

SOLANO COUNTY LOCAL RULES EFFECTIVE JULY 1, 2011

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The Solano County Superior Court is pleased to offer replacement pages for revised rules effective July 1, 2011. These replacement pages are intended for those who already have a complete set of local rules and wish to update just those portions of the rules that have changed.

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**Superior Court of California
County of Solano**

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Brian Taylor, Court Executive Officer, is the official publisher of the local rules for the Superior Court of California County of Solano. Comments or suggestions concerning the local rules may be sent to the court at CourtOutreach@solano.courts.ca.gov.

The complete local rules, as well as individual rules and filing instructions for replacement pages, and local forms are available in .pdf format at the court's website, www.solano.courts.ca.gov, by clicking on the hyperlink marked "Local Rules of Court."

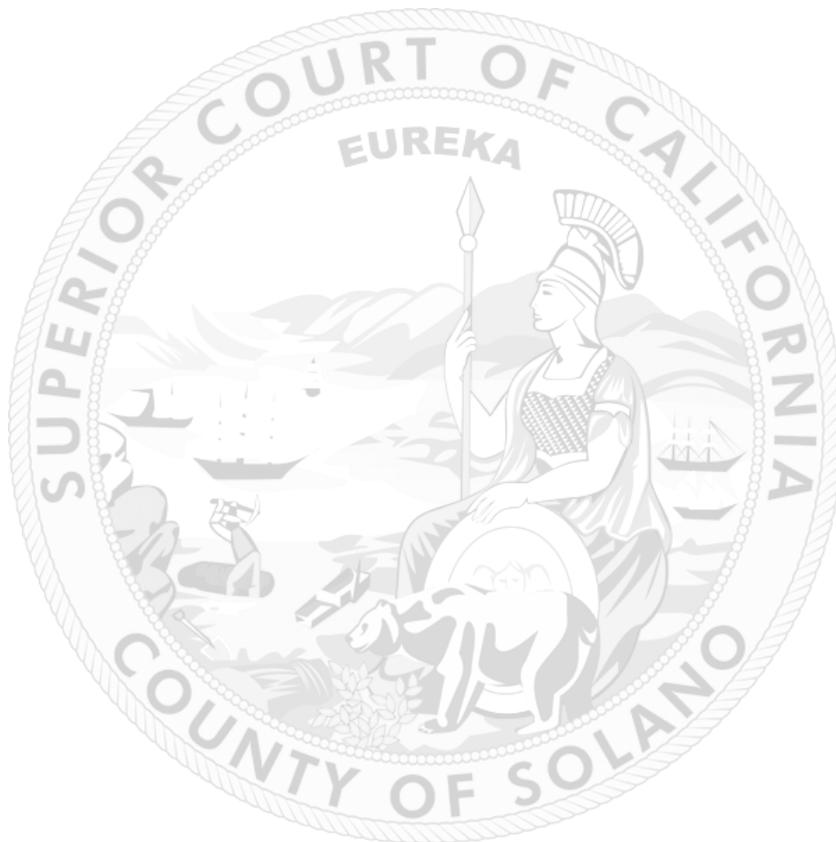
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Rule 3 – Civil Cases

3.1 APPLICATION OF RULES

Rule 3 shall apply to all civil cases, limited and unlimited, filed in the Superior Court of California, County of Solano. Unless otherwise specified elsewhere in the local rules, Rule 3 shall not apply to matters filed under the California Family Code (including adoptions and petitions to terminate parental rights), small claims cases, unlawful detainer cases, probate cases, mental health cases, juvenile cases, or extraordinary writs.

Any reference in these rules to “attorney” or “counsel” shall apply equally to any person representing himself or herself in a case subject to these rules.

(Rule 3.1 amended effective July 1, 2011; adopted effective January 1, 1998; previously amended effective October 1, 2002, January 1, 2009, and January 1, 2010.)

3.2 DIRECT CALENDARING OF CIVIL CASES

When a civil case is filed, or received and filed as a transfer from another county, the Clerk of the Court shall assign the case to one of the judges in the Civil Division of the court. The assignment to a judge shall be deemed to be for all purposes. The method of selection of the judge to be assigned to a case shall be subject to the approval of the Supervising Judge of the Civil Division and shall be designed to equally distribute the workload among the judges of the Civil Division and best serve the court.

This rule does not apply to limited jurisdiction collection actions that qualify under California Rules of Court, rule 3.740, except that a judge may be assigned in those cases upon any of the following events: (1) The plaintiff’s failure to file proof of service or obtain order for publication of summons within 180 days of the filing of the complaint; (2) the plaintiff’s failure to obtain default judgment within 360 days of the filing of the complaint, if no responsive pleading has been filed; or (3) upon the filing of a responsive pleading by a defendant.

(Rule 3.2 amended effective July 1, 2011; adopted effective January 1, 1998; previously amended effective January 1, 2009.)

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

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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.

(Rule 3.6 amended effective July 1, 2011; adopted as Rule 3.10 effective January 1, 1998; previously amended effective October 1, 2002; previously amended and renumbered effective January 1, 2010.)

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,

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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.

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

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.)

3.9 TENTATIVE RULINGS

a. AVAILABILITY OF TENTATIVE RULINGS

A tentative ruling on a civil matter will be available on the court day immediately preceding the scheduled hearing on that matter by telephoning (707) 207-7331 or by signing onto the court's web site at www.solano.courts.ca.gov and selecting "Tentative Rulings and Probate Pregrants" after 2:00 p.m. Thus, for example, for a matter on a Monday calendar, one may call the recorded message or check the court's web site after 2:00 p.m. on the preceding Friday afternoon. Tentative rulings will not be posted for unlawful detainer matters.

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

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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.)

(Rule 3.9 amended effective July 1, 2011; 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.)

3.10 [RESERVED]

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.)

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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 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.)

3.13 EX PARTE MATTERS

Ex parte matters will be heard daily only upon appointment scheduled directly with the designated department. 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.

(Rule 3.13 amended effective July 1, 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.)

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.)

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3.16 MOTIONS PAPERS

Motions papers must be received within three court days of reserving a law and motion date. If papers are not received within three court days, the date reserved will be canceled.

(Rule 3.16 amended effective July 1, 2010; adopted as Rule 3.27 effective October 1, 2002; renumbered as Rule 3.16 effective January 1, 2010.)

3.17 MANDATE ACTIONS ARISING UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

a. **WHERE FILED**

Mandamus actions challenging an agency decision under the California Environmental Quality Act (Public Resources Code §21000 et seq.) (“CEQA”) shall be filed in the office of the Civil Clerk of the Court. Each action shall be accompanied by an initial filing form designating the action as Environmental Law – CEQA (Public Resources Code § 21167.1), and shall be assigned to the designated CEQA department for all purposes.

(Subd (a) amended effective July 1, 2010; adopted effective July 1, 2005.)

b. **MEDIATION**

In accordance with Government Code section 66031, within five (5) days after the deadline for respondent or defendant to file a response to the action, plaintiff or petitioner shall prepare and lodge with the designated CEQA department a notice form for the court’s signature inviting mediation. The court shall then mail the notice of invitation to the parties.

(Subd (b) amended and relettered effective July 1, 2010; adopted as subd (c) effective July 1, 2005; prior subd (b), concerning ordering the administrative record, repealed effective July 1, 2010.)

c. **PREPARING THE ADMINISTRATIVE RECORD**

(1) **Preparation by the Public Agency**

- (a) Within twenty (20) calendar days after receipt of a request to prepare the administrative record, the public agency responsible for such preparation shall personally serve on petitioners a preliminary notification of the estimated cost of preparation, setting forth the agency’s normal costs per page, other reasonable costs, if any, the agency anticipates, and the likely range of pages.

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This notice shall also state, to the extent then known, the location(s) of the documents anticipated to be incorporated into the administrative record, shall designate the contact person(s) responsible for identifying the agency personnel or other person(s) having custody of those documents, and shall provide a listing of dates and times when those documents will be made available to petitioners or any party for inspection during normal business hours as the record is being prepared. This notice shall be supplemented by the agency from time to time as additional documents are located or determined appropriate to be included in the record.

(Subd (a) relettered effective January 1, 2010; adopted as Subd (d)(1) effective July 1, 2005.)

- (b) Upon receipt of this preliminary notification, petitioners may elect to prepare the record themselves provided they notify the agency within five (5) calendar days of such receipt. If petitioners so elect, then within forty (40) calendar days of service of the initial notice to prepare the administrative record, petitioners shall prepare and serve on all parties a detailed index listing the documents proposed by petitioners to constitute the record. Within seven (7) calendar days of this notification, the agency and/or other parties shall prepare and serve the petitioners and all parties with a document notifying them of any document(s) or item(s) that such parties contend should be added to, or deleted from, the record. The agency shall promptly notify petitioners of any required photocopying procedures and/or conditions with which petitioners must comply in their preparation of the record.

(Subd (b) relettered effective January 1, 2010; adopted as Subd (d)(2) effective July 1, 2005.)

- (c) If petitioners do not so elect, then within forty (40) calendar days after service of the request to prepare the administrative record, the agency shall prepare and serve on the parties a detailed index listing the documents proposed by the agency to constitute the record and provide a supplemental estimated cost of preparation. Within seven (7) calendar days of receipt of this notification, petitioners and/or any other parties shall prepare and serve the agency and all parties with a document notifying the agency of any document(s) or item(s) that such parties contend should be added to, or deleted from, the record.

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(Subd (c) relettered effective January 1, 2010; adopted as Subd (d)(3) effective July 1, 2005.)

(Subd (1) amended effective January 1, 2010; adopted effective July 1, 2005.)

(2) Preparation by Petitioners

- (a) Within twenty (20) calendar days after receipt of petitioners' notice of election to prepare the record themselves, the public agency responsible for certification of the record shall personally serve on petitioners a preliminary notification designating, to the extent then known, the location(s) of the documents anticipated to be incorporated into the administrative record, the contact person(s) responsible for identifying the agency personnel or other person(s) having custody of those documents, and the dates and times when those documents will be made available to petitioners or any party for their inspection and copying. This notice shall also state any required photocopying procedures and/or conditions with which petitioners must comply in their preparation of the record. This notice shall be supplemented by the agency as additional documents are located or determined appropriate to be included in the record.

(Subd (a) adopted effective July 1, 2005.)

- (b) Within forty (40) calendar days after service of petitioners' notice of election, petitioners shall prepare and serve on all parties a detailed index listing the documents proposed by petitioners to constitute the record. Within seven (7) calendar days of this notification, the agency and/or other parties shall prepare and serve the petitioners and all parties with a document notifying them of any document(s) or item(s) that such parties contend should be added to, or deleted from, the record.

(Subd (b) adopted effective July 1, 2005.)

(Subd (2) renumbered effective January 1, 2010; adopted as Subd (d)(4) effective July 1, 2005.)

(Subd (c) relettered effective July 1, 2010; adopted as subd (d) effective July 1, 2005; amended effective January 1, 2010.)

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d. **FORMAT OF ADMINISTRATIVE RECORD**

The format of the administrative record shall be governed by California Rules of Court, rules 3.1365 and either 3.1367 or 3.1368, as appropriate.

(Subd (d) amended and relettered effective July 1, 2010; adopted as subd (e) effective July 1, 2005.)

e. **LODGING THE ADMINISTRATIVE RECORD IN ELECTRONIC FORMAT**

Any party lodging the administrative record in an electronic format as permitted by California Rules of Court, rule 3.1365 et seq. shall simultaneously file a declaration with the court affirming under penalty of perjury that the medium in which the record is contained and lodged with the court is free of computer viruses or other malware.

(Subd (e) amended and relettered effective July 1, 2010; adopted as subd (f) effective July 1, 2005.)

f. **DISPUTES REGARDING THE CONTENTS OF THE ADMINISTRATIVE RECORD**

Once the record has been filed, any disputes about its accuracy or scope should be resolved by appropriate noticed motion. For example, if the agency has prepared the record, petitioners may contend that it omits important documents or that it contains inappropriate documents; if the petitioners have prepared the record, the agency may have similar contentions. A motion to supplement the certified record with additional documents and/or to exclude certain documents from the record may be noticed by any party and should normally be filed concurrently with the filing of petitioners' opening memorandum of points and authorities in support of the writ. Opposition and reply memoranda on the motion should normally be filed with the opposition and memoranda, respectively, regarding the writ. The motion should normally be calendared for hearing concurrently with the hearing on the writ.

(Subd (f) relettered effective July 1, 2010; adopted as subd (g) effective July 1, 2005.)

g. **BRIEFING SCHEDULE AND LENGTH OF MEMORANDA**

Unless otherwise ordered by the court, the following briefing schedule shall be followed in all cases:

- (1) Petitioners shall file directly in the designated CEQA department and serve personally, by overnight mail or, if previously agreed, by fax or electronic service, an opening memorandum of points and authorities in

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support of the petition within thirty (30) days from the date the administrative record is served.

(Subd (1) amended effective July 1, 2010; adopted effective July 1, 2005.)

- (2) Respondent and Real Party in Interest shall file directly in the designated CEQA department and serve personally, by overnight mail, or if previously agreed, by fax or electronic service, opposition points and authorities, if any, within thirty (30) days following service of petitioners' memoranda of points and authorities.

(Subd (2) amended effective July 1, 2010; adopted effective July 1, 2005.)

- (3) Petitioners shall have twenty (20) days from service of the opposition's points and authorities to file directly in the designated CEQA department and serve personally, by overnight mail, or if previously agreed, by fax or electronic service, a reply memorandum of points and authorities.

(Subd (3) amended effective July 1, 2010; adopted effective July 1, 2005.)

- (4) The parties may agree upon a shorter time frame for briefing by written stipulation filed with the court.

(Subd (4) adopted effective July 1, 2005.)

(Subd (g) amended and relettered effective July 1, 2010; adopted as subd (i) effective July 1, 2005.)

h. TRIAL NOTEBOOK

Petitioner shall prepare a trial notebook which shall be filed with the designated CEQA Department fourteen (14) days before the date of the hearing. The trial notebook shall consist of the petition, the answer(s), the briefs, any motions set to be heard at trial, the statement of issues, and any other document(s) agreed upon by the parties or ordered by the court.

(Subd (h) amended and relettered effective July 1, 2010; adopted as subd (j) effective July 1, 2005; previous subd (h), concerning notice of hearing, repealed effective July 1, 2010.)

(Rule 3.17 amended effective July 1, 2010; adopted as Rule 3.28 effective July 1, 2005; amended and renumbered as Rule 3.17 effective January 1, 2010.)

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3.18 FILING OF NOTICES OF UNAVAILABILITY

The court shall not accept for filing a "Notice of Unavailability of Counsel" or other document or pleading whose sole purpose is to advise the court and/or other parties of an attorney's or party's unavailability. (*Carl v. Superior Court of Orange County* (2007) 157 Cal.App.4th 73.)

(Rule 3.18 renumbered effective January 1, 2010; adopted as Rule 3.29 effective January 1, 2009.)

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Rule 4 – Administration of Civil Litigation

4.1 SCOPE AND POLICY

a. **SCOPE OF RULE 4**

Rule 4 is intended to implement the Trial Court Delay Reduction Act (Government Code Section 68600 et seq.) and shall apply to all general civil actions. The term “general civil action” shall have the same meaning as set forth in California Rules of Court, rule 1.6, subdivision (4).

Rule 4 shall not apply to uninsured motorist cases, coordinated cases, or collections cases unless and until they become subject to the Trial Court Delay Reduction Act per California Rule of Court, rule 3.712.

(Subd (a) amended effective July 1, 2011; adopted effective January 1, 1998; previously amended effective July 1, 2005, and January 1, 2010.)

b. **POLICY AND CASE DISPOSITION STANDARDS**

It is the policy of this court that all civil cases shall be resolved as expeditiously as possible, consistent with the obligation of the courts to give full and careful consideration to the issues presented, and consistent with the right of the parties to adequately prepare and present their cases to the court. Furthermore, it is the policy of the court that all actions subject to these rules shall be actively managed, supervised and controlled by the court from the time of filing of the first document invoking the court’s jurisdiction through final disposition. This court’s case disposition standards are as set forth in California Rules of Court, rule 3.714, subdivision (b).

(Subd (b) amended effective January 1, 2010; adopted effective January 1, 1998; previously amended effective July 1, 2005.)

c. **APPLICABILITY OF RULE 4 TO OTHER RULES**

Notwithstanding Rule 4.1, subsection (a), any rule within Rule 4 may be made expressly applicable to other proceedings through the enactment of or amendment to a local rule governing that proceeding.

(Subd (c) amended effective January 1, 2010; adopted effective January 1, 2009.)

(Rule 4.1 amended effective July 1, 2011; adopted effective January 1, 1998; previously amended effective July 1, 2005, January 1, 2009, and January 1, 2010.)

4.2 CASE DESIGNATION

a. **DEFAULT DESIGNATION OF CASE; TIMING OF DESIGNATION**

All civil cases subject to these rules shall be classified as TRACK A cases unless, on good cause shown, the court designates the case as a TRACK B case or

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TRACK C (complex) litigation. The determination as to whether a case is designated as a TRACK B or TRACK C case under these rules shall be at the sole discretion of the court. The designation may be made by the court at any case management conference, trial management conference, mandatory settlement conference, or any hearing noticed by the court or counsel.

(Subd (a) amended and lettered effective January 1, 2010; adopted as unlettered portion of Rule 4.2 effective January 1, 1998; previously amended effective July 1, 2005.)

b. TRACK A CASES

TRACK A cases are cases that are to be resolved within twelve (12) months of the date that the complaint was filed.

(Subd (b) amended and lettered effective January 1, 2010; adopted as unlettered portion of Rule 4.2 effective January 1, 1998; previously amended effective July 1, 2005.)

c. TRACK B AND TRACK C CASES

TRACK B and TRACK C cases are those which generally involve multiple parties, complex issues, difficult legal questions, unusual proof problems, or other circumstances which result in a case not being adequately prepared for trial within twelve (12) months of its filing even with due diligence being exercised by all parties. It is the policy of the court to conclude all TRACK B cases within eighteen (18) months and TRACK C cases within twenty-four (24) months of the filing of the initial pleading.

(Subd (c) amended and lettered effective January 1, 2010; adopted as unlettered portion of Rule 4.2 effective January 1, 1998; previously amended effective July 1, 2005.)

d. REDESIGNATION OF CASE

Following the designation by the court of the case as TRACK A, TRACK B, or TRACK C, the court, on its own motion or on the motion of any party, may order the case redesignated.

(Subd (d) amended and lettered effective January 1, 2010; adopted as unlettered portion of Rule 4.2 effective January 1, 1998; previously amended effective July 1, 2005.)

(Rule 4.2 amended effective January 1, 2010; adopted effective January 1, 1998; previously amended effective July 1, 2005.)

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4.3 TIME REQUIREMENTS FOR COMPLAINT

Time requirements for service of the complaint shall be as specified by California Rules of Court, rules 3.110 and 3.740, subdivision (c).

(Rule 4.3 amended effective July 1, 2011; adopted effective January 1, 1998; previously amended effective October 1, 2002, and January 1, 2009.)

4.4 TIME REQUIREMENTS FOR RESPONSIVE PLEADINGS

Time requirements for service of responsive pleadings shall be as specified by California Rules of Court, rules 3.110, 3.740, subdivision (c), and 3.1320.

(Rule 4.4 amended effective July 1, 2011; adopted effective January 1, 1998; previously amended effective October 1, 2002, January 1, 2009, and January 1, 2010.)

4.5 TIME REQUIREMENTS FOR CROSS-COMPLAINTS

Time requirements for service of cross-complaints shall be as specified by California Rules of Court, rules 3.110 and 3.1320.

(Rule 4.5 repealed effective July 1, 2011; adopted effective January 1, 1998; previously amended effective October 1, 2002, and January 1, 2010.)

4.6 CASE MANAGEMENT CONFERENCES

a. SCHEDULING OF CASE MANAGEMENT CONFERENCE ONE

In all cases subject to the case management rules in California Rules of Court, rule 3.720 et seq., the Clerk of the Court will schedule the first Case Management Conference approximately 120 days from the date of filing of the complaint. At the time of filing of the complaint, the Clerk of the Court shall provide the plaintiff with a Notice of Case Management Conference One, which shall indicate the date, time, and place that counsel, and any party not represented by counsel, shall appear for Case Management Conference One, and shall state the obligations of counsel, or any parties not represented by counsel, in regard to Case Management Conference One and Case Management Conference Two. Plaintiff is responsible for notifying all defendants of the initial or any continued Case Management Conference dates.

(Subd (a) amended effective July 1, 2011; adopted as unlettered portion of Rule 4.6 effective January 1, 1998; previously amended effective October 1, 2002, July 1, 2005, and January 1, 2009; amended and relettered effective January 1, 2010.)

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- b. **CASE MANAGEMENT CONFERENCES IN “UNINSURED MOTORIST” CASES**
An action for personal injury or property damage against an uninsured defendant may be designated as an “uninsured motorist case” upon application of the plaintiff filed concurrently with the petition or within thirty (30) days of the commencement of the action. Upon the filing of such an application, the court will set the first Case Management Conference approximately 180 days from the date of the designation.
(Subd (b) amended effective July 1, 2011; adopted as Subd (a) of Rule 4.6 effective January 1, 1998; previously amended effective October 1, 2002, July 1, 2005, and January 1, 2009; relettered effective January 1, 2010.)
- c. **CASE MANAGEMENT CONFERENCES IN LIMITED JURISDICTION “COLLECTION” CASES**
The plaintiff may designate a limited jurisdiction case as a “collection” case by filing a Civil Case Cover Sheet describing the case as a “collections” matter. No case management conference will be scheduled unless and until a responsive pleading has been filed.
(Subd (c) relettered effective January 1, 2010; adopted as Subd (b) of Rule 4.6 effective January 1, 1998; previously amended effective October 1, 2002, July 1, 2005, and January 1, 2009.)
- d. **SERVICE OF NOTICE OF CASE MANAGEMENT CONFERENCE**
- (1) **Service of Notice with Complaint**
The plaintiff shall serve the Notice of Case Management Conference on all defendants with the complaint.
(Subd (1) renumbered effective January 1, 2010; previously adopted as portion of Subd (f) effective January 1, 1998.)
- (2) **Service of Notice with Cross-Complaint**
Any plaintiff and any defendant serving a cross-complaint shall serve a copy of the Notice of Case Management Conference One provided by the Clerk, which sets the date and place for Case Management One, on each cross-defendant with the cross-complaint. In the event that any cross-complaint is served after Case Management Conference One has been held, the cross-complainant, at the time of service of the cross-complaint, shall serve each cross-defendant with Notice of Case Management Conference Two, which shall contain the date, time and place of Case Management Conference Two and explain the obligations of the parties in regard to case management conferences under these rules.

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(Subd (2) renumbered effective January 1, 2010; previously adopted as portion of Subd (f) effective January 1, 1998.)

(Subd (d) amended and relettered effective January 1, 2010; adopted as Subd (f) of Rule 4.6 effective January 1, 1998; previously amended effective October 1, 2002, July 1, 2005, and January 1, 2009; former Subd (d) repealed effective January 1, 2010.)

e. TELEPHONIC APPEARANCE AT CASE MANAGEMENT CONFERENCES

Litigants wishing to appear at a case management conference by telephone per California Rules of Court, rule 3.670, shall do so through CourtCall LLC, a private telephonic appearance provider with whom the court has contracted, or any other telephonic appearance provider as designated by the court. The telephone number of CourtCall is (888) 88-COURT or (310) 342-0888. Counsel wishing to avail themselves of this service shall note and follow the rules and schedule of the individual department concerning the use of CourtCall, and shall be solely responsible for all fees and costs charged by CourtCall for this service.

(Subd (e) amended effective January 1, 2010; adopted effective January 1, 1998; previously amended effective October 1, 2002, July 1, 2005, and January 1, 2009.)

f. CASE MANAGEMENT CONFERENCE SETTING

(1) For all cases subject to Rule 4.6, subdivision (a), Case Management Conference One shall be set during the calendar week that is 120 calendar days after the filing of the complaint, on the day of week and at the time designated by the judge to whom the case is assigned for all purposes. Case management conferences for other cases shall be set in a similar manner per the timelines applicable to those cases.

(Subd (1) amended effective July 1, 2011; adopted effective January 1, 1998.)

(2) At Case Management Conference One, the court shall refer the matter to arbitration or mediation, if deemed appropriate by the court, continue the matter for further Case Management Conference One or set the matter for a Case Management Conference Two.

(Subd (2) adopted effective January 1, 1998.)

(3) The court may, in its discretion, require additional case management conferences and additional Case Management Statements.

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(Subd (3) adopted effective January 1, 2010; previously adopted as portion of Subd (h).)

(Subd (f) amended effective July 1, 2011; adopted as Subd (g) effective January 1, 1998; previously amended effective October 1, 2002, July 1, 2005, and January 1, 2009; amended and relettered effective January 1, 2010.)

g. UPDATED CASE MANAGEMENT STATEMENTS FOR CONTINUED CASE MANAGEMENT CONFERENCES

Unless otherwise ordered by the court, an updated Case Management Statement shall be filed by each counsel no later than the fifteenth (15th) calendar day before each continued Case Management Conference or any review set by the court.

(Subd (g) amended effective July 1, 2011; adopted as Subd (h) effective January 1, 1998; previously amended effective October 1, 2002, July 1, 2005, and January 1, 2009; amended and relettered effective January 1, 2010.)

h. SANCTIONS

Pursuant to Code of Civil Procedure section 575.2, the court may impose sanctions in the event that any of the following occur:

- (1) A Case Management Statement is not timely filed and/or served;
- (2) A Case Management Statement is not fully completed;
- (3) The attorney who appears at a case management conference is not completely aware of all procedural, factual, and legal aspects of the case and does not have full authority to discuss and resolve any issues that arise at the conference, including the settlement of the case. This rule applies equally to counsel of record and special appearance counsel;
- (4) Counsel and self-represented parties fail to meet and confer as required per California Rules of Court, rule 3.724 prior to the Case Management Conference concerning all issues before the court.

(Subd (h) amended and relettered effective January 1, 2010; adopted as Subd (i) effective January 1, 1998; previously amended effective October 1, 2002, July 1, 2005, and January 1, 2009.)

(Rule 4.6 amended effective July 1, 2011; adopted effective January 1, 1998; previously amended effective October 1, 2002, July 1, 2005, and January 1, 2009; amended effective January 1, 2010.)

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4.7 DIVERSION TO ARBITRATION

a. **ORDER TO NONBINDING ARBITRATION**

All cases may be ordered to nonbinding arbitration where the court determines from the facts as set forth in a Case Management Statement or as stated by counsel at any Case Management Conference, Trial Management Conference, or Mandatory Settlement Conference that:

- (1) The parties stipulate to arbitration;
- (2) The plaintiff requests arbitration;
- (3) The amount in controversy does not exceed \$50,000 as to any plaintiff; or,
- (4) Arbitration might reasonably lead to the resolution of the case.

As to those cases ordered to arbitration, judicial arbitration will proceed in accordance with the Judicial Arbitration Rules for civil cases (Rule 3.810 et seq. of the California Rules of Court), except as otherwise stated in these rules.
(Subd (a) amended effective January 1, 2010; adopted effective January 1, 1998; previously amended effective October 1, 2002.)

b. **TIME LIMITS AND SELECTION OF ARBITRATOR**

Upon ordering the matter to nonbinding arbitration, the court will direct that the arbitration be concluded within ninety (90) days, unless the court determines in its discretion that a longer timeframe is appropriate. Counsel will be directed to notify the Civil Division Court Services Program Manager in writing within ten (10) days of the name, address and telephone number of the arbitrator agreed upon, and if agreement is not possible, then within ten (10) days each counsel shall submit two (2) names each, from the court's list of arbitrators, to the court to the attention of the Civil Division Court Services Program Manager, from which the court shall promptly select an arbitrator and the court shall notify the parties of the name, address, and telephone number of the arbitrator selected by the court.
(Subd (b) amended effective January 1, 2010; adopted effective January 1, 1998; previously amended effective October 1, 2002.)

c. **REQUEST FOR TRIAL DE NOVO**

The case shall not be recalendared for further hearing unless a request for trial de novo is timely filed, except upon order of the court. If a request for trial de novo is not timely filed, the clerk shall, upon the expiration of the time for filing,

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forthwith enter the award as a judgment.

(Subd (c) amended effective October 1, 2002; adopted effective January 1, 1998.)

d. **FEES FOR ARBITRATION**

The parties to the action shall pay to the arbitrator their proportionate share of the fee set by the arbitrator, within thirty (30) days after the filing of the arbitrator's award. In the event that the parties settle the case after the arbitrator has expended any time on the case, the parties shall notify the arbitrator that the case has settled and shall pay their proportionate share of the arbitrator's fees within thirty (30) days after the notice to the arbitrator of the settlement.

(Subd (d) amended effective October 1, 2002; adopted effective January 1, 1998.)

(Rule 4.7 amended effective January 1, 2010; adopted effective January 1, 1998; previously amended effective October 1, 2002.)

4.8 MEDIATION

a. **TIME LIMITS AND SELECTION OF MEDIATOR**

Within twenty (20) days of the referral to mediation, the parties shall provide the assigned court with written notification of their mutual choice of mediator, or their individual nominees. If the parties are unable to agree upon a mediator within the 20 days, they shall promptly notify the court, and a mediator will thereupon be appointed by the court.

(Subd (a) amended effective July 1, 2005; adopted effective July 1, 1998.)

b. **APPEARANCE AT MEDIATION SESSIONS**

Each party shall personally appear at the first mediation session and at any subsequent session unless excused by the mediator. When the party is other than a natural person, it shall appear by a representative, other than its attorney, with full authority to resolve the dispute or, in the case of a governmental entity that requires an agreement to be approved by an elected official or legislative body, by a representative with authority to recommend such agreement. Each party is entitled to have counsel present at all mediation sessions that concern it, and such counsel and an insurance representative of a covered party also shall be present or available at such sessions, unless excused by the mediator.

(Subd (b) amended effective July 1, 2005; adopted effective July 1, 1998.)

c. **FILING OF STATEMENT BY MEDIATOR**

Within ten (10) days of the conclusion of the mediation, the mediator shall file a statement on Judicial Council Form ADR-100, advising the court whether the

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mediation ended in full agreement or non-agreement as to the entire case or as to particular parties in the case.

(Subd (c) amended effective July 1, 2005; adopted effective July 1, 1998.)

d. FEES FOR MEDIATION

The parties to the action shall pay to the mediator their proportionate share of the fee set by the mediator, within thirty (30) days after the last mediation session. In the event that the parties settle the case after the mediation, the parties shall notify the mediator that the case has settled and shall pay their proportionate share of the mediator's fees within thirty (30) days after the notice to the mediator of the settlement.

(Subd (d) amended effective July 1, 2005; adopted effective July 1, 1998.)

e. MEDIATION COMPLAINT PROCEDURE

Per California Rules of Court, rule 3.868, the court adopts the following mediator complaint procedure:

- (1) Complaints are only accepted from a party to the action or the party's attorney.
- (2) The complainant must register his or her complaint in writing with the ADR Administrator. The written complaint must include the following information:
 - (a) The names of the parties in the case and their attorneys;
 - (b) The case number;
 - (c) The most recent court date;
 - (d) The name(s) of any mediation personnel (i.e. mediators or mediation clerks) with whom the complainant had contact; and,
 - (e) A statement explaining the reasons for the complaint.
- (3) Upon receiving the complaint, the ADR Administrator will notify the complainant in writing that the court has received the complaint.
- (4) The ADR Administrator shall review the complaint and determine whether the complaint can be informally resolved or closed, or whether the complaint warrants investigation. If the complaint warrants an

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investigation, the ADR Administrator shall take the following steps:

- (a) The ADR Administrator shall give notice of the complaint to the mediator and provide a reasonable opportunity to respond.
- (b) The complaint shall be investigated and a recommendation made concerning court action. The investigation shall be conducted by an investigator designated by the ADR Administrator or the Presiding Judge. The investigator shall provide his or her recommendation to the Presiding Judge or his or her designee.
- (c) The final decision shall be made by the Presiding Judge or his or her designee. Notice of the final action taken shall be sent by the court to the complainant and, if the complaint was not resolved during the preliminary review by the ADR Administrator, to the mediator.

(Subd (e) amended effective July 1, 2011; adopted effective January 1, 2010.)

(Rule 4.8 amended effective July 1, 2011; adopted effective January 1, 1998; previously amended effective July 1, 2005, and January 1, 2010.)

4.9 MANDATORY SETTLEMENT CONFERENCES

a. REQUIRED PARTICIPANTS

The lead trial counsel, parties, and persons with full settlement authority shall personally attend the Mandatory Settlement Conference unless excused by the court for good cause. In the case of an insured principal, the authorized representative of the insured's insurance company must be present in lieu of the client, and must have full settlement authority. For purposes of these rules, "full settlement authority" means persons physically present in the courthouse who are empowered to make settlement decisions without telephone consultation with others. In no event will an independent adjuster satisfy the above requirement. In any professional negligence case in which the defendant retains the right to refuse settlement, participation of that defendant in the settlement conference is mandatory.

(Subd (a) amended and relettered effective January 1, 2010; adopted as unlettered portion of Rule 4.11 effective January 1, 1998; previously amended effective July 1, 2005.)

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b. MEET AND CONFER REQUIREMENTS

No later than ten (10) calendar days before the date set for the mandatory settlement conference, trial counsel and all persons with ultimate authority to settle the case shall meet in person or, if all parties agree, by telephone to discuss settlement of the case.

(Subd (b) amended and relettered effective January 1, 2010; adopted as unlettered portion of Rule 4.11 effective January 1, 1998; previously amended effective July 1, 2005.)

c. ADDITIONAL REQUIREMENTS FOR MANDATORY SETTLEMENT CONFERENCE STATEMENTS

All settlement conference statements filed and served per California Rules of Court, rule 3.1380, subdivision (c), shall contain the following additional information:

- (1) A statement of the factual and legal contentions in dispute;
- (2) A list of all special damages claimed;
- (3) Copies of pertinent medical reports;
- (4) Other reports by experts;
- (5) Pictorial or documentary evidence anticipated to be presented at trial;
- (6) An estimate of the lowest and highest possible award by a trier of fact;
- (7) The highest previous offer and the lowest previous demand;
- (8) The date when the last face to face or telephonic settlement discussion was held between all parties;
- (9) A statement as to any special problems relating to settlement, such as lack of or disputed insurance coverage; and,
- (10) A statement regarding the party's position regarding settlement of the case.

(Subd (c) amended effective July 1, 2011; adopted as unlettered portion of Rule 4.11 effective January 1, 1998; previously amended effective July 1, 2005; amended and relettered effective January 1, 2010.)

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d. **SANCTIONS**

Failure of any attorney, adjustor, and/or party to prepare for, appear at, or meaningfully participate in a settlement conference, unless good cause is shown for any such failure, is an unlawful interference with the proceedings of the court, and the court may impose sanctions, including but not limited to, any or all of the following: monetary sanctions to be paid to the court; monetary sanctions to be paid to other parties which may include, among other things, costs, actual expenses, and counsel fees; and the court may order an appropriate change in the calendar status of the action.

(Subd (d) amended and relettered effective January 1, 2010; adopted as unlettered portion of Rule 4.11 effective January 1, 1998; previously amended effective July 1, 2005.)

(Rule 4.9 amended effective July 1, 2011; adopted as Rule 4.11 effective January 1, 1998; previously amended effective July 1, 2005; amended and renumbered effective January 1, 2010; former Rule 4.9, which concerned other settings of cases, repealed effective January 1, 2010.)

4.10 TRIAL MANAGEMENT CONFERENCES

a. **REQUIRED PARTICIPANTS**

The lead trial counsel shall, unless excused by the court, appear at the Trial Management Conference prepared to respond to any questions the court may pose about the case.

(Subd (a) relettered effective January 1, 2010; adopted as unlettered portion of Rule 4.12 effective January 1, 1998; previously amended effective July 1, 2005.)

b. **TRIAL MANAGEMENT CONFERENCE STATEMENTS**

On a form designated by the court (local form no. 3006), each counsel shall complete, file and serve on all parties a completed Trial Management Conference Report at least five (5) court days before the date set for the Trial Management Conference. At a minimum, the report shall include the following:

- (1) A statement of the nature of the case, with a summary of each party's allegations and supporting facts. Include an agreed-upon statement of the case to be read to the jury panel, if a jury has been requested by any party;
- (2) If there have been developments since the trial setting affecting the estimated length of trial, an explanation as to what those developments are and how the estimated length of trial should be changed as a result;

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- (3) The names of any non-expert witnesses who may be called at trial, except for impeachment or rebuttal. State concisely the anticipated testimony of each non-expert witness and the time estimate for testimony, including direct and cross-examination;
- (4) The names and expertise of any expert witnesses who may be called at trial, except for impeachment or rebuttal. State concisely the anticipated testimony of each expert witness and the time estimate for testimony, including direct and cross-examination. In addition, attach any narrative reports provided by the expert witness;
- (5) A list of all witnesses who are unavailable and whose testimony will be presented by deposition, along with the facts supporting that unavailability;
- (6) A list of all documents, exhibits, blowups, and/or photographs that the party expects to offer at trial, except for impeachment or rebuttal. Documents shall be identified by page number or Bates-stamp number as applicable (e.g. “Jane Doe’s Medical Records, pages 1 through 326”). Photos shall be separately identified;
- (7) A specific list in column form of all portions of depositions, answers to interrogatories and responses to request for admissions that the party expects to offer at trial, except for impeachment or rebuttal. All portions of depositions shall be identified by page and line number(s), while responses to written discovery must be identified by the manner of discovery request and the response number (e.g. “Response to Plaintiff’s Special Interrogatories, Set One, Interrogatory Number 4”; “Amended Response to Defendant’s Request for Admissions, Set Three, Request Number 7”);
- (8) A specific list of all anticipated evidentiary disputes with citation to authority;
- (9) A specific list of all anticipated non-evidentiary disputes with citation to authority;
- (10) All requested jury instructions and verdict forms in compliance with the California Rules of Court. Each instruction shall be typed in full and numbered consecutively, with the submitting attorney having filled in all blanks and having made a decision as to all alternatives in the CACI

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instructions. Two copies of the requested jury instructions shall be submitted to the court. One copy shall have citations to authority and boxes for the court's use regarding whether the instruction is given, refused, or withdrawn, and one copy shall be presented without citations to authority and boxes regarding given, refused, or withdrawn.

- (11) Copies of all in limine motions that the party expects to submit at trial. Each in limine motion provided shall be numbered consecutively by the party. (Note that any in limine motions not included will not be considered by the court, unless good cause is presented to the trial court).
- (12) All stipulations requested or proposed at trial; and,
- (13) A statement as to whether there are any witnesses that need an interpreter. State the name of the interpreter and the language that must be interpreted. (If an interpreter is needed, it is the obligation of the party calling the witness to make arrangements for an interpreter.)

(Subd (b) amended effective July 1, 2011; adopted as unlettered portion of Rule 4.12 effective January 1, 1998; previously amended effective July 1, 2005; amended and relettered effective January 1, 2010.)

c. EXCLUSION OF EVIDENCE AND TESTIMONY AT TRIAL

The testimony of witnesses who are not listed in the Trial Management Conference Report, or documents, or other exhibits, portions of depositions, answers to interrogatories or responses to requests for admissions, which are not listed in the Trial Management Conference Report, shall not be admitted at the trial. However, the trial judge, in his or her sole discretion and upon a showing a good cause, may permit the testimony of witnesses who are not listed in the Trial Management Conference Report and may allow the admission of exhibits or portions of discovery which are not listed in the Trial Management Conference Report.

(Subd (c) amended and relettered effective January 1, 2010; adopted as unlettered portion of Rule 4.12 effective January 1, 1998; previously amended effective July 1, 2005.)

(Rule 4.10 amended effective July 1, 2011; adopted as Rule 4.12 effective January 1, 1998; previously amended effective July 1, 2005; amended and renumbered effective January 1, 2010; former Rule 4.10, which concerned setting short causes for trial, repealed effective January 1, 2010.)

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4.11 DISMISSAL OF ACTION OR ENTRY OF JUDGMENT FOLLOWING SETTLEMENT

Dismissals shall be governed by California Rules of Court, rule 3.1385.

(Rule 4.11 amended effective July 1, 2011; adopted as Rule 4.13 effective January 1, 1998; renumbered effective January 1, 2010.)

4.12 MISCELLANEOUS

a. REQUEST FOR EXTENSION OF TIME

Any request for extension of time under these rules shall be filed with due diligence and, in addition to being signed by counsel shall be endorsed by the party acknowledging that the extension of time being requested by counsel is concurred in by the party. The request shall be made on the form provided by the court.

(Subd (a) amended effective January 1, 2009; adopted effective January 1, 1998.)

b. KNOWLEDGE OF CASE

Counsel and parties attending any hearing or conference set pursuant to these rules shall have sufficient knowledge of the case to inform the court as to all matters that are pertinent and relevant to the issues to be heard and have authority to enter into binding stipulations regarding any matters before the court. This rule shall apply equally to attorneys of record and specially appearing counsel.

(Subd (b) amended effective January 1, 2010; adopted effective January 1, 1998; previously amended effective January 1, 2009.)

c. REFERENCE TO “ATTORNEY” OR “COUNSEL”

Any reference in these rules to “attorney” or “counsel” shall apply equally to any person representing himself or herself in a case subject to these rules.

(Subd (c) amended effective January 1, 2009; adopted effective January 1, 1998.)

d. REMOVAL FROM CIVIL ACTIVE LIST

A case shall not be removed from the civil active list except by order of the court.

(Subd (d) amended effective January 1, 2009; adopted effective January 1, 1998.)

e. EXCUSE FROM RULE REQUIREMENT

Any requirement of these rules may be excused by the court upon a showing of good cause.

(Subd (e) amended effective January 1, 2009; adopted effective January 1, 1998.)

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- f. **UNINSURED MOTORIST CASE [Repealed]**
(Subd (f) repealed effective July 1, 2011; adopted effective January 1, 1998; amended effective January 1, 2009.)
- g. **REMOVAL TO FEDERAL COURT [Repealed]**
(Subd (g) repealed effective July 1, 2011; adopted effective January 1, 1998; amended effective January 1, 2009.)
- h. **TELEPHONIC APPEARANCES**
Litigants wishing to appear by telephone per California Rules of Court, rule 3.670, shall do so through CourtCall LLC, a private telephonic appearance provider with whom the court has contracted, unless the court has designated a different provider. The telephone number of CourtCall is (888) 88-COURT or (310) 342-0888. Counsel wishing to avail themselves of this service shall note and follow the rules and schedule of the individual department concerning the use of CourtCall, and shall be solely responsible for all fees and costs charged by CourtCall for this service.
(Subd (h) amended effective January 1, 2010; adopted effective January 1, 2009.)

(Rule 4.12 amended effective July 1, 2011; adopted as Rule 4.14 effective January 1, 1998; previously amended effective January 1, 2009; amended and renumbered effective January 1, 2010.)

4.13 SANCTIONS

- a. **SANCTIONS GENERALLY**
Upon the motion of a party or on the court's own motion, the court may impose sanctions for non-compliance with these rules. Sanctions will not be imposed without prior notice to, and an opportunity to be heard by, the party or attorney against whom the sanction or penalty is sought to be imposed. Available sanctions include, but are not limited to:
- (1) Monetary sanctions;
 - (2) Evidentiary sanctions prohibiting the introduction of designated matters into evidence;
 - (3) Striking out all or any part of any pleading;
 - (4) Dismissal of an action, proceeding, or any part thereof;

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(5) Entering judgment by default against a party; and,

(6) Contempt sanctions.

(Subd (a) amended and relettered effective January 1, 2010; adopted as unlettered part of Rule 4.15 effective January 1, 1998.)

b. ATTORNEY FEES AND COSTS

In addition to any sanction, the court may order a party or his or her counsel to pay to a party moving for compliance with these rules the reasonable expenses in making the motion, including reasonable attorney fees.

(Subd (b) amended and relettered effective January 1, 2010; adopted as unlettered part of Rule 4.15 effective January 1, 1998.)

c. SANCTIONS RELATED TO REQUESTS TO EXTEND TIME FOR FILING

Monetary sanctions and, in the court's discretion, more severe sanctions, will be imposed upon counsel or his or her party who in bad faith or without good cause request an extension of time for the filing of any pleading or document as required by these rules.

(Subd (c) relettered effective January 1, 2010; adopted as unlettered part of Rule 4.15 effective January 1, 1998.)

d. SANCTIONS AGAINST ATTORNEYS

If the court determines that the failure to comply with the rules is the responsibility of a party's attorney or counsel, the penalty shall be imposed on the attorney or counsel personally and shall not adversely affect the party's cause of action or defense thereto.

(Subd (d) adopted effective January 1, 2010.)

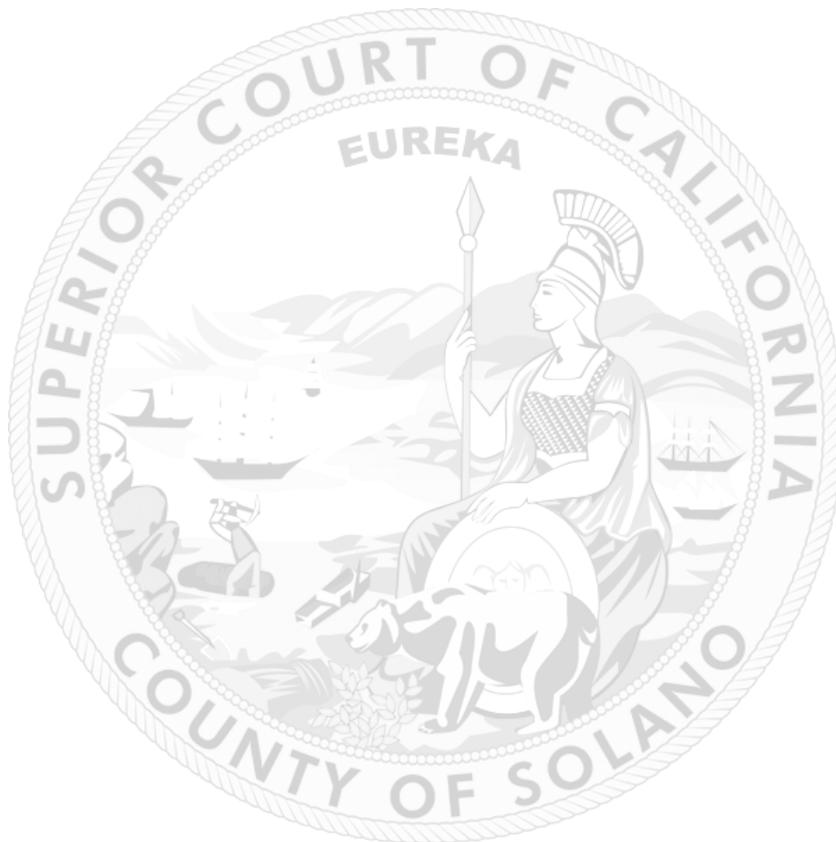
(Rule 4.13 amended and renumbered effective January 1, 2010; adopted as Rule 4.15 effective January 1, 1998.)

4.14 ELECTRONIC FILING AND SERVICE OF PLEADINGS AND DOCUMENTS

The court does not permit electronic filing as defined in California Rules of Court, rule 2.250. However, nothing in this rule shall be construed as prohibiting or otherwise limiting service of documents electronically as provided elsewhere in the California Rules of Court.

(Rule 4.14 adopted effective July 1, 2010; previous Rule 4.14 renumbered as Rule 4.12 effective January 1, 2010.)

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Rule 6 – Juvenile Proceedings

PART THREE: Juvenile Delinquency

6.60 RETURN ON BENCH WARRANT

With a minimum of two court days notice to the Juvenile Court, the District Attorney and Probation, counsel for juveniles in Welfare and Institutions Code section 602 proceedings may schedule a return on warrant hearing. If the minor fails to appear at the Return on Bench Warrant hearing, counsel for the juvenile will need permission to re-calendar the matter from the Juvenile Court Judge or their designated staff.

(Rule 6.60 renumbered effective January 1, 2010; adopted as Rule 6.1.9 effective July 1, 2008.)

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Rule 6 – Juvenile Proceedings

APPENDIX – Standing Orders of the Juvenile Court

<u>Standing Order</u>	<u>Title</u>
2002-01	Medical Authorization – Juvenile Hall
2002-02	Community School Programs
2002-03	Records – Family Law
2002-04	Records – Multi-Disciplinary Teams [VACATED] <i>(Vacated effective July 1, 2011; see Standing Order 2011-004)</i>
2002-05	Release of Records, Absent Parents
2002-06	Release of Records – Guardianship Proceedings [VACATED] <i>(Vacated effective July 1, 2011; see Standing Order 2011-005)</i>
2002-07	Release of Records – Financial Hearing Officer
2002-09	Release of Records – Foster Youth Services Program [VACATED] <i>(Vacated effective July 1, 2011; see Standing Order 2011-006)</i>
2002-10	Release of School Records – Probation [VACATED] <i>(Vacated effective July 1, 2011; see Standing Order 2011-007)</i>
2002-11	Toxicology Testing [VACATED] <i>(Vacated effective July 1, 2011; see Standing Order 2011-008)</i>
2004-01	Sealing File upon Successful Completion of Deferred Entry of Judgment [VACATED] <i>[Vacated effective January 1, 2011]</i>
2004-02	Notice of Change of Address DCSS [VACATED] <i>[Vacated effective January 1, 2011]</i>
2010-001	Release of Juvenile Case File Information for W&I 601 and 602 Proceedings
2011-001	Standing Order Authorizing Mental Health Evaluation and/or Treatment for Dependent Children or Minors Placed into Protective Custody by Child Welfare Services
2011-002	Order re: Release of Probation Files and Information Regarding Parents with Children Under the Jurisdiction of the Juvenile Court
2011-003	Standing Order to Facilitate Child Welfare Services Disaster Response Plan

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Rule 6 – Juvenile Proceedings

APPENDIX – Standing Orders of the Juvenile Court

<u>Standing Order</u>	<u>Title</u>
2011-004	The Exchange of Information Pertaining to Juveniles Among Members of Multidisciplinary Teams
2011-005	Exchange and Release of Information Between Child Welfare Services and the Solano County Court Investigator
2011-006	Exchange & Release of Juvenile Records to be Used in the Solano Countywide Foster Youth Services Program (Education Code § 488850 et seq., Welfare & Institutions Code § 827, Cal. Rules of Court, rule 5.552)
2011-007	Release of School Records to Solano County Probation and Solano County Health and Social Services, Child Welfare Services Division (Education Code § 49077)
2011-008	Toxicology Testing for Drug Exposed Children Subject to Juvenile Laws (Welfare & Institutions Code § 369, subd. (d))

FILED
SOLANO COUNTY COURTS

02 AUG -2 PM 3:50

IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA

CHARLES D. RAMEY

JUVENILE COURT DIVISION

By Patsy Worcester
DEPUTY CLERK

IN THE MATTER OF:)	
)	
AUTHORIZATION FOR IMMEDIATE)	
HEALTH APPRAISAL, IMMUNIZATION)	
AND TREATMENT OF ACUTE)	STANDING ORDER
CONDITIONS OF MINORS DETAINED AT)	
JUVENILE HALL; AND AUTHORIZING)	2002- 1
CHIEF PROBATION OFFICER TO)	
CONSENT TO ONGOING TREATMENT IN)	
CERTAIN CIRCUMSTANCES)	

The Juvenile Court Standing Order Misc J 629, issued on May 23, 2002, is hereby vacated and reissued *nunc pro tunc* as Standing Order 2002-1 effective August 1, 2002.

I. HEALTH APPRAISAL AT CONFINEMENT

In order that juveniles confined in the Solano County Juvenile Hall undergo a health appraisal at the first possible opportunity after their initial admission to the facility, Solano County Juvenile Hall is authorized to provide a health appraisal and appropriate services in compliance with California Code of Regulations, Title 15, Section 1430 et seq. This comprehensive health appraisal is to be conducted consistent with the requirements set forth in Title 15, as well as the recommendations of the American Academy of Pediatric Health Standards for Juvenile Court Residential Facilities, and may consist of:

1. A complete medical history and physical examination, including laboratory and diagnostic testing.
2. A mental health status evaluation.

1 3. A dental assessment and remedial care to include cleaning, fillings and root
2 canal therapy.

3 4. Any clinical laboratory tests the physician determines are necessary for the
4 evaluation of the juvenile's health status, to include screening for tuberculosis and sexually
5 transmitted diseases in sexually active juveniles, with their consent.

6 5. Any immunizations necessary to bring the juvenile's immunization status up
7 to date following guidelines of the American Academy of Pediatrics.

8 6. An assessment of the appropriateness of continuing or discontinuing the
9 prescription of any medication (including psychotropic medication) the minor may presently
10 be taking.

11 7. Mental health crisis intervention and the management of acute psychiatric
12 episodes.

13 8. Any routine medical care or dental care required for the care of illness and
14 injury, including the use of standard x-ray, based upon the results of this comprehensive
15 health appraisal.

16 **II. CONTINUING TREATMENT AFTER DETENTION**

17 At the time of admission to the Juvenile Hall, all reasonable efforts shall be made to
18 obtain the consent of the parent or legal guardian for ongoing medical, dental and mental
19 health care while the juvenile is in the facility. A further attempt to obtain consent shall be
20 made at the time of the detention hearing for ongoing care while the minor is detained in
21 Juvenile Hall, New Foundations or other placement. In the event that consent cannot be
22 obtained (e.g., parents or legal guardians not available to give consent) through reasonable
23 efforts, the Chief Probation Officer or his/her designee, shall complete a statement of due
24 diligence, to be placed in the minor's health file and lodged with the Court. Upon
25 completion of the statement of due diligence and placement in the minor's health file, the
Chief Probation Officer or his/her designee shall be authorized to consent on behalf of the
minor to any routine, ongoing or emergency care which will protect and promote the
minor's physical and mental well being. This authorization shall include the authority to

1 complete any documents required by the treating practitioner which are consistent with the
2 scope of this order, including specific consents required by the treating practitioner prior to
3 administering treatment.

4 Dated: 8/2/02


5 DAVID EDWIN POWER
6 Judge of the Superior Court, Juvenile Division

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02 AUG -2 PM 4: 04

IN THE SUPERIOR COURT OF SOLANO, STATE OF CALIFORNIA

IN SESSION AS A JUVENILE COURT

CHARLES D. RAMEY

By Patty Worchester
DEPUTY CLERK

IN THE MATTER OF:)	
DESIGNATION OF CHIEF PROBATION)	STANDING ORDER
OFFICER/DESIGNEE AS)	
REPRESENTATIVE OF COURT FOR)	2002- <u>2</u>
PURPOSES OF REFERRING STUDENTS)	
TO THE COMMUNITY SCHOOL)	
PROGRAMS)	
(Welfare and Institutions Code Section 654)	
and Education Code Section 42238.18(c).))	

The Juvenile Standing Order Misc J 430 issued on February 7, 2000, is hereby vacated and reissued *nunc pro tunc* as Standing Order 2002- 2 effective August 1, 2002.

GOOD CAUSE APPEARING, THEREFORE, IT IS HEREBY ORDERED THAT in the matter of students referred to Community Schools, the Chief Probation Officer or his/her designee be the representative of the Court for the purpose of referring students to the Community Schools pursuant to Welfare and Institutions Code section 654. The Court further authorizes the representative to review and certify the appropriateness of the placement pursuant to Education Code section 42238.18(c).

Dated: 8/2/02

David Edwin Power
DAVID EDWIN POWER
JUDGE OF THE SUPERIOR COURT, JUVENILE DIVISION

Standing Order 2002- 2
Re: Designation of Chief Probation Officer/Designee
As Court Representative For Community School Program

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IN THE SUPERIOR COURT OF SOLANO, STATE OF CALIFORNIA
IN SESSION AS A JUVENILE COURT

FILED
SOLANO COUNTY COURTS
02 AUG -2 PM 4:06

CHARLES D. RAMEY
By Patsy Worcester
DEPUTY CLERK

IN THE MATTER OF:

Designation of Family Law Judicial Officers
As Juvenile Court Officers for Purposes of
Making Discovery Determinations of Child
Welfare and Dependency Records in Family
Law Proceedings (Welfare and Institutions
Code sections 827, 828 and Rule of Court
1423)

STANDING ORDER

2002- 3

The Juvenile Standing Order Misc J 136 issued on April 12, 1993, is hereby vacated and reissued *nunc pro tunc* as Standing Order 2002- 3 effective August 1, 2002.

In order to properly carry out its functions, including, but not limited to the proper supervision of the offices and adjuncts of this Court and the promotion and protection of the welfare and best interests of the minors who are subject to the jurisdiction and potentially subject to the jurisdiction of the Court, the Court hereby designates the Family Law Judges and Family Law Commissioners/Referees to sit as the Juvenile Court for purposes of making discovery determinations regarding the records maintained by the Solano County Health and Social Services – Child Welfare Services in cases pending before the Family Law Court.

Dated: 8/2/02

David Edwin Power
DAVID EDWIN POWER
JUDGE OF THE SUPERIOR COURT, JUVENILE DIVISION

1
2 IN THE SUPERIOR COURT OF SOLANO, STATE OF CALIFORNIA

FILED
SOLANO COUNTY COURTS
02 AUG -2 PM 4: 01

3 IN SESSION AS A JUVENILE COURT

CHARLES D. RAMEY
By J. O. Breta
DEPUTY CLERK

4 IN THE MATTER OF:

5)
6 THE EXCHANGE OF INFORMATION)
7 PERTAINING TO JUVENILES AMONG)
8 MEMBERS OF MULTIDISCIPLINARY)
9 TEAMS,)
10)

STANDING ORDER

2002-4

VACATED
Effective July 1, 2011
See Standing Order 2011-004

11
12 The Juvenile Standing Order Misc J 630 issued on May 23, 2002, is hereby vacated and
13 reissued *nunc pro tunc* as Standing Order 2002-4 effective August 1, 2002.

14 Pursuant to the provisions of Welfare and Institutions Code section 18986.40, the Solano
15 County Probation Department and the Solano County Department of Health and Social Services,
16 Division of Mental Health, have adopted a Memorandum of Understanding (MOU) establishing
17 a multidisciplinary team (MDT) to provide services to minors coming within the jurisdiction of
18 the juvenile court.

19 The MOU specifies the type of information that may be shared, and sets forth a process
20 which ensures the maximum protection of privacy and confidentiality rights by requiring each
21 team member to maintain the same confidentiality obligations, and be subject to the same
22 penalties as the persons disclosing confidential information.

23 Pursuant to the establishment of the MDT, and to further the treatment plans and the
24 delivery of services through the coordination of care to minors falling under the jurisdiction of
25 the Juvenile Court and their families, the Court makes the following orders:

Standing Order 2002-4
Re: Exchange of Juvenile Information Among Members
Of Multidisciplinary Teams

1. The MDT shall make all reasonable efforts to obtain the consent of the parent or legal guardian authorizing the release of medical, mental health, social service and educational records, covering multiple service providers, in order to permit the release of records and information to the MDT.
2. In the event that parental consent cannot be obtained despite reasonable efforts, each member of the MDT is hereby authorized to share medical, mental health, social service and education information regarding the minor in order to provide services to the minor, pursuant to the terms of the MOU.
3. Notwithstanding the above, in the event that consent cannot be obtained due to the refusal of the parent or legal guardian to provide such consent, no confidential information may be shared among members of the MDT.
4. No information shared among members of the MDT may be disclosed to anyone other than members of the MDT and collateral service providers as defined by Welfare and Institutions Code section 18985.40.

IT IS SO ORDERED

Dated: 8/2/02


DAVID EDWIN POWER
JUDGE OF THE SUPERIOR COURT, JUVENILE DIVISION

VACATED
Effective July 1, 2011
See Standing Order 2011-004

IN THE SUPERIOR COURT OF SOLANO, STATE OF CALIFORNIA 2 PM 4: 04

IN SESSION AS A JUVENILE COURT

CHARLES D. RAMEY

By *[Signature]*
DEPUTY CLERK

IN THE MATTER OF:

RELEASE OF CHILD WELFARE)
RECORDS TO THE COURT) STANDING ORDER
INVESTIGATOR IN GUARDIANSHIP) 2002-6
PROCEEDINGS)

The Juvenile Standing Order Misc J 501 issued on October 10, 2000 is hereby vacated and reissued *nunc pro tunc* as Standing Order 2002- 6 effective August 6, 2002.

In order for the Solano County Superior Court to fully evaluate and consider the establishment or continuance of guardianships over minors who come before the Superior Court, it is necessary for the Court to receive a complete investigative report of the minors' circumstances.

The preparation of a full and complete investigative report to the Solano County Superior Court regarding these minors would serve the best interests of these minors and the interests of justice. These interests outweigh the public interest of maintaining the confidentiality of records of public assistance provided to such minors.

Therefore, pursuant to Welfare and Institutions Code sections 827 and 10850, each and every Solano County Superior Court Investigator, upon showing proof of employment and assignment to investigate the guardianship matter under the jurisdiction of the Solano County Superior Court, shall be given access by the Solano County Health and Social Services Department to the following information pertaining to the minor, the minor's guardian or prospective guardian:

Standing Order 2002- 6
Re: Release of Child Welfare Records
To the Court Investigator

1. Any and all records maintained by the Solano County Health and Social Services, Child Welfare Division, including but not limited to referrals, emergency response investigative reports, court reports, evaluations, etc., pertaining to the minor, the guardian or prospective guardian.

2. Any reports, recommendations, assessments prepared by a multi-disciplinary team convened for the purpose of assessing and making recommendations regarding a family or family group which includes the minor who is the subject of the guardianship investigation.

3. Any and all school records pertaining to the minor who is the subject of the guardianship investigation.

4. Any and all health records pertaining to the minor who is the subject of the guardianship investigation.

5. Any and all mental health records pertaining to the minor who is the subject of the guardianship investigation.

6. Any and all substance abuse records pertaining to the minor who is the subject of the guardianship investigation.

The Solano County Superior Court Investigator shall maintain the confidentiality of the Records reviewed, inspected or copied for the purpose of the preparation of the investigative report to the Court. Any information obtained from these records shall not be disseminated except in the guardianship proceedings. Any copies or records obtained by the Court Investigator shall be destroyed upon establishment or termination of the guardianship.

Dated: 8/2/02


DAVID EDWIN POWER
JUDGE OF THE SUPERIOR COURT, JUVENILE DIVISION

Standing Order 2002- 6
Re: Release of Child Welfare Records
To the Court Investigator

IN THE SUPERIOR COURT OF SOLANO, STATE OF CALIFORNIA

IN SESSION AS A JUVENILE COURT

CHARLES D. RAMEY

By [Signature]
DEPUTY CLERK

IN THE MATTER OF:)
)
) **STANDING ORDER**
)
) **2002-7**
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The Juvenile Standing Order Misc J 144 issued on August 25, 1993, is hereby vacated and reissued *nunc pro tunc* as Standing Order 2002- 7 effective August 1, 2002.

The Court finds that in the interest of continuing to provide optimum legal representation for parents and minors in Welfare and Institutions Code Section 300 proceedings in a effort to further the goal of family preservation and reunification, it is necessary to share certain information protected pursuant to Welfare and Institutions Code section 10850.

THE COURT THEREFORE ISSUES THE FOLLOWING STANDING ORDER:

For purposes of determining financial responsibility for court appointed attorney fees, Child Welfare workers may share the name, address, social security number, name and address of employer and any other financial information regarding a parent in a Welfare and Institutions Code section 300 proceeding with the Superior Court Financial Hearing Officer.

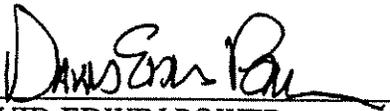
IT IS FURTHER ORDERED that the Financial Hearing Officer may convey this information to the Office of County Counsel for the sole purpose of collecting any fees ordered in the Welfare and Institutions Code Section 300 proceedings. The Office of County Counsel shall not use the information for any other purpose and shall keep such information separate

//

Standing Order 2002--7
Re: Release of Confidential Information to Financial
Hearing Officer

1 from Welfare and Institutions Code section 300 case files.

2 Dated: 8/2/02

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4 DAVID EDWIN POWER
5 JUDGE OF THE SUPERIOR COURT, JUVENILE DIVISION
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Standing Order 2002- 7
Re: Release of Confidential Information to Financial
Hearing Officer

IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA: 03

IN SESSION AS A JUVENILE COURT

CHARLES D. RAMEY

By Patsy Worcester
DEPUTY CLERK

IN THE MATTER OF:

STANDING ORDER

RELEASE OF JUVENILE RECORDS TO BE
USED IN THE SOLANO COUNTYWIDE
FOSTER YOUTH SERVICES PROGRAM

2002-9

Juvenile Court Standing Order Misc J 535 issued March 6, 2001, is vacated and reissued nunc pro tunc as Standing Order 2002- 9 effective August 1, 2002.

WHEREAS, the Solano County Office of Education Foster Youth Services Program (the Program) is intended to make foster youth services more readily available to foster children and youth that are under the jurisdiction of the County of Solano; and,

WHEREAS, in order to develop a database of foster children and youth under the jurisdiction of the County of Solano, determine the services required and provide such services, the Program has a need to access certain records and information regarding the foster children and youth under the jurisdiction of the County of Solano; and

WHEREAS, it is recognized that such records and information may be confidential and may be released by court order; and

WHEREAS, it is the intent of the court to allow access to and use of such records to the extent necessary for the purposes of the Program and the delivery of services to the foster children and youth of this community;

IT IS ORDERED AS FOLLOWS:

1. Records and information regarding foster children and youth under the

Standing Order 2002-9
Re: Release of Records to Solano Countywide Foster
Youth Services Program

VACATED
See Effective July 1, 2011
Standing Order 2011-006

1 jurisdiction of the County of Solano and maintained by any agency for the purpose of the
2 delivery of services to the foster children under the jurisdiction of the County of Solano shall be
3 released to the representatives of the Program.

4 2. The records or information required for the Program may be transmitted
5 electronically if the Solano County Office of Education establishes a method of transmission that
6 assures the confidentiality of the information.

7 3. Any person or agency receiving the records and information referred to in this
8 order or allowed access to the records and information maintained by the Program shall maintain
9 the confidentiality of these records and information and shall use such records and information
10 only to the extent necessary for the purposes of the Program or for the delivery of services to the
11 foster child or youth.

12 4. The Solano County Office of Education shall be responsible to assure that all
13 persons and agencies involved in the Program are provided with a copy of this Order.

14 Dated: 8/2/02

15
16 
17 DAVID EDWIN POWER
18 Judge of the Superior Court, Juvenile Division

VACATED
Effective July 1, 2011
See Standing Order 2011-006

27 Standing Order 2002- 9

28 Re: Release of Records to Solano Countywide Foster
Youth Services Program

IN THE SUPERIOR COURT OF SOLANO, STATE OF CALIFORNIA

FILED
SOLANO COUNTY COURTS

IN SESSION AS A JUVENILE COURT 02 AUG -2 PM 4:09

CHARLES D. RAMEY

By: *Patricia Worcester*
DEPUTY CLERK

IN THE MATTER OF:)

) STANDING ORDER

)
) RELEASE OF SCHOOL RECORDS TO)
) SOLANO COUNTY PROBATION)
) (Education Code section 49077))

) 2002- 10

The Juvenile Standing Order Misc J 38 issued on September 15, 1984, is hereby vacated and reissued *nunc pro tunc* as Standing Order 2002- 10 effective August 1, 2002.

Having found that it is necessary to have access to any and all student information for Juvenile Court purposes in making detention, dispositional and placement decisions regarding wards of the court and dependent children of the court, the court hereby orders as follows:

That all school personnel are hereby ordered to provide any student information to any member of the Solano County Probation Department upon request in order that said members of said department may perform the investigative and supervisory functions mandated by the above-entitled court.

This order shall remain in full force and effect until modified or rescinded by the above-entitled court.

Dated: 8/2/02

David Edwin Power

DAVID EDWIN POWER
JUDGE OF THE SUPERIOR COURT, JUVENILE DIVISION

VACATED JULY 1, 2017
See Effective Order 2017-007

1 IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA

FILED
SOLANO COUNTY COURTS

2 IN SESSION AS A JUVENILE COURT

02 AUG -2 PM 4: 07

CHARLES D. RAMEY

By Patsy Worcester
DEPUTY CLERK

3
4 IN THE MATTER OF:

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6 TOXICOLOGY TESTING FOR DRUG EXPOSED
7 CHILDREN SUBJECT TO JUVENILE LAWS.
(Welfare and Institutions Code Section 369(d))

STANDING ORDER

2002- 11

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10 The Juvenile Court Standing Order Misc J 505 issued on October 19, 2000, is hereby
11 vacated and reissued *nunc pro tunc* as Standing Order 2002- 11 effective August 1, 2002.

12 THE JUVENILE COURT OF THE COUNTY OF SOLANO finds that when children are
13 taken into protective custody by law enforcement officials or Solano County Health and Social
14 Services Child Welfare Division social workers due to alleged child endangerment through the
15 children's presence at an illegal manufacturing and/or distribution site for methamphetamine or
16 other illegal substance, it is important to determine the extent of each child's toxic exposure to
17 the chemicals used in the production of the methamphetamine or illegal drug or to the
18 methamphetamine or illegal drug itself to ensure that each child's medical needs are met.

19 THEREFORE, IT IS ORDERED that:

20 1. When a child is placed into protective custody by Solano County law enforcement
21 officials or Child Welfare Services Division, due to alleged child endangerment through
22 exposure or suspected exposure to the manufacture, production or use of methamphetamine or
23 other illegal substance or the chemicals involved in the manufacture or production of
24 methamphetamine or other illegal substance; that child shall be immediately tested by trained
25 medical personnel to assess the minor for the ingestion or assimilation of chemicals and drugs.
26 Follow-up medical treatment and care shall be obtained as directed by the medical personnel.

27 2. The testing shall consist of the analysis of urine, blood, or hair; with the least

28 Standing Order 2002- 11
Re: Toxicology Testing for Drug Exposed Children

VACATED
Effective July 1, 2011
See Standing Order 2011-008

1 invasive testing method to be used to secure medically accurate and timely results.

2 3. Parental consent to such testing shall be sought and such efforts shall be
3 documented in the case records. However, if no parent or guardian is available, capable or
4 willing to authorize such medical procedures, a Solano County Child Welfare Division social
5 worker may authorize such testing due to the emergency nature of the need for medical
6 assessment and treatment, pursuant to Welfare and Institutions Code section 369(d).

7 4. All of the results and documentation of the medical testing conducted pursuant to
8 this order shall be deemed confidential; however, such information may be released to law
9 enforcement officials, the Solano County Health and Social Services Child Welfare Division, the
10 child's counsel and the child's parents and their counsel.

11 Dated: 8/2/02

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13 
14 DAVID EDWIN POWER
15 JUDGE OF THE SUPERIOR COURT, JUVENILE DIVISION

VACATED
Effective July 1, 2011
See Standing Order 2011-008

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

In the Matter of

SOLANO COUNTY JUVENILE COURT
STANDING ORDER 2004-01

STANDING ORDER SEALING FILE
UPON SUCCESSFUL COMPLETION OF
DEFERRED ENTRY OF JUDGMENT

[Welfare and Institutions Code § 793(c)]

REVOKED
Effective January 1, 2011

1. This standing order shall be applied to every case in which the minor has successfully completed his or her Deferred Entry of Judgment pursuant to Welfare and Institutions Code §§790-795 that has not already been sealed.
2. The wardship petition of the minor shall be dismissed and the arrest upon which the judgment was deferred shall be deemed to never have occurred.
3. The Solano County Superior Court Clerk shall cause any records in the possession of the juvenile court to be sealed pursuant to Welfare and Institutions Code §793(c). However, the prosecuting attorney and probation department of any county shall have access to the sealed file for the limited purpose of determining whether the minor is eligible for deferred entry of judgment pursuant to Welfare and Institutions Code §790.
4. A copy of this order shall be filed in every file that is sealed pursuant to this order.

Date: 6/17/04

[Signature]
GARRY T. ICHIKAWA
PRESIDING JUDGE OF THE JUVENILE COURT

1 DENNIS BUNTING # 055499
County Counsel
2 WENDY GETTY, # 161311
Assistant County Counsel
3 Office of the County Counsel
4 580 Texas Street
Fairfield, California 94533
5 Telephone: (707) 421-6140
Facsimile: (707) 421-6862

01-09-11 PM 1:26
C. Cloughridge

6 Attorneys for
7 SOLANO COUNTY DEPARTMENT OF
CHILD SUPPORT SERVICES

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SOLANO

10 In Re the All Matters Involving)
11 the Solano County Department of)
12 Child Support Services)

CASE No. 2011-02
STANDING ORDER
REGARDING NOTICE OF
CHANGE OF ADDRESS OF
SOLANO COUNTY DEPARTMENT
OF CHILD SUPPORT SERVICES

VACATED
Effective January 1, 2011

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18 **TO ALL PARTIES IN MATTERS INVOLVING THE SOLANO COUNTY**
19 **DEPARTMENT OF CHILD SUPPORT SERVICES:**

20 WHEREAS, the Solano County Department of Child Support Services has relocated its
21 Fairfield Office;

22 WHEREAS, California Rules of Court, rule 385, requires an attorney to give notice of a
23 change of address;

24 WHEREAS, providing notice to each and every litigant in every pending or ongoing case
25 will be unduly burdensome and expensive to the Solano County Department of Child Support
26 Services;

27 WHEREAS, numerous resources exist that provide actual notice of the substituted
28 address, including a website, dedicated telephone line and answering machine and ongoing
correspondence;

1 WHEREAS, alternative means exist to provide effective notice of a change of address to
2 litigants;

3 Good cause appearing therefor, it is ordered as follows:

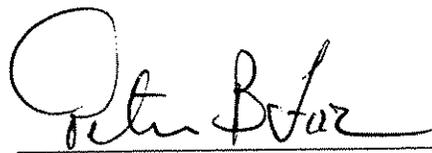
4 1. Effective immediately, all papers and documents in actions or proceedings in
5 which the Solano County Department of Child Support Services is a party pending in the Solano
6 County Superior Court shall be served at the address set forth below:

7 **Solano County Department of Child Support Services**
8 **435 Executive Court North**
9 **Fairfield, CA 94534**

10 2. In lieu of individual notices to each litigant in each ongoing or pending matter,
11 notice of this Order shall be given to the public by posting a copy of same in the Courthouse in a
12 place reserved for public notices for a period of not less than 90 days and by publication of a
13 copy of this order in a newspaper of general circulation, published in the County of Solano, that
14 is most likely to give notice to litigants in the above described proceedings. Except as set forth
15 herein, no other notice of change of address must be given by the Solano County Department of
16 Child Support Services.

17 IT IS SO ORDERED.

18
19 10/6/04
Dated

20 
21 _____
22 Judge of the Superior Court

VACATED
Effective January 1, 2011

FILED
Clerk of the Superior Court

JUN 23 2010

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

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

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. 2002-8 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 767, 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.¹
- 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 ¹ 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 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.

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

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

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

15 VI. PROTECTIVE ORDER

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

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

- 24 a. The records are used in a proceeding to declare the minor who is the
- 25 subject of the records a dependent child or ward of the juvenile court;
- 26 b. The records are released to immediate office staff, clients, expert
- 27 witnesses and investigators retained for the purposes of the pending
- 28 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
26
27
28

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 not 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: Aug 18, 2010



18 _____
19 ROBERT C. FRACCHIA
20 Presiding Judge of the Superior Court
21 Juvenile Division
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1
2 IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA

3 JUVENILE COURT DIVISION

FILED
Clerk of the Superior Court

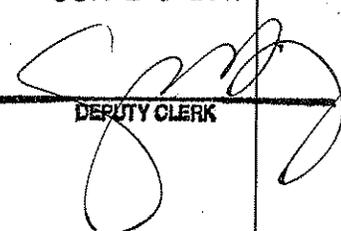
JUN 17 2011

4
5 In the Matter of

) STANDING ORDER

6 STANDING ORDER AUTHORIZING
7 MENTAL HEALTH EVALUATION
8 AND/OR TREATMENT FOR
9 DEPENDENT CHILDREN OR MINORS
PLACED INTO PROTECTIVE CUSTODY
BY CHILD WELFARE SERVICES

) 2011-001

By 
DEPUTY CLERK

10
11 To expedite the assessment and treatment of mental health needs of minors
12 who are in need of crisis mental health services after being taken into protective
13 custody and prior to any juvenile court intervention, it is hereby ordered that the Child
14 Welfare Services Division of Solano County Health and Social Services, may
15 authorize mental health treatment for minors as specified in this order. Nothing in this
16 Standing Order shall allow Child Welfare Services to consent to placement of a minor
17 in an inpatient psychiatric facility, or to the prescription or administration of
18 psychotropic medications for a minor, absent the written consent of the minor's parent
19 or guardian when permitted by law, or a specific order of this Court.

20 This authority is given in all cases in which the minor's parent or guardian is
21 unavailable, unable or unwilling to execute such documents.

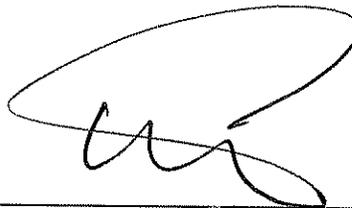
22 At the time a minor is taken into protective custody, all reasonable efforts shall
23 be made to obtain the consent of the parent or legal guardian for ongoing mental
24 health care while the minor is detained. Child Welfare Services shall maintain records
25 of its efforts to obtain consent for treatment. If consent cannot be obtained with

1 reasonable efforts, Child Welfare Services is authorized to consent on behalf of the
2 minor to any routine, ongoing or emergency mental health care which will protect and
3 promote the minor's mental well being. Child Welfare Services shall have the
4 authority to execute any documents required by the treating provider which are
5 consistent with the scope of this order, including specific consents required by the
6 provider for:

- 7 (1) assessment;
- 8 (2) treatment;
- 9 (3) sharing of information;
- 10 (4) determination and eligibility; and
- 11 (5) provision of payment of services.

12
13 Dated:

5/25/11



14 PRESIDING JUDGE OF THE
15 JUVENILE COURT

1
2 IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA
3 JUVENILE COURT DIVISION
4

FILED
Clerk of the Superior Court

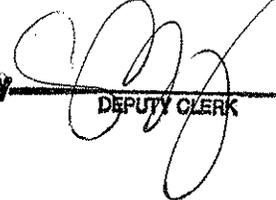
JUN 17 2011

5
6 In the Matter of

) STANDING ORDER

7 ORDER RE: RELEASE OF PROBATION)
8 FILES AND INFORMATION REGARDING)
9 PARENTS WITH CHILDREN UNDER)
10 THE JURISDICTION OF THE JUVENILE)
11 COURT)

) 2011-002

By  DEPUTY CLERK

12 Pursuant to the provisions of California Penal Code section 1203.10 and the
13 holdings in *McGuire v. Superior Court* (1993) 12 Cal.App.4th 1685 and *People v.*
14 *Gayton* (2006) 137 Cal.App.4th 96, the Court finds good cause to issue the following
15 order regarding access to Probation Department files regarding adults who have
16 children under the jurisdiction of the Solano County Juvenile Court. ON GOOD
17 CAUSE APPEARING, IT IS ORDERED THAT:

18 1. The Solano County Department of Health and Social Services, Child
19 Welfare Services Division, is authorized to obtain verbal information from the Probation
20 Department and/or view the Probation Department's file concerning the parent, and
21 may make photocopies of documents contained in the file that are relevant to the
22 pending juvenile court proceeding as determined by the reviewing Child Welfare
23 Services worker.
24
25

1 2. A separate court order upon motion and a showing of good cause must
2 be obtained for disclosure of documents in the Probation Department's file which
3 contain:

4 (a) information regarding victims that is not already included in a probation
5 report,

6 (b) statements made in confidence to a probation officer by a non-party to the
7 pending proceeding,

8 (c) medical and mental health records, including psychological/psychiatric
9 evaluations, and

10 (d) medical records concerning the defendant. For purposes of this Standing
11 Order, the Probation Department File means the physical file maintained in the
12 Probation Department and any notes maintained in the automated case management
13 system.

14 3. All file reviews shall be conducted in the presence of a probation officer,
15 by appointment made at least 48 hours in advance, at the Probation Department office
16 or at another mutually agreeable location.

17 4. No original documents may be removed from the Probation Department's
18 file by Child Welfare Services Division staff.

19 5. The use of the information contained in the Probation Department's file is
20 limited to the Juvenile Court proceedings involving the parent's minor child(ren). No
21 information obtained pursuant to this Standing Order shall be used for any other
22 purpose without further Court orders.

23 6. The Probation Department may, in its sole discretion, require proof that
24 the person requesting to obtain information or view and copy a Probation Department
25 file is an authorized representative of the Department of Health and Social Services,

1 Child Welfare Services Division and that there are pending Juvenile Court proceedings
2 involving the individual(s) minor child(ren).

3
4 Dated:

5/25/11



PRESIDING JUDGE OF THE
JUVENILE COURT

1 IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA
2 JUVENILE COURT DIVISION

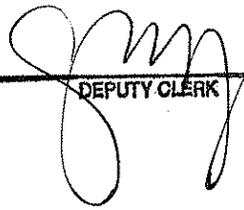
3 **FILED**
Clerk of the Superior Court

JUN 17 2011

4 In re:

5)
6 STANDING ORDER TO FACILITATE)
7 CHILD WELFARE SERVICES DISASTER)
8 RESPONSE PLAN)

STANDING ORDER
2011-003

By  DEPUTY CLERK

9
10 It is ordered that in the event that Solano County is declared a disaster area by
11 the Governor of the State of California and the Presiding Judge of the Juvenile Court or
12 his designee is not available to conduct regular court business; Solano County Child
13 Welfare Services is authorized to take the action listed below pursuant to this standing
14 order to ensure the safety and protection of the children within Solano County:

- 15 1. **Authorization to Place in Temporary Custody:** Child Welfare Services
16 may place into temporary protective custody any minor in need of
17 services.
- 18 2. **Personal Identification of Minor Children:** Child Welfare Services may
19 release a minor's personal identifying information, including but not
20 limited to name, age, gender, birth date and photograph to assist in
21 locating or placing a minor.
- 22 3. **Placement of Minor Children:** Child Welfare Services may place minors
23 in emergency housing in or outside of the county and state and may
24 temporarily place minors with relatives and non-relatives who have not
25 been live-scanned.

1
2 IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA

3 JUVENILE COURT DIVISION

FILED
Clerk of the Superior Court

4
5 In the Matter of
6 THE EXCHANGE OF INFORMATION
7 PERTAINING TO JUVENILES AMONG
8 MEMBERS OF MULTIDISCIPLINARY
9 TEAMS.

) STANDING ORDER

JUN 17 2011

) 2011-004

By 
DEPUTY CLERK

10 The Juvenile Standing order Misc. 2002-4 issued on August 1, 2002, is hereby
11 vacated and reissued *nun pro tunc* as Standing Order 2011-004 effective July 1, 2011.

12 Pursuant to the provisions of Welfare and Institutions Code section 18986.40, the
13 Solano County Probation Department and the Solano County Department of Health and
14 Social Services, Division of Mental Health, have adopted a Memorandum of
15 Understanding (MOU) establishing a multidisciplinary team (MDT) to provide services to
16 minors coming within the jurisdiction of the juvenile court.

17 The MOU specifies the type of information that may be shared, and sets forth a
18 process which ensures the maximum protection of privacy and confidentiality rights by
19 requiring each team member to maintain the same confidentiality obligations, and be
20 subject to the same penalties as the persons disclosing confidential information.

21 Pursuant to the establishment of the MDT, and to further the treatment plans and
22 the delivery of services through the coordination of care to minors falling under the
23 jurisdiction of the Juvenile Court and their families, the Court makes the following
24 orders:
25

1 1. Each member of the MDT is hereby authorized to share medical, mental
2 health, social service and education information regarding the minor in order to provide
3 services to the minor, pursuant to the terms of the MOU.

4 2. No information shared among members of the MDT may be disclosed to
5 anyone other than members of the MDT and collateral service providers as defined by
6 Welfare and Institutions Code section 18986.40.

7
8 Dated: 5/25/11



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PRESIDING JUDGE OF THE
JUVENILE COURT

1 10850, each and every Solano County Superior Court Investigator or Child Welfare
2 Services worker, upon verification of employment and assignment to investigate the
3 guardianship or dependency matter under the jurisdiction of the Solano County Superior
4 Court, shall be given access to information pertaining to the minor, minor's family of
5 origin, the minor's guardian or prospective guardian as follows:

6 1. Any and all records maintained by the Solano County Health and Social
7 Services, Child Welfare Division, including but not limited to referrals, emergency
8 response investigative reports, court reports, evaluation, etc., pertaining to the minor,
9 the guardian or prospective guardian.

10 2. Any reports, recommendations, assessments prepared by a multi-
11 disciplinary team convened for the purpose of assessing and making recommendations
12 regarding a family or family group which includes the minor who is the subject of the
13 guardianship investigation.

14 3. Any and all school records pertaining to the minor who is the subject of the
15 guardianship investigation.

16 4. Any and all health records pertaining to the minor who is the subject of the
17 guardianship investigation.

18 5. Any and all mental health records pertaining to the minor who is the
19 subject of the guardianship investigation.

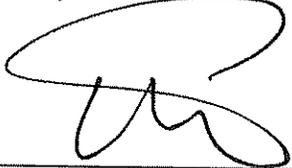
20 6. Any and all substance abuse records pertaining to the minor who is the
21 subject of the guardianship investigation.

22 7. Any and all court documents contained in a Solano County Superior Court
23 Probate Guardianship file on a minor who is subject to the jurisdiction every
24 representative of the Solano County Superior Court Dependency action Department of
25 Health and Social Services, Child Welfare Services Division, upon showing proof of

1 employment and verification of an open juvenile dependency case, shall be entitled to
2 receive copies of all court documents, including any Court Investigator's reports
3 submitted on behalf of the minor, regarding a guardianship of any minor child regarding
4 whom a Juvenile Dependency case has been filed.

5 8. Each party shall maintain the confidentiality of the records reviewed,
6 inspected or copied pursuant to this order. Any information obtained from these
7 records shall not be disseminated except in the court proceedings for which they were
8 obtained. Any copies or records obtained by the Court Investigator shall be destroyed
9 upon termination of the proceedings for which they were obtained.

10
11 Dated: 5/25/11

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13 _____
14 PRESIDING JUDGE OF THE
15 JUVENILE COURT
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3
4 IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA
5 JUVENILE COURT DIVISION

FILED
Clerk of the Superior Court

JUN 17 2011

By 
DEPUTY CLERK

6
7 In the Matter of) STANDING ORDER
8 EXCHANGE & RELEASE OF JUVENILE) 2011-006
9 RECORDS TO BE USED IN THE)
10 SOLANO COUNTYWIDE FOSTER)
11 YOUTH SERVICES PROGRAM)
12 (Education Code section 488850 et seq,)
13 Welfare & Institutions Code 827,)
14 California Rules of Court, rule 5.552))

13 Juvenile Court Standing Order 2002-9 issued on August 1, 2002, is hereby
14 vacated and reissued as Standing Order No. 2011-006 effective July 1, 2011.

15 WHEREAS, the Solano County Office of Education Foster Youth Services
16 Program (FYS) is intended to make foster youth educational services more readily
17 available to foster children and youth that are under the jurisdiction of the County of
18 Solano in compliance with the requirements established under AB 490; and

19 WHEREAS, in order to develop a database of foster children and youth under
20 the jurisdiction of the County of Solano, determine the educational services required
21 and provide such services, FYS has a need to access certain records and information
22 regarding the foster children and youth under the jurisdiction of the County of Solano;
23 and

24 WHEREAS, it is recognized that such records and information may be
25 confidential and may be released by court order; and

1 WHEREAS, it is the intent of the court to allow access to and use of such
2 records to the extent necessary for the purposes of FYS and the delivery of
3 educational services to the foster children and youth of this community;

4 IT IS ORDERED AS FOLLOWS:

5 1. Educational records and any other records necessary to ensure that the
6 educational needs of children and youth taken into protective custody by Child Welfare
7 Services or who come under the jurisdiction of the juvenile court; may be exchanged
8 between schools, school districts, community colleges, community college districts,
9 Solano County Office of Education and Child Welfare Services.

10 2. Records and information regarding foster children and youth under the
11 jurisdiction of the County of Solano and maintained by any agency for the purpose of
12 the delivery of educational services to the foster children under the jurisdiction of the
13 County of Solano shall be released to the representatives of FYS.

14 3. The records subject to this Order shall consist of health and education
15 records as described in Welfare and Institutions Code section 16010(a).

16 4. Copies of this Order shall be distributed to:

17 a. County of Solano, Health and Social Services Department, Child
18 Welfare Services, Mental Health, and Public Health,

19 b. County of Solano, Probation Department,

20 c. County of Solano, Office of Education,

21 d. All school districts in the County of Solano,

22 e. All Directors of Special Education Local Plan Areas (SELPA) in
23 the County of Solano,

24 f. All private and charter schools in the County of Solano,

25 g. Any community college district or community college.

1 h All other educational institutions serving foster youth in the County,
2 of Solano County,

3 i. All foster care providers and foster family agencies in the County
4 of Solano County,

5 j. All Regional Centers for the Developmentally Disabled in the
6 County of Solano County,

7 k. CASA of Solano County,

8 l. All attorneys representing clients in Juvenile Court matters;

9 m. ICWA Tribal Advocates,

10 n. All out-of-county Foster Youth Services Coordinators; and

11 o. All out-of-county providers who serve Solano County wards and
12 dependents.

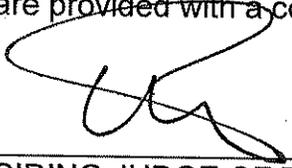
13 5. FYS representative may share information with the persons and agencies
14 listed in the preceding paragraph if: (1) such disclosure will be in the best interest of the
15 minor whose records are sought and (2) the information contained in those records is
16 necessary and relevant to the provision of services to the foster youth.

17 6. The records or information subject to this order may be transmitted
18 electronically if the transmitting party establishes a method of transmission that
19 ensures the confidentiality of the record or information.

20 7. Any person or agency receiving the records and information referred to in
21 this order or allowed access to the records and information maintained by FYS shall
22 maintain the confidentiality of these records and information and shall use such records
23 and information only to the extent necessary for the purposes of FYS or for the delivery
24 of educational services to the foster child or youth.

1 8. The Solano County Office of Education shall be responsible to ensure
2 that all persons and agencies involved with FYS are provided with a copy of this Order.

3
4 Dated: 5/25/11



5 _____
6 PRESIDING JUDGE OF THE
7 JUVENILE COURT

1
2 IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA

3 JUVENILE COURT DIVISION

4 In the Matter of

) STANDING ORDER

FILED
Clerk of the Superior Court

) 2011-007

JUN 17 2011

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RELEASE OF SCHOOL RECORDS TO
SOLANO COUNTY PROBATION AND
SOLANO COUNTY HEALTH AND
SOCIAL SERVICES, CHILD WELFARE
SERVICES DIVISION
(Education Code section 49077)

By 
DEPUTY CLERK

Juvenile Court Standing Order 2002-10 issued August 1, 2002 is hereby vacated
and reissued as Juvenile Court Standing Order 2011-007, effective July 1, 2011.

Having found that it is necessary to have access to any and all student
information for Juvenile Court purposes in making pre-detention, detention, dispositional
and placement decisions regarding wards and dependent children of the court, the
Court hereby orders that:

1. The Solano County Probation Department or the Solano County Department of
Health and Social Services, Child Welfare Services division employee is authorized to
access student education records pertaining to a minor who has been taken into
protective custody, detained by the juvenile authorities or the Court or declared a
juvenile court ward or dependent in order for the department to(s) perform the
investigative and supervisory functions mandated by the above-entitled court .

2. This order shall remain in full force and effect until modified or rescinded by the
above-entitled court.

Dated: 5/25/11



PRESIDING JUDGE OF THE
JUVENILE COURT

1
2 IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA

3 JUVENILE COURT DIVISION

FILED
Clerk of the Superior Court

JUN 17 2011

5 In the Matter of

) STANDING ORDER

6 TOXICOLOGY TESTING FOR DRUG
7 EXPOSED CHILDREN SUBJECT TO
8 JUVENILE LAWS
(Welfare & Institutions Code section
369(d)

) 2011-008

By 
DEPUTY CLERK

10
11 Juvenile Court Standing Order 2002-11 issued August 1, 2002 is hereby vacated
12 and reissued as Juvenile Court Standing Order 2011-008, effective July 1, 2011.

13 The Juvenile Court of the County of Solano finds that when children are taken
14 into protective custody by law enforcement officials or Solano County Health and Social
15 Services Child Welfare Division social workers due to alleged child endangerment
16 through the child's exposure to the illegal manufacturing, distribution or use of
17 methamphetamine or other illegal substance, it is important to determine the extent of
18 each child's toxic exposure to the chemicals used in the production of the
19 methamphetamine or illegal drug or to the methamphetamine or illegal drug itself to
20 ensure that each child's medical needs are met.

21 THEREFORE, IT IS ORDERED that

22 1. When a child is placed into protective custody by Solano County law
23 enforcement officials or Child Welfare Services Division, due to alleged child
24 endangerment through exposure or suspected exposure to the manufacture, production
25 or use of methamphetamine or other illegal substance, or the chemicals involved in the

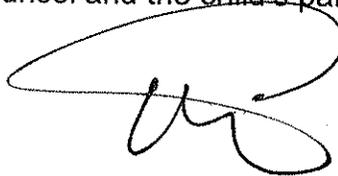
1 manufacture or production of methamphetamine or other illegal substance; at the
2 discretion of Solano County Health and Social Services, Child Welfare Division that
3 child may be immediately tested by trained medical personnel to assess the minor for
4 the ingestion or assimilation of chemicals and drugs. Follow-up medical treatment and
5 care shall be obtained as directed by the medical personnel.

6 2. The testing may consist of the analysis of urine, blood, or hair, with the
7 least invasive testing method to be used to secure medically accurate and timely
8 results.

9 3. Parental consent to such testing shall be sought and such efforts shall be
10 documented in the case records. However, if no parent or guardian is available,
11 capable or willing to authorize such medical procedures, a Solano County Child Welfare
12 division social worker may authorize such testing due to the emergency nature of the
13 need for medical assessment and treatment, pursuant to Welfare and Institutions Code
14 section 369(d).

15 4. All of the results and documentation of the medical testing conducted
16 pursuant to this order shall be deemed confidential; however, such information may be
17 released to law enforcement officials, the Solano County Health and Social Services
18 Child Welfare Division, the child's counsel and the child's parents and their counsel.

19
20 Dated: 5/25/11



21
22 _____
PRESIDING JUDGE OF THE
JUVENILE COURT

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**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

15.18 – 15.49 [RESERVED]

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Rule 15 – Guardianships and Conservatorships

PART TWO: Conservatorships

15.50 CONSERVATORSHIP MATTERS TO WHICH RULE 15 APPLIES

Unless otherwise stated in an individual rule, Rule 15 shall apply to all conservatorship matters brought pursuant to the Probate Code. It does not apply to LPS conservatorships brought pursuant to Welfare & Institutions Code section 5000 et seq.

(Rule 15.50 adopted effective July 1, 2009.)

15.51 CONTINUANCE OF HEARING WHERE CONSERVATEE NOT SERVED WITH CITATION

If the proposed conservatee has not been served with the citation as required by Probate Code section 1824, the petitioner shall notify the court and all persons entitled to notice at least 15 days prior to the hearing and request a new hearing date. The original citation shall be filed showing no service and an amended citation shall be issued with the new hearing date. The petitioner shall also serve a notice to all interested persons of the new hearing date.

(Rule 15.51 adopted effective July 1, 2009; previously adopted as portion of Rule 7.69 effective July 1, 1988.)

15.52 ADDITIONAL REQUIREMENTS FOR PROPOSED CONSERVATORS PRIOR TO ISSUANCE OF LETTERS

a. Pursuant to Probate Code section 1834, subsection (b), Solano County requires that a conservator provide the court with the conservator's Social Security number and driver's license numbers. A conservator shall be deemed to have complied with this requirement by submitting a fully completed and signed Confidential Conservator Screening Form (Judicial Council form GC-314) to the Court Investigators Office as part of the initial conservatorship investigation process. This requirement shall not apply to the Public Guardian.

(Subd. (a) relettered and amended effective July 1, 2011.)

b. All proposed conservators shall view the video *With Heart: Understanding Conservatorships*, prior to the initial hearing on the petition, and shall file an affidavit under penalty of perjury stating they have complied with this requirement. This requirement shall not apply to the Public Guardian.

(Subd. (b) adopted effective July 1, 2011.)

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PART TWO: Conservatorships

(Rule 15.52 amended effective July 1, 2011; previously adopted as portion of Rule 7.69 effective July 1, 1988; adopted effective July 1, 2009.)

15.53 COURT INVESTIGATOR

a. **AUTOMATIC APPOINTMENT OF COURT INVESTIGATOR**

The court automatically appoints the court investigator to conduct investigations into probate conservatorships and proposed probate conservatorships.
(Subd (a) adopted effective July 1, 2009.)

b. **SERVICE OF DOCUMENTS ON COURT INVESTIGATOR UPON COMMENCEMENT OF THE PROCEEDING**

Immediately upon the filing of a Petition for Appointment of Temporary Conservator or Petition for Appointment of Probate Conservator, the petitioner or the petitioner's attorney must submit the following documents to the Court Investigators Office:

- (1) Notice of Hearing – Guardianship or Conservatorship (Judicial Council form GC-020);
- (2) A copy of the Petition for Appointment of Probate Conservator (Judicial Council form GC-311);
- (3) A copy of the Petition for Appointment of Temporary Conservator (Judicial Council form GC-111), if one was filed; and,
- (4) The Confidential Conservator Screening Form (Judicial Council form GC-314).

The documents shall be delivered or mailed to:

Court Investigators Office
Superior Court of California, County of Solano
600 Union Avenue
Fairfield, California 94533

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

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Rule 15 – Guardianships and Conservatorships

PART TWO: Conservatorships

**c. SERVICE OF PETITIONS AND OTHER DOCUMENTS ON COURT INVESTIGATOR
AFTER APPOINTMENT OF CONSERVATOR**

A copy of any pleadings or documents filed in the court file shall be immediately provided to the Court Investigators Office by the party or attorney filing said pleadings or documents.

(Subd (c) adopted effective July 1, 2009.)

d. DUTY TO UPDATE INFORMATION GIVEN TO INVESTIGATOR

The petitioner must advise the investigating office of any changes to the contact information of the conservatee or proposed conservatee.

(Subd (d) adopted effective July 1, 2009.)

e. DUTY TO COOPERATE WITH INVESTIGATOR

All parties, including but not limited to the petitioner, proposed or appointed conservator, conservatee or proposed conservatee, and any attorneys for the parties, including appointed counsel for the conservatee or proposed conservatee, 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 (e) adopted effective July 1, 2009.)

(Rule 15.53 adopted effective July 1, 2009; previously adopted as Rule 7.70 effective July 1, 1988.)

15.54 COURT INVESTIGATOR FEES

a. COURT INVESTIGATOR FEES GENERALLY

A fee for the services of the Court Investigators Office shall be imposed upon the person(s) so responsible for payment per Probate Code section 1851.5. The rate of this fee depends on the nature of the investigation and is determined by the court on an annual basis. All rates are subject to change. The amount of the fee payable shall be determined by the fee schedule in effect on the date the petition triggering the investigation is filed, the date the accounting being reviewed is filed, or the due date of any reviews mandated by law. A list of current fees is available from the Court Investigators Office or the Family Law Clerk's Office. The assessed fee is payable within 30 days after the Assessment and Order for Payment is mailed by the Court Investigators Office.

(Subd (a) amended effective January 1, 2010; adopted effective July 1, 2009.)

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b. PAYMENT OF COURT INVESTIGATOR FEES

Any and all assessments not waived by the court shall be paid to the court.
(Subd (b) adopted effective July 1, 2009.)

c. DEFERRAL OR WAIVER OF COURT INVESTIGATOR FEES

Upon application by the conservator or proposed conservator or the conservatee or proposed conservatee, the court may defer or waive a portion or all of the assessed court investigator fees if the court finds that ordering payment of the assessed fees at the time of the assessment would constitute a hardship for the conservatee or conservatee's estate pursuant to Probate Code section 1851.5. The court may also defer fees pursuant to Probate Code section 2628. There shall be a rebuttable presumption that the assessed court investigator fees constitute a hardship on a conservatee or proposed conservatee if the conservatee qualifies for a fee waiver under Government Code section 68630 et seq. The court shall review the conservatee's ability to pay the assessed fee at every review of the conservatorship. If the court finds the conservatee is able to pay the fee at the time of a review, or if the court otherwise becomes aware of a change in circumstances permitting payment of the fees by the conservatee, the court shall order the fees paid.

(Subd (c) adopted effective July 1, 2009.)

(Rule 15.54 amended effective January 1, 2010; adopted effective July 1, 2009.)

15.55 APPOINTMENT OF COUNSEL FOR CONSERVATEE

a. ELIGIBILITY FOR INITIAL APPOINTMENT

An attorney wishing to be considered for appointment on any conservatorship case on or after January 1, 2008, must comply with California Rules of Court, rule 7.1101, and submit a request to the court to be placed on the panel of appointed attorneys in conservatorship cases. The request must be accompanied by a Certification of Attorney Concerning Qualifications For Court Appointment in Conservatorships or Guardianships (Judicial Council form GC-010). An attorney whose application is approved by the court is thereafter eligible for appointment in conservatorship cases.

(Subd (a) adopted effective July 1, 2009.)

b. RENEWAL OF ELIGIBILITY FOR APPOINTMENT

An attorney who is eligible for appointment in conservatorship cases pursuant to rule 15.55, subdivision (a), shall certify to the court by March 31 of each year

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following the attorney’s initial approval that he or she has completed the education requirements set forth in California Rules of Court, rule 7.1101. The certification shall be on the Annual Certification of Court-Appointed Attorney form (Judicial Council form GC-011). Failure to timely comply with the certification requirements or with the education requirements in rule 7.1101 shall result in the removal of the attorney from the approved panel of appointed attorneys; however, the court may reinstate the attorney upon the prompt filing of an affidavit to the court demonstrating good cause why the certification was not timely submitted to the court.

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

c. COMPENSATION OF COUNSEL

Compensation of counsel appointed to represent a conservatee shall be governed by Probate Code section 1470.

(Subd (c) adopted effective July 1, 2009.)

(Rule 15.55 adopted effective July 1, 2009.)

15.56 EX PARTE APPLICATIONS FOR TEMPORARY CONSERVATORSHIP AND OTHER ORDERS

a. EX PARTE APPLICATIONS GENERALLY

Ex parte applications are extraordinary remedies. Except as set forth in an individual rule, ex parte applications for a temporary conservatorship of either the estate or the person, or for temporary orders pertaining to an existing conservatorship, are appropriate only where the applicant makes a showing per California Rules of Court, rule 7.1062 that an exception to the notice requirements is necessary to protect the conservatee or the proposed conservatee or his or her estate from immediate and substantial harm.

(Subd (a) adopted effective July 1, 2009.)

b. EX PARTE PETITION FOR APPOINTMENT OF A TEMPORARY CONSERVATOR

Unless the petitioner makes a showing of immediate and substantial harm or other good cause for an ex parte granting of a temporary conservatorship per California Rules of Court, rule 7.1062, the court ordinarily will not entertain an ex parte application for appointment of a temporary conservator, even where all those entitled to notice have joined in the petition. In cases where the court determines that immediate appointment of a temporary conservator is necessary,

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said appointment shall be governed by the provisions of Probate Code section 2250.

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

c. EX PARTE NOTICE REQUIREMENTS

(1) Before submitting an ex parte application for the court's consideration, the applicant shall comply with the procedures in Probate Code section 1051, California Rules of Court, rule 7.55, and all applicable local rules. Unless otherwise stated in the Solano County Local Rules, the applicant must comply with all requirements for a declaration setting forth that notice of the ex parte request has been given to all required persons or the reason notice has not been given. At the time of submission of the application, a completed Declaration Re Notice Upon Ex Parte Application for Orders – Conservatorships (Solano County Local Form no. 1070-C) or a declaration in substantial compliance therewith, shall accompany all applications for ex parte orders and shall be filed before the ex parte hearing. The moving party shall make available a copy of the filed Declaration Re Notice Upon Ex Parte Application for Orders to the judicial officer, and to the opposing party or attorney if one appears, at the time of the ex parte hearing, or the ex parte hearing may be ordered rescheduled.

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

(2) Unless otherwise ordered by the court, notice of the ex parte application for temporary orders shall be given by the petitioner to all those who are entitled to notice per Probate Code section 2250, subsection (e). The notice shall include the date, time, and place the request will be made, a summary of the relief requested, and the facts upon which the request will be made. In its discretion, the court may require that the entire moving papers package be served in a prescribed manner upon another party, interested person, or his or her attorney, at a specified time before the ex parte hearing. Notice may be excused pursuant to these rules.

(Subd (2) adopted effective July 1, 2009.)

(Subd (c) adopted effective July 1, 2009.)

d. DECLARATION OF DUE DILIGENCE

If a petitioner cannot locate a relative or other person for whom notice is required, the petitioner shall file a Declaration of Due Diligence (Solano County Local Form no. 3705) or a substantially equivalent declaration which complies with this

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rule. The declaration must specify the name of the relative or other person whose whereabouts are unknown, the last known address of the person, the approximate date when the person was last known to reside at that address, all efforts undertaken to identify and locate the person, and any facts that explain why the person cannot be located. At a minimum, the petitioner shall make all of the following efforts and state the results in the declaration:

- (1) Search the public records in any county where the person was last known or believed to reside, including real and personal property indexes in the recorder's and assessor's offices, the local telephone directory and directory assistance, the county's voter registration, the county's vital statistics office, and any non-confidential court files concerning or involving the person;
- (2) Search all appropriate Internet search engines;
- (3) Inquiry of the person's current or former employer(s);
- (4) Inquiry of the person's current or former landlord(s) and neighbors;
- (5) Inquiry of the person's last known residential address and any neighbors of that address;
- (6) Inquiry of any relatives, friends, or other individuals who might have knowledge of the person's whereabouts; and,
- (7) Inquiry of any appropriate county, state, and federal correctional systems in which the petitioner believes or has reason to believe the person is or may be incarcerated.

(Subd (d) adopted effective July 1, 2009.)

e. ORDER DISPENSING WITH NOTICE

A petitioner seeking an order dispensing with notice for one or more persons shall submit an Order Dispensing with Notice (Judicial Council form GC-021) to the court prior to or at the hearing on the petition for conservatorship. The court will not grant an order dispensing with notice unless the petitioner has filed a Declaration of Due Diligence pursuant to Solano County Local Rules, rule 15.56, subdivision (d).

(Subd (e) adopted effective July 1, 2009.)

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010	Family	Meet and Confer Orders	March 2008	Mandatory
165	Civil	Judgment (Default by Clerk)	September 1998	Optional
166	Civil	Judgment (Default by Court)	December 2007	Optional
168	Civil	Judgment (Trial)	October 2000	Optional
300	Family	Order After Hearing/Stipulation and Order	December 2006	Optional
303	Family	Stipulation & Order re: Partial Child Custody Evaluation	March 2000	Optional
304	Family	Parenting Orders Attachment	September 2007	Optional
306	Family	Supervised Visitation/Supervised Exchange Order	August 2002	Optional
309	Probate	Order Appointing Regional Center to Evaluate Proposed Ward or Conservatee	July 2008	Mandatory
314	Family	Time Sharing Arrangement Table	October 2007	Optional
320	Family	Order Appointing Counsel for Minors	November 2000	Optional
322	Family	Application and Order for Publication of Summons	September 2008	Mandatory
323	Family	Declaration in Support of Application for Order for Publication of Summons	September 2008	Mandatory
327	Family	Attachment to FL-327	March 2007	Mandatory

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345	Family	Order re: Testing for Alcohol or Illegal Use of Controlled Substances	July 2008	Mandatory
392	Family	Form of Papers	April 2007	N/A
397	Family	Attorney’s Declaration re Mediation Video	January 2007	Optional
399	Family	Notice of Continued Hearing	April 2007	Optional
890	Family	Status Conference Report – Family Law (Marriage/RDP)	July 2009	Mandatory (blue paper)
890-UPA	Family	Status Conference Report – Family Law (Uniform Parentage Act)	July 2009	Mandatory (blue paper)
910	Civil	Request for Extension of Time (re Proof of Service of Summons)	December 2000	Optional
920	Civil	Request for Extension of Time (re Filing Response)	December 2000	Optional
1070	Family	Declaration re Notice Upon Ex Parte Application for Orders	December 2006	Mandatory
1070-G	Probate	Declaration re Notice Upon Ex Parte Application for Orders (Guardianship)	July 2008	Mandatory
1320	Family	Declaration in Support of Request for Separate Mediation Sessions	June 1998	Optional
1325	Family	Request for Separate Mediation or Support Person	June 1998	Optional
3006	Civil	Trial Management Conference Report	January 2010	Optional
3455	Probate	Objection to Appointment of Guardian	January 2007	Mandatory
3490	Probate	Confidential Court Investigators’ Information and Referral Form (Guardianship)	January 2010	Mandatory
3500	Probate	Assessment and Order for Payment	July 2011	Mandatory

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3500-P	Probate	Assessment and Order for Payment – Probate Code §3100 Petitions	July 2009	Mandatory
3510	Probate	Order Appointing Court Investigator (Guardianships)	July 2008	Mandatory
3515	Probate	Order Appointing Investigator and Notice of Investigation Costs	July 2009	Mandatory
3700	Probate	Declaration re: Venue (Guardianships)	July 2008	Optional
3705	Probate	Declaration of Due Diligence (Guardianships and Conservatorships)	July 2009	Optional
3710	Probate	Ex Parte Application for Temporary Guardianship or Other Orders	July 2008	Mandatory
3720	Probate	Petition for Visitation Orders	July 2009	Optional
3740	Probate	Application to Practice as Minor’s Counsel (Guardianship)	July 2008	Mandatory
3800	Probate	Preliminary Inventory of Guardianship Estate	July 2008	Mandatory
5000	Adoption	Confidential Court Investigator’s Information and Referral Form (<i>Stepparent Adoption</i>)	August 2008	Mandatory
5005	Adoption	Reference for Stepparent Adoption	August 2008	Mandatory
5010	Adoption	Consent of Child to be Adopted (<i>Stepparent Adoption</i>)	August 2008	Mandatory
7000	Small Claims	Judgment Debtor’s Statement re: Request to Enter Satisfaction of Judgment	November 2000	Optional
7020	Probate	Verification of Viewing of Conservatorship Video	July 2011	Mandatory

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7023	Small Claims	Request for Dismissal	September 1999	Optional
7040	Civil	Judgment After Trial by Court (Unlawful Detainer)	May 2000	Optional
7060	Small Claims	Declaration re: Default in Payments & Order Setting Aside Order Providing Payment of Judgment in Installments	November 2000	Optional
7090	Small Claims	Amendment to Claim Prior to Judgment (<i>Small Claims</i>)	March 2000	Optional
7500	Probate	Placement and Level of Care Assessment for Conservatee (Probate Code §2352.5)	January 2010	Mandatory

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7090	Small Claims	Amendment to Claim Prior to Judgment (<i>Small Claims</i>)	March 2000	Optional
322	Family	Application and Order for Publication of Summons	September 2008	Mandatory
3740	Probate	Application to Practice as Minor’s Counsel (Guardianship)	July 2008	Mandatory
3500	Probate	Assessment and Order for Payment	July 2011	Mandatory
3500-P	Probate	Assessment and Order for Payment – Probate Code §3100 Petitions	July 2009	Mandatory
327	Family	Attachment to FL-327	March 2007	Mandatory
397	Family	Attorney’s Declaration re Mediation Video	January 2007	Optional
3490	Probate	Confidential Court Investigators’ Information and Referral Form (<i>Guardianship</i>)	January 2010	Mandatory
5000	Adoption	Confidential Court Investigator’s Information and Referral Form (<i>Stepparent Adoption</i>)	August 2008	Mandatory
5010	Adoption	Consent of Child to be Adopted (<i>Stepparent Adoption</i>)	August 2008	Mandatory
323	Family	Declaration in Support of Application for Order for Publication of Summons	September 2008	Mandatory
1320	Family	Declaration in Support of Request for Separate Mediation Sessions	June 1998	Optional
3705	Probate	Declaration of Due Diligence (Guardianships and Conservatorships)	July 2009	Optional
1070	Family	Declaration re Notice Upon Ex Parte Application for Orders	December 2006	Mandatory

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1070-G	Probate	Declaration re Notice Upon Ex Parte Application for Orders (Guardianships)	July 2008	Mandatory
7060	Small Claims	Declaration re: Default in Payments & Order Setting Aside Order Providing Payment of Judgment in Installments	November 2000	Optional
3700	Probate	Declaration re: Venue (Guardianships)	July 2008	Optional
3710	Probate	Ex Parte Application for Temporary Guardianship or Other Orders	July 2008	Mandatory
392	Family	Form of Papers	April 2007	N/A
165	Civil	Judgment (Default by Clerk)	September 1998	Optional
166	Civil	Judgment (Default by Court)	December 2007	Optional
168	Civil	Judgment (Trial)	October 2000	Optional
7040	Civil	Judgment After Trial by Court (Unlawful Detainer)	May 2000	Optional
7000	Small Claims	Judgment Debtor's Statement re: Request to Enter Satisfaction of Judgment	November 2000	Optional
010	Family	Meet and Confer Orders	March 2008	Mandatory
399	Family	Notice of Continued Hearing	April 2007	Optional
3455	Probate	Objection to Appointment of Guardian	January 2007	Mandatory
300	Family	Order After Hearing/Stipulation and Order	December 2006	Optional

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320	Family	Order Appointing Counsel for Minors	November 2000	Optional
3510	Probate	Order Appointing Court Investigator (Guardianships)	July 2008	Mandatory
3515	Probate	Order Appointing Investigator and Notice of Investigation Costs	July 2009	Mandatory
309	Probate	Order Appointing Regional Center to Evaluate Proposed Ward or Conservatee	July 2008	Mandatory
345	Family	Order re: Testing for Alcohol or Illegal Use of Controlled Substances	July 2008	Mandatory
304	Family	Parenting Orders Attachment	September 2007	Optional
3720	Probate	Petition for Visitation Orders	July 2009	Optional
7500	Probate	Placement and Level of Care Assessment for Conservatee (Probate Code §2352.5)	January 2010	Mandatory
3800	Probate	Preliminary Inventory of Guardianship Estate	July 2008	Mandatory
5005	Adoption	Reference for Stepparent Adoption	August 2008	Mandatory
7023	Small Claims	Request for Dismissal	September 1999	Optional
920	Civil	Request for Extension of Time (re Filing Response)	December 2000	Optional
910	Civil	Request for Extension of Time (re Proof of Service of Summons)	December 2000	Optional
1325	Family	Request for Separate Mediation or Support Person	June 1998	Optional
890	Family	Status Conference Report – Family Law (Marriage/RDP)	July 2009	Mandatory (blue paper)

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890-UPA	Family	Status Conference Report – Family Law (Uniform Parentage Act)	July 2009	Mandatory (blue paper)
303	Family	Stipulation & Order re: Partial Child Custody Evaluation	March 2000	Optional
306	Family	Supervised Visitation/Supervised Exchange Order	August 2002	Optional
314	Family	Time Sharing Arrangement Table	October 2007	Optional
3006	Civil	Trial Management Conference Report	January 2010	Optional
7020	Probate	Verification of Viewing of Conservatorship Video	July 2011	Mandatory

