(a)(1) may view a juvenile case file. Any person not specifically  
6           listed must file a petition under section 827 for permission to view a Juvenile  
7           Case file.

8           B.     The Probation Department and the Superior Court may, in their sole discretion,  
9           require proof that a person wishing to view a file falls into one of the categories  
10          listed in Welfare & Institutions Code section 827(a).

11          C.     All persons wishing to view a Juvenile Case File must complete and sign a form  
12          which includes an acknowledgement that the records being viewed are  
13          confidential and the information contained is not to be further disseminated  
14          without an order of the Court. The form shall also contain a declaration signed  
15          under penalty of perjury that the person requesting access to the juvenile case  
16          file is authorized either by statute or court order to view the file. The executed  
17          form shall be maintained in the Probation file or Superior Court file being  
18          accessed.

19          D.     No information relating to the contents of a Juvenile Case File may be  
20          disseminated by the person viewing the file without a court order, except to  
21          employees of the department employing the person viewing the file with an  
22          official need.

23          **III.    OBTAINING DOCUMENTS FROM JUVENILE CASE FILES**

24          A.     Only those persons specifically listed in Welfare & Institutions Code section  
25          827(a)(5) may obtain copies of documents contained in the Juvenile Case File  
26          without a court order.

27          B.     The Probation Department and the Superior Court may, in their sole discretion,  
28          require proof that a person wishing to obtain copies of documents falls into one

1 of the categories permitted by Welfare & Institutions Code section 827(a)(5), and  
2 may impose a reasonable fee for copying, consistent with the fee schedule set  
3 by the County Board of Supervisors (for Probation records) and the  
4 Administrative Office of the Courts (for Court records).

5 C. All persons wishing to receive copies of documents from a Juvenile Case File  
6 must complete and sign a form which includes an acknowledgement that the  
7 records are confidential and are not to be further disseminated without an order  
8 of the Court. The form shall also contain a declaration signed under penalty of  
9 perjury that the person requesting access to the juvenile case file is authorized  
10 either by statute or court order to obtain copies of documents from the file. The  
11 executed form shall be maintained in the Probation file or Superior Court file  
12 being accessed. Every person receiving copies of documents from a Juvenile  
13 Case File will be provided with a copy of a Protective Order re: Release of  
14 Juvenile Case File Information adopted by the Juvenile Court.

15 D. The Probation Department may, in its discretion, release documents regarding  
16 minors currently under their supervision as necessary to hospitals, schools,  
17 camps, job corps, ranches, or any other person, group or institution which  
18 requires such information for the placement, treatment or rehabilitation of the  
19 minor, including but not limited to no-contact orders, gang terms and other terms  
20 of probation. The Probation File shall contain a written record of information and  
21 documents released pursuant to this paragraph.

22 E. The Probation Department, may, in its discretion, release to the superintendent  
23 or designee of the school district where the minor is enrolled or attending school  
24 information regarding (1) the minor's status with the Court or Probation and (2)  
25 terms or conditions imposed on the minor as a result of said status which pertain  
26 to the minor's schooling, including, but not limited to, no-contact orders gang  
27 terms and other terms of probation. The Probation File shall contain a written  
28 record of information and documents released pursuant to this paragraph.

1 **IV. OBTAINING VERBAL INFORMATION CONTAINED IN JUVENILE CASE FILES**

2 A. The Probation Department may, in its discretion, verbally release information  
3 regarding a Juvenile Case File to the following persons who have an official  
4 interest and need to know in connection with the discharge of their official  
5 responsibilities, and who are employed by:

- 6 1. California Attorney General.
- 7 2. District Attorney's offices throughout California.
- 8 3. California law enforcement agencies.
- 9 4. Probation Departments in California.
- 10 5. Public Welfare Agencies in California.
- 11 6. California Bureau of Identification and Investigation.
- 12 7. California Department of Corrections and Rehabilitation, Division of  
13 Juvenile Justice.
- 14 8. California Department of Corrections and Rehabilitation.
- 15 9. Any Coroner.
- 16 10. Federal investigative and enforcement agencies.

17 B. The Probation Department may, in its discretion, verbally provide information,  
18 including, but not limited to, no-contact orders, gang terms and other relevant  
19 terms of probation to a minor's school as necessary to promote the rehabilitation  
20 of the minor and to lessen the potential for drug use, violence and other forms of  
21 delinquency. The Probation File shall contain a written record of information  
22 released pursuant to this paragraph.

23 C. The Probation Department may, in its discretion, verbally release information  
24 regarding minors currently under their supervision as necessary to hospitals,  
25 schools, camps, job corps, ranches, or any other person, group or institution  
26 which requires such information for the placement, treatment or rehabilitation of  
27 the minor, including, but not limited to, no-contact orders, gang terms and other  
28

1 relevant terms of probation. The Probation File shall contain a written record of  
2 all information released pursuant to this paragraph.

3 D. Victims, parents or guardians of minor victims, attorneys for victims and insurers of  
4 victims may verbally receive the following information without a court order:

- 5 1. Whether or not an arrest has been made.
- 6 2. The offenses for which an arrest has been made.
- 7 3. The disposition of the minor by the law enforcement agency.
- 8 4. Whether or not a petition has been filed with the Juvenile Court and the  
9 charge(s) to be alleged in any such petition.
- 10 5. The results of any detention and/or disposition hearing held.
- 11 6. The date, time and location of any hearing in the case.
- 12 7. The identification of the judge or referee who heard or will hear the case.
- 13 8. The jurisdictional finding and the final disposition of the Court.
- 14 9. Any anticipated release date.
- 15 10. All information received by any recipient shall be kept confidential by that  
16 recipient, and shall not be further released unless utilized to take court  
17 action against a minor, parent or guardian.

18 The Probation File shall contain a written record of information and documents  
19 released pursuant to this paragraph.

20 E. The Probation Department may, in its sole discretion, require proof that a person  
21 wishing to obtain verbal information from a Juvenile Case File is authorized by  
22 this Order to receive such information.

23 **V. RELEASE OF INFORMATION TO THE MEDIA.**

24 The following policy shall apply with regard to the release of information to the media  
25 relating to minor offenses:

26 A. The District Attorney, Chief Probation Officer and law enforcement officials or  
27 their designees may, in their discretion, divulge the following information:

- 28 1. Whether or not an arrest has been made.

2. The offenses for which an arrest has been made.
3. The disposition of the minor by the law enforcement agency.
4. In cases where disclosure of information aids in an investigation, assists in the arrest of a suspect or escapee or otherwise warns the public of danger; the name, date of birth and physical description of a minor and, where relevant to protect public health and safety, the charges against the minor.

B. The District Attorney and Chief Probation Officer or their designees may, in their discretion, divulge the following:

1. Whether or not a petition has been filed with the Juvenile Court and the charge to be alleged in any such petition.
2. The results of any detention hearing held.
3. The date and location of the hearing.
4. The identification of the Judge or Referee who heard or will hear the matter.
5. The jurisdictional finding and the final disposition of the Court.

## VI. PROTECTIVE ORDER

Unless otherwise specifically authorized by the Juvenile Court, or otherwise provided by this Order, every person who receives documents or information from a Juvenile Case File is subject to the following protective order:

A. No documents from a Juvenile Case File or information relating to the contents of records in a Juvenile Case File may be disseminated by the receiving party to any other person or agency, or made attachments to any other document(s) or used in any other proceeding without the prior approval of the Presiding Judge of the Juvenile Court, except as follows:

1. The records are used in a proceeding to declare the minor who is the subject of the records a dependent child or ward of the juvenile court;
2. The records are released to immediate office staff, clients, expert witnesses and investigators retained for the purposes of the pending matter only and with no one else.

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- 3. District Attorneys, City Attorneys authorized to prosecute criminal cases, and Public Defenders or other private defense counsel may disseminate records or disclose information in compliance with their discovery obligations under statutory and case law.
  - 4. Records and information may be disclosed to a judicial officer of Solano County Superior Court for any purpose associated with that judicial officer's obligation to render any type of decision concerning that individual.
  - 5. In cooperation with federal authorities or entities as permitted or required by state or federal law.
- B. Any violation of this Protective Order is punishable as a misdemeanor.
  - C. Any production or dissemination of juvenile records shall be accompanied by a copy of the Protective Order made herein. A true and correct copy of the Protective Order is attached and made a part of this Standing Order.
  - D. At the conclusion of the proceedings for which the records were disseminated, the receiving party shall cause all copies of the documents released to be destroyed, except that a single copy of the documents may be retained in each counsel's file, in a sealed condition, and no person shall have access to the documents thereafter without further order from the juvenile Court.

Dated: \_\_\_\_\_

\_\_\_\_\_  
ROBERT C. FRACCHIA  
Presiding Judge of the Superior Court  
Juvenile Division

1 SUPERIOR COURT OF CALIFORNIA  
2 IN AND FOR THE COUNTY OF SOLANO  
3 IN SESSION AS A JUVENILE COURT

4  
5 IN THE MATTER OF:  
6 RELEASE OF JUVENILE RECORDS  
7  
8  
9

PROTECTIVE ORDER RE: RELEASE OF  
JUVENILE CASE FILE INFORMATION FOR  
W&I 601 AND 602 PROCEEDINGS

10 Unless otherwise specifically authorized by the Juvenile Court, or otherwise provided by  
11 this Order, every person who receives documents or information from a Juvenile Case File is  
12 subject to the following protective order:

- 13 A. No documents from a Juvenile Case File or information relating to the contents of  
14 records in a Juvenile Case File may be disseminated by the receiving party to  
15 any other person or agency, or made attachments to any other document(s) or  
16 used in any other proceeding without the prior approval of the Presiding Judge of  
17 the Juvenile Court, except as follows:
- 18 1. The records are used in a proceeding to declare the minor who is the subject  
19 of the records a dependent child or ward of the juvenile court.
  - 20 2. The records are released to immediate office staff, clients, expert witnesses  
21 and investigators retained for the purposes of the pending matter only and  
22 with no one else.
  - 23 3. District Attorneys, City Attorneys authorized to prosecute criminal cases, and  
24 Public Defenders or other private defense counsel may disseminate records  
25 or disclose information in compliance with their discovery obligations under  
26 statutory and case law.  
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4. Records and information may be disclosed to a judicial officer of Solano County Superior Court for any purpose associated with that judicial officer's obligation to render any type of decision concerning that individual.

5. In cooperation with federal authorities or entities as permitted or required by state or federal law.

B. Any production or dissemination of records pursuant to this Standing Order shall be accompanied by a copy of the Protective Order made herein. A true and correct copy of the Protective Order is attached and made a part of this Standing Order.

C. At the conclusion of the proceedings for which the records were disseminated, the receiving party shall cause all copies of the documents released to be destroyed, except that a single copy of the documents may be retained in each counsel's file, in a sealed condition, and no person shall have access to the documents thereafter without further order from the Juvenile Court.

D. Any violation of this Protective Order is punishable as a misdemeanor.

Dated: \_\_\_\_\_

\_\_\_\_\_  
ROBERT C. FRACCHIA  
Presiding Judge of the Superior Court  
Juvenile Division

**Superior Court of California  
County of Solano**

**Rule 7 – Probate**

**PART ONE: Probate Proceedings Generally**

- (2) Proof of holographic wills, if the petitioner did not previously submit proof of the admissibility of each testamentary document to probate or if an appearance is specially required by the hearing judge.
- (3) Petitions for court confirmation of sales of property.
- (4) Any non-routine matter which by law requires the personal appearance of any person.  
*(Subd (b) amended effective July 1, 2009; adopted effective July 1, 1989; previously amended effective January 1, 2009.)*

**c. TELEPHONIC APPEARANCE**

Telephonic appearance will be permitted when authorized by California Rule of Court, rule 3.670 and Solano County Local Rules, rule 4.12(h), if the party seeking to appear telephonically has also complied with the notice requirements set forth in those rules, and subject to the exceptions set forth in those rules and the court's discretion to require personal appearances.

*(Subd (c) amended effective January 1, 2010; amended and relettered effective July 1, 2009; adopted as subd (d) of Rule 7.11 effective July 1, 1989; previously amended effective January 1, 2009.)*

*(Rule 7.9 amended effective January 1, 2010; amended and renumbered effective July 1, 2009; adopted as Rule 7.11 effective July 1, 1989.)*

**7.10 EX PARTE APPLICATIONS**

**a. NOTICE ON EX PARTE PETITIONS**

- (1) Unless otherwise ordered by the court, a party seeking ex parte relief shall provide notice of the petition to all individuals entitled to notice of a petition by 10:00 a.m. on the court day prior to the ex parte appearance.
- (2) All applications for ex parte orders must contain a statement on special notices. The statement shall recite that no request for special notice is on file and in effect or shall list the parties requesting special notice and have attached to the petition the specific waivers of notice by such parties or proof of service on parties requesting special notice.

*(Subd (a) adopted effective July 1, 2009; previously adopted as subd (c) of former Rule 7.11 effective July 1, 1989.)*

**Superior Court of California  
County of Solano**

**Rule 7 – Probate**

**PART ONE: Probate Proceedings Generally**

b. **WAIVER OF NOTICE**

A party seeking to dispense with notice for a particular individual for whom notice has not yet been waived shall file a request to dispense with notice concurrently with the ex parte petition. The request shall set forth sufficient evidentiary facts supporting the request. For individuals who cannot be located, the party shall file a declaration of due diligence in compliance with California Rules of Court, rule 7.52, prior to the ex parte appearance.

*(Subd (b) adopted effective July 1, 2009.)*

c. **EX PARTE PROCEDURE**

(1) ~~Ex parte hearings are scheduled by each department individually. A party wishing to set an ex parte hearing shall contact the department to which the case is assigned by noon on the court day prior to the desired ex parte appearance. The moving papers and the proposed order shall be faxed to the department as directed by the judicial assistant. Ex parte matters will be heard daily only upon appointment scheduled directly with the designated department. The date and time of the ex parte hearing must be confirmed with the designated department prior to the moving party giving notice of the hearing. For purposes of this rule, the designated department is the department already assigned to the case, or, if the case has not yet been assigned to a department or judicial officer, the designated department is the department assigned by the Supervising Judge. The moving papers and the proposed order shall be faxed to the department as directed by the judicial assistant.~~

(2) On the day of the ex parte appearance, the moving party ~~seeking ex parte relief~~ shall file the original petition or motion seeking ex parte relief with the ~~Clerk of the Court~~clerk and pay the applicable filing fees. The party shall provide the judicial officer with a copy of the receipt showing the payment of fees to the court at the time of the ex parte appearance; otherwise, the hearing shall not take place.

*(Subd (c) amended effective July 1, 2013; adopted effective July 1, 2009.)*

*(Rule 7.10 amended effective July 1, 2013; adopted effective July 1, 2009.)*

**Superior Court of California  
County of Solano**

**Rule 15 – Guardianships and Conservatorships**

**PART ONE: Guardianships**

*(Subd (b) amended and relettered effective January 1, 2013; adopted as subd (f) adopted effective July 1, 2009.)*

- c. **DOCUMENTS TO BE SERVED [Repealed]**  
*(Subd (c) repealed effective January 1, 2013; adopted effective July 1, 2009.)*
- d. **PROOF OF PERSONAL SERVICE [Repealed]**  
*(Subd (d) repealed effective January 1, 2013; adopted effective July 1, 2009.)*
- e. **PROOF OF SERVICE BY MAIL [Repealed]**  
*(Subd (e) repealed effective January 1, 2013; adopted effective July 1, 2009.)*
- g. **ORDER DISPENSING WITH NOTICE [Repealed]**  
*(Subd (g) repealed effective January 1, 2013; adopted effective July 1, 2009.)*
- h. **NOTICE IN TEMPORARY GUARDIANSHIPS [Repealed]**  
*(Subd (h) repealed effective January 1, 2013; adopted effective July 1, 2008.)*

*(Rule 15.3 amended effective January 1, 2013; previously adopted as Rule 7.52 effective July 1, 1989; adopted effective July 1, 2009.)*

**15.4 APPOINTMENT OF INVESTIGATOR**

- a. **APPOINTMENT OF INVESTIGATOR IN RELATIVE GUARDIANSHIPS**  
The court shall appoint the Court Investigators Office to perform an investigation pursuant to Probate Code section 1513 where the proposed guardian is a relative of the ward within the second degree. For purposes of this rule, a person shall be considered a relative within the second degree if they are related to the ward as described in Probate Code section 1513, subdivision (g).  
*(Subd (a) adopted effective July 1, 2009.)*
- b. **APPOINTMENT OF INVESTIGATOR IN NON-RELATIVE GUARDIANSHIPS**  
In all probate guardianship matters where the proposed guardian is not a relative of the ward within the second degree as defined by Probate Code section 1513, subdivision (g), the court shall appoint the Solano County Department of Health & Social Services to perform an investigation pursuant to Probate Code sections 1513 and 1543.  
*(Subd (b) adopted effective July 1, 2009.)*

**Superior Court of California  
County of Solano**

**Rule 15 – Guardianships and Conservatorships**

**PART ONE: Guardianships**

- c. **SERVICE OF DOCUMENTS ON INVESTIGATOR – RELATIVE GUARDIANSHIPS**  
In guardianship proceedings where the court has appointed the Court Investigators Office, the petitioner or the petitioner's attorney must serve the Court Investigators Office with a copy of the following documents at least thirty (30) days prior to the hearing date:
- (1) *Notice of Hearing – Guardianship or Conservatorship* (Judicial Council form GC-020);
  - (2) A copy of the *Petition for Guardianship* (Judicial Council form GC-210 or GC-210(P)); and
  - (3) A completed *Court Investigator's Information and Referral Form* (Solano County Local Form no. 3490)

The documents shall be delivered or mailed to the address listed in Appendix 15-A.

*(Subd (c) amended effective January 1, 2013; adopted effective July 1, 2009.)*

- d. **SERVICE OF DOCUMENTS ON INVESTIGATOR – NON-RELATIVE GUARDIANSHIPS**  
In guardianship proceedings where the court has appointed the Solano County Department of Health & Social Services (“Department”) to investigate the guardianship petition, the petitioner or the petitioner's attorney must serve the Department with a copy of the following documents thirty (30) days prior to the hearing date:
- (1) *Notice of Hearing – Guardianship or Conservatorship* (Judicial Council form GC-020);
  - (2) A copy of the *Petition for Guardianship* (Judicial Council form GC-210 or GC-210(P)); and,
  - (3) Any other forms that may be required by the Department.

The documents shall be delivered or mailed to the address listed in Appendix 15-A.

*(Subd (d) amended effective January 1, 2013; adopted July 1, 2009.)*

**Superior Court of California  
County of Solano**

**Rule 15 – Guardianships and Conservatorships**

**PART ONE: Guardianships**

- e. **DUTY TO UPDATE INFORMATION GIVEN TO INVESTIGATOR**  
The petitioner must advise the investigating office of any changes to the contact information of the ward, guardian, or proposed guardian.  
*(Subd (e) adopted effective July 1, 2009.)*
- f. **DUTY TO COOPERATE WITH INVESTIGATOR**  
All parties, including, but not limited to, the petitioner, the proposed or appointed guardian, the parent(s) of the ward, and any attorneys for the parties, including appointed counsel for the ward or proposed ward, are to cooperate fully with the appointed investigator. Failure to cooperate may be punishable with sanctions pursuant to Code of Civil Procedure, section 575.2, in the court’s discretion.  
*(Subd (f) amended effective January 1, 2013; adopted effective July 1, 2009.)*
- g. **SERVICE OF SUBPOENA ON COURT INVESTIGATOR**  
Any subpoena to compel a court investigator’s presence at a hearing or trial must be served in compliance with Government Code sections 68097.1 and 68097.2. Said subpoena shall be served personally on the court investigator, on the Court Executive Officer, or an agent designated by the Court Executive Officer, during the court’s normal business hours. The subpoena shall be accompanied by payment in the amount required by Government Code section 68097.2 of \$150.00 for each day that the court investigator is required to remain in attendance at the hearing or trial pursuant to the subpoena; otherwise, the subpoena shall not be accepted or service deemed complete.

In order to give the court investigator reasonable time for preparation, the subpoenaing party shall serve the subpoena a minimum of 10 court days prior to the first date the court investigator is to appear at the hearing or trial, unless the court investigator agrees to a shorter period of time.  
*(Subd (g) amended effective ~~July~~January 1, 2013; adopted effective January 1, 2012; amended effective January 1, 2013.)*

*(Rule 15.4 amended effective ~~January~~July 1, 2013; adopted as Rule 7.55 effective July 1, 2008; adopted as Rule 15.4 effective July 1, 2009; amended effective January 1, 2012, and January 1, 2013.)*

**15.5 COURT INVESTIGATOR FEES**



**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO**

**FAMILY LAW DIVISION**

Fairfield Branch  
600 Union Avenue  
Fairfield, CA 94533  
(707) 207-7340

Vallejo Branch  
321 Tuolumne Street  
Vallejo, CA 94590  
(707) 561-7840

Petitioner: \_\_\_\_\_

Case No. \_\_\_\_\_

Respondent: \_\_\_\_\_

**NOTICE OF CASE MANAGEMENT  
CONFERENCES AND ASSIGNMENT  
OF JUDICIAL OFFICER FOR ALL  
PURPOSES**

**This matter has been calendared for three (3)  
MANDATORY case management conferences as follows:**

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

**All case management conferences shall be held in the department to which this case is  
assigned for all purposes, which is as follows:**

\_\_\_\_\_, DEPT. \_\_\_\_\_

Address: \_\_\_\_\_

**YOU (OR YOUR ATTORNEY, IF YOU HAVE ONE) MUST PERSONALLY APPEAR  
AT ALL CASE MANAGEMENT CONFERENCES.**

**The respondent must be served with a copy of this *Notice of Case Management Conferences  
and Assignment of Judicial Officer for All Purposes* at the same time he or she is served  
with the petition and summons.**

**NOTICE OF CASE MANAGEMENT CONFERENCES AND ASSIGNMENT OF JUDGE FOR ALL PURPOSES  
(Family Law)**

**AFFIDAVIT OF SERVICE**

I, the undersigned, declare under penalty of perjury that I am employed as a deputy clerk of the above-entitled court and not a party to the within-entitled action, and that I served this *Notice of Case Management Conferences and Assignment of Judge For All Purposes* as follows:

I personally served the person named below on (*date*): \_\_\_\_\_ at  
(*time*) \_\_\_\_\_.

Name: \_\_\_\_\_

Party       Attorney of Record       Representative

I, \_\_\_\_\_, acknowledge receipt of a copy of this *Notice of Case Management Conferences and Assignment of Judge for All Purposes*.

Date: \_\_\_\_\_  
Signature \_\_\_\_\_

I mailed the notice by enclosing it in an envelope and placing the envelope for collection and mailing following the court's procedure and practices. I am readily familiar with the court's procedure and practices for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid. Said envelope was addressed to the attorney for the party, or the party, as shown below:

Name:

Law Firm:

Address:

Date:

Clerk of the Court  
Superior Court of California, County of Solano

By: \_\_\_\_\_  
Deputy Clerk

**CONFIDENTIAL**

Attorney or Party without Attorney (Name and Address) Telephone Number	<i>For Court Use Only</i>
Attorney for (Name): Superior Court of California, County of Solano Street Address: 600 Union Avenue City, State, and Zip: Fairfield, CA 94533 Branch Name: Juvenile	
CHILDREN'S NAMES:	
<b>PRE-SCREEN FINANCIAL DECLARATION (JUVENILE DEPENDENCY)</b>	<b>Case Number:</b>

**1. Please give the court the following information about you:**

Name:  
 If you have ever used other names, please list them here:  
 Relationship to Child:  
 Current address: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_  
 City: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_  
 Are you married?  Yes  No Are you in a California registered domestic partnership?  Yes  No  
 Name of Spouse/Partner: \_\_\_\_\_  
 How many people live with you that depend on you for their support? \_\_\_\_\_  
 What are those persons' names and ages? \_\_\_\_\_

**2. Do you receive any public assistance or welfare because you have low or no income?**

Check one:  No → go on to Question 3  
 Yes → answer additional question below, then sign at the bottom of the form and give it to the clerk

I receive (check all that apply):

Medi-Cal  SNAP (food stamps)  SSI  SSP  
 County Relief/General Assistance  
 CalWorks or Tribal TANF (Temporary Assistance for Needy Families)  
 IHSS (In-Home Supportive Services)  
 CAPI (Cash Assistance Program for Aged, Blind and Disabled)  
 \_\_\_\_\_

**3. Is your gross monthly household (income before taxes) less than the amount listed below for your family size?** Check one:

No → go on to Question 4  
 Yes → sign at the bottom of the form and give it to the clerk

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$412.50 for each extra person.
1	\$1,196.88	3	\$2,034.38	5	\$2,871.88	
2	\$1,615.63	4	\$2,453.13	6	\$3,290.63	

**4. If you've answered "no" to both questions 2 and 3, you must complete a *Financial Evaluation—Juvenile Dependency* form (Judicial Council JV-132).**

I declare under penalty of perjury under the laws of the State of California that the above information is true and correct.

Date: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature

## Response Form

I am commenting on the proposed revisions to the local rules or forms as follows:

- Agree with proposed changes
- Agree with proposed changes with modifications (*please explain below*)
- Do not agree with proposed changes (*please explain below*)

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP code: \_\_\_\_\_

**To SUBMIT COMMENTS:**

Comments may be written on this form, prepared in a letter format, or e-mailed. If you are not commenting directly on this form, please include the information requested above. Questions may be directed to the Executive Office at (707) 207-7475.

E-mail: CourtOutreach@solano.courts.ca.gov

Mail: Superior Court of California, County of Solano  
Executive Office  
600 Union Avenue  
Fairfield, CA 94533

FAX: (707) 426-1631

<b>DEADLINE FOR COMMENT: 5:00 p.m. on Monday, May 13, 2013</b>
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