

## SOLANO COUNTY LOCAL RULES EFFECTIVE JULY 1, 2010

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**Superior Court of California  
County of Solano**

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The 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](mailto: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](http://www.solano.courts.ca.gov), by clicking on the hyperlink marked "Local Rules of Court."

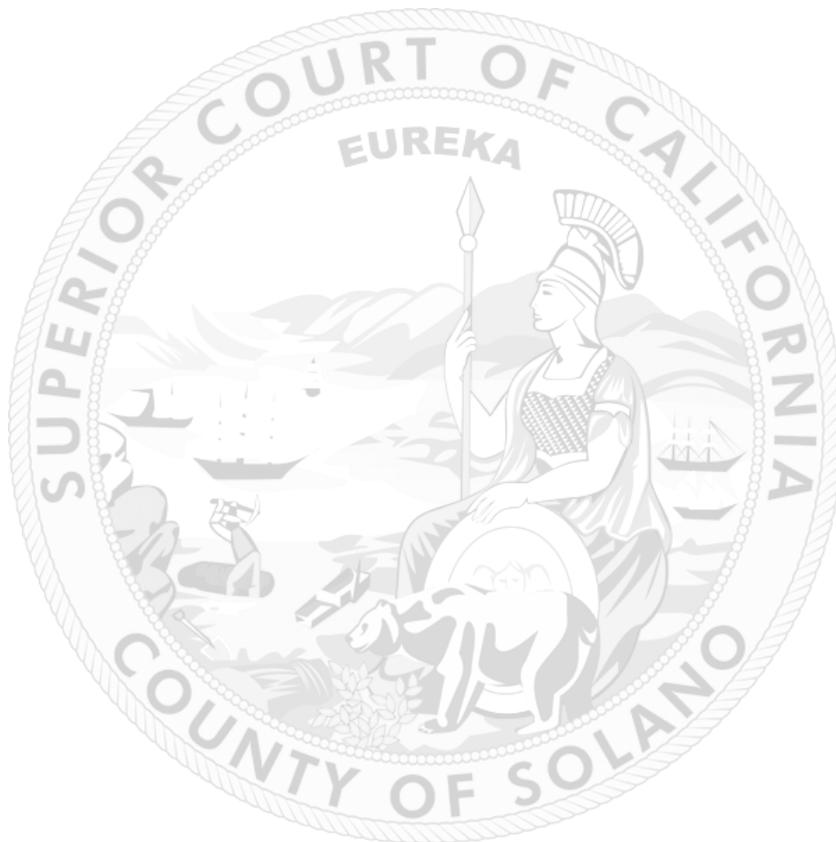
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**Local Rules of Court**

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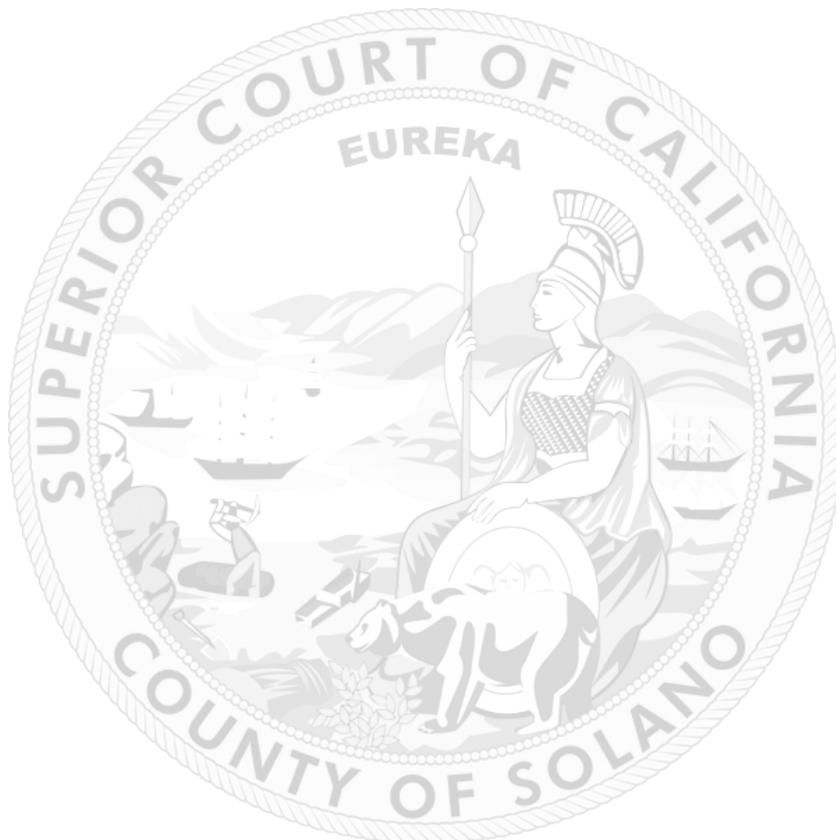
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**Superior Court of California  
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**Rule 3 – Civil Cases**

**3.1 APPLICATION OF RULES**

These rules apply to all civil cases, limited and unlimited, filed in the Superior Court of California, County of Solano, and may apply to other matters as provided elsewhere in the rules. For the purposes of these rules the term “civil cases” does not include criminal cases, traffic infraction cases, matters filed under the California Family Code, small claims cases, unlawful detainer cases, probate cases, mental health cases, adoption cases, juvenile cases and extraordinary writs.

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

**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 and shall notify the plaintiff. 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 3.740, except that a judge may be assigned in those cases upon any of the following events: (1) failure to file proof of service or obtain order for publication of summons within 180 days of the filing of the complaint; (2) 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 January 1, 2009; adopted effective January 1, 1998.)*

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

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

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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**

All pleadings in civil cases shall designate whether the case is an unlimited or limited civil action. If the case is a limited civil action, the pleadings shall designate the proper judicial district.

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

**3.5 [RESERVED]**

**3.5 PEREMPTORY CHALLENGE OF JUDGE ASSIGNED FOR ALL PURPOSES  
[REPEALED]**

*(Rule 3.5 repealed effective July 1, 2010; adopted as Rule 3.7 effective January 1, 1998; renumbered as Rule 3.5 effective January 1, 2010.)*

**3.5 DESIGNATION OF JUDGE [REPEALED]**

*(Former Rule 3.5 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**3.6 DEPOSIT OF JURY FEES**

Pursuant to Code of Civil Procedure section 631, advance jury fees in the amount of one hundred and fifty dollars (\$150.00) shall be deposited with the Clerk of the Court at least twenty-five (25) calendar days prior to the date initially set for trial. The court may deem that the demanding party has waived jury if there is not compliance with the deposit of jury fees provided for in this paragraph.

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

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**3.6 ADDITIONAL INFORMATION ON THE FACE OF A PLEADING [REPEALED]**

*(Former Rule 3.6 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**3.7 FORFEITURE OF JURY FEES**

**a. WAIVER OF JURY TRIAL**

If, after jury fees have been deposited, a party waives jury, such waiver must be of record at least seven (7) calendar days prior to the assigned date of trial, otherwise said jury fee deposit shall be forfeited.

*(Subd (a) amended and relettered effective January 1, 2010; adopted as unlettered portion of Rule 3.11 effective January 1, 1998.)*

**b. CONTINUANCE OF JURY TRIAL DATE**

Whenever a continuance of jury trial is obtained within seven (7) calendar days prior to the assigned date of trial, the jury fee deposit shall be forfeited.

*(Subd (b) amended and relettered effective January 1, 2010; adopted as unlettered portion of Rule 3.11 effective January 1, 1998.)*

**c. SETTLEMENT OF CASE SET FOR TRIAL**

If a case assigned for trial is settled, but written dismissal or notice of settlement is not filed at least seven (7) calendar days prior to the assigned date of trial, the jury fee deposit shall be forfeited.

*(Subd (c) relettered effective January 1, 2010; adopted as unlettered portion of Rule 3.11 effective January 1, 1998.)*

**d. CCP SECTION 631.3**

For purposes of Rule 3.11 and per Code of Civil Procedure section 631.3, it is deemed necessary for the court to have at least seven (7) calendar 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.

*(Subd (d) amended and relettered effective January 1, 2010; adopted as unlettered portion of Rule 3.11 effective January 1, 1998.)*

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

**3.7 [RENUMBERED]**

*(Former Rule 3.7 renumbered as Rule 3.5 effective January 1, 2010.)*

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**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.)*

**3.8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO CASE NUMBER [REPEALED]**

*(Rule 3.8 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**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 a tape-recorded message at (707) 207-7331 or by signing onto the court’s web site at [www.solano.courts.ca.gov](http://www.solano.courts.ca.gov) and clicking “Tentative Rulings and Probate Exam Notes” 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 and relettered effective January 1, 2010; adopted as Rule 3.14 effective January 1, 1998; previously amended effective October 1, 2002.)*

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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 4.14(h), unless the court orders a personal appearance.

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

*(Rule 3.9 amended effective July 1, 2010; 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.)*

**3.9 PROOF OF APPEARANCE AND STATE BAR NUMBER ON PLEADINGS  
[REPEALED]**

*(Rule 3.9 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**3.10 [RESERVED]**

**3.10 ORDERS AFTER HEARING [REPEALED]**

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

**3.10 [RENUMBERED]**

*(Former Rule 3.10 renumbered as Rule 3.6 effective January 1, 2010.)*

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

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

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

**3.11 [RENUMBERED]**

*(Former Rule 3.11 renumbered as Rule 3.7 effective January 1, 2010.)*

**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.)*

**3.12 CALIFORNIA RULES OF COURT GOVERN [REPEALED]**

*(Rule 3.12 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**3.13 EX PARTE MATTERS**

Ex parte matters will be heard daily, but only upon appointment scheduled through the judge's assistant. Said application shall comply with California Rules of Court 3.1200-3.1207. All other hearings shall be scheduled through master calendar, telephone (707) 207-7332.

*(Rule 3.13 amended effective July 1, 2010; 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.)*

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**3.13 [RENUMBERED]**

*(Former Rule 3.13 renumbered as Rule 3.8 effective January 1, 2010.)*

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

All written orders, including orders to show cause, temporary restraining orders and injunctions, signed by a judge shall be filed forthwith. An endorsed filed copy of such order shall be served upon each party to be notified thereof. Except as otherwise directed by the court for good cause shown, the proof of such service of orders to show cause and temporary restraining orders shall be filed before 3:00 p.m. of the third court day prior to the hearing.

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

**3.14 [RENUMBERED]**

*(Former Rule 3.14 renumbered as Rule 3.9 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.)*

**3.15 [RENUMBERED]**

*(Former Rule 3.15 renumbered as subpart of Rule 3.9 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.)*

**3.16 [RENUMBERED]**

*(Former Rule 3.16 renumbered as subpart of Rule 3.9 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

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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. 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,

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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.

*(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 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.)*

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- (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.)*

**3.17 [RENUMBERED]**

*(Former Rule 3.17 renumbered as Rule 3.10 effective January 1, 2010.)*

**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

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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.)*

**3.18 MEMORANDUM OF POINTS AND AUTHORITIES PAGE LIMITS [REPEALED]**

*(Former Rule 3.18 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**3.19 [RENUMBERED]**

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

**3.20 [RENUMBERED]**

*(Rule 3.20 renumbered as Rule 3.12 effective January 1, 2010.)*

**3.21 [RENUMBERED]**

*(Rule 3.20 renumbered as Rule 3.13 effective January 1, 2010.)*

**3.22 APPROVAL AS TO FORM [REPEALED]**

*(Rule 3.22 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**3.23 ACCESS TO FILES AND EXHIBITS [REPEALED]**

*(Rule 3.23 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**3.24 BRIEFS AND MEMORANDA OF POINTS AND AUTHORITIES [REPEALED]**

*(Rule 3.24 repealed effective January 1, 2010; adopted effective January 1, 1998; previously amended effective January 1, 2007.)*

**3.25 [RENUMBERED]**

*(Rule 3.25 renumbered as Rule 3.14 effective January 1, 2010.)*

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**3.26 [RENUMBERED]**

*(Rule 3.26 renumbered as Rule 3.15 effective January 1, 2010.)*

**3.27 [RENUMBERED]**

*(Rule 3.27 renumbered as Rule 3.16 effective January 1, 2010.)*

**3.28 [RENUMBERED]**

*(Rule 3.28 renumbered as Rule 3.17 effective January 1, 2010.)*

**3.29 [RENUMBERED]**

*(Rule 3.29 renumbered as Rule 3.18 effective January 1, 2010.)*

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

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*(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 Mediation 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 Mediation Administrator will notify the complainant in writing that the court has received the complaint.
- (4) The Mediation 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 investigation, the Mediation Administrator shall take the following steps:

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- (a) The Mediation 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 Mediation 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 Mediation Administrator, to the mediator.

*(Subd (e) adopted effective January 1, 2010.)*

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

**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.)*

**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

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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. MANDATORY SETTLEMENT CONFERENCE STATEMENTS**

No later than five (5) calendar days before the date set for the settlement conference, each party shall file and serve on all other parties a settlement conference statement. Said statement shall comply in all respects with California Rules of Court, rule 3.1380, subdivision (c), and shall also 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 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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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 and renumbered effective January 1, 2010; adopted as Rule 4.11 effective January 1, 1998; previously amended effective July 1, 2005; former Rule 4.9, which concerned other settings of cases, repealed effective January 1, 2010.)*

**4.9 OTHER SETTINGS [REPEALED]**

*(Former Rule 4.9 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**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 to be provided by the court, each counsel shall complete, file and serve on all parties a completed Trial Management Conference Report by the seventh (7th) calendar day before the date set for the Trial Management Conference. The form provided by the court may be modified as deemed appropriate by the court. 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;

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- (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;
- (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;

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

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

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**4.10 SETTING SHORT CAUSES FOR TRIAL [REPEALED]**

*(Former Rule 4.10 repealed effective January 1, 2010; adopted effective January 1, 1998.)*

**4.11 DISMISSAL OF ACTION OR ENTRY OF JUDGMENT FOLLOWING SETTLEMENT**

Following settlement of the action, the court will, by order, set a date by which the action shall be dismissed or judgment entered. In the event the parties do not comply with the court's order in this regard, the court, on its own motion, may dismiss the action or enter judgment effective as of the date set for dismissal or entry of judgment by the court.

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

**4.11 [RENUMBERED]**

*(Former Rule 4.11 renumbered as Rule 4.9 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.)*

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- 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.)*
- f.     **UNINSURED MOTORIST CASE**  
An action for personal injury or property damage against an uninsured defendant may be designated by “uninsured motorist case” upon application of the plaintiff filed within thirty (30) days of the commencement of the action. Upon the filing of such an application, the court will set a hearing date six (6) months from the date of the designation. At the hearing, the action will be dismissed, without prejudice, unless the court, for good cause, extends the time for resolution of the case.  
*(Subd (f) amended effective January 1, 2009; adopted effective January 1, 1998.)*
- g.     **REMOVAL TO FEDERAL COURT**  
An action removed to Federal Court will be set for hearing six months from the notice of removal at which time the action will be dismissed, without prejudice, unless the court, for good cause, extends the time.  
*(Subd (g) amended effective January 1, 2009; adopted effective January 1, 1998.)*
- 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.)*

**Superior Court of California  
County of Solano**

**Rule 4 – Administration of Civil Litigation**

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

**4.12 [RENUMBERED]**

*(Former Rule 4.12 renumbered as Rule 4.10 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;
- (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.)*

**Superior Court of California  
County of Solano**

**Rule 4 – Administration of Civil Litigation**

**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.)*

**4.13 [RENUMBERED]**

*(Former Rule 4.13 renumbered as Rule 4.11 effective January 1, 2010.)*

**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.)*

**4.15 [RENUMBERED]**

*(Rule 4.15 renumbered as Rule 4.13 effective January 1, 2010.)*

**Superior Court of California  
County of Solano**



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**Superior Court of California  
County of Solano**

**Rule 5 – Family Law**

**5.27 FAMILY LAW FACILITATOR’S DUTIES**

In addition to the services provided by the Family Law Facilitator pursuant to Family Code section 10004, the Family Law Facilitator may provide the services set forth in Family Code section 10005 if authorized to do so by the supervising judge of the Family Law Division.

*(Rule 5.27 adopted effective January 1, 2008.)*

**Superior Court of California  
County of Solano**

**Rule 5 – Family Law**

**RULE 5 APPENDICES**

- Appendix 5-A-1: Meet and Confer Orders**  
*(Note: Use Solano County Local Form no. 010)*
- Appendix 5-A-2: Time Sharing Arrangement Table**
- Appendix 5-A-3: Family Law Rules Conversion Table**  
*(Effective January 1, 2008; Amended effective July 1, 2009)*
- Appendix 5-A-4: Family Law Rules Reverse Conversion Table**  
*(Effective January 1, 2008; Amended effective July 1, 2009)*

**Superior Court of California  
County of Solano**

**Rule 6 – Juvenile Proceedings**

**PART THREE: Juvenile Delinquency**

**6.1.11 [RENUMBERED]**

*(Rule 6.1.11 renumbered as Rule 6.9 effective January 1, 2010.)*

**6.2.1 [RENUMBERED]**

*(Rule 6.2.1 renumbered as Rule 6.30 effective January 1, 2010.)*

**6.2.2 [RENUMBERED]**

*(Rule 6.2.2 renumbered as Rule 6.31 effective January 1, 2010.)*

**6.2.3 [RENUMBERED]**

*(Rule 6.2.3 renumbered as Rule 6.32 effective January 1, 2010.)*

**6.2.4 [RENUMBERED]**

*(Rule 6.2.4 renumbered as Rule 6.33 effective January 1, 2010.)*

**6.2.5 [RENUMBERED]**

*(Rule 6.2.5 renumbered as Rule 6.34 effective January 1, 2010.)*

**6.2.6 [RENUMBERED]**

*(Rule 6.2.6 renumbered as Rule 6.35 effective January 1, 2010.)*

**6.2.7 [RENUMBERED]**

*(Rule 6.2.7 renumbered as Rule 6.36 effective January 1, 2010.)*

**6.2.8 [RENUMBERED]**

*(Rule 6.2.8 renumbered as Rule 6.37 effective January 1, 2010.)*

**Superior Court of California  
County of Solano**

**Rule 6 – Juvenile Proceedings**

**APPENDIX – Standing Orders of the Juvenile Court**

<b><u>Standing Order</u></b>	<b><u>Title</u></b>
2002-01	Medical Authorization – Juvenile Hall
2002-02	Community School Programs
2002-03	Records – Family Law
2002-04	Records – Multi-Disciplinary Teams
2002-05	Release of Records, Absent Parents
2002-06	Release of Records – Guardianship Proceedings
2002-07	Release of Records – Financial Hearing Officer
2002-08	Release of Records – T.N.G. Order [VACATED] <i>[Vacated effective July 1, 2010; see Standing Order 2010-001]</i>
2002-09	Release of Records – Foster Youth Services Program
2002-10	Release of School Records – Probation
2002-11	Toxicology Testing
2004-01	Sealing File upon Successful Completion of Deferred Entry of Judgment
2004-02	Notice of Change of Address DCSS
2005-01	Release of Records – T.N.G. Order (as to 601 and 602 cases) [VACATED] <i>[Vacated effective July 1, 2010; see Standing Order 2010-001]</i>
2010-001	Release of Juvenile Case File Information for W&I 601 and 602 Proceedings

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CHARLES D. RAMEY

By *[Signature]*  
DEPUTY CLERK

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

\*\*\*\*\*

IN THE MATTER OF:

RELEASE OF JUVENILE RECORDS  
PURSUANT TO IN RE: T.N.G.

STANDING ORDER

2002-8

Juvenile Court Standing Order J - 1 issued on November 13, 1981, is vacated and reissued *nunc pro tunc* as Standing Order 2002- 8 effective August 1, 2002.

Pursuant to the provisions of Welfare and Institutions Code, 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, 4 Cal. 3d 767, the Juvenile Court of Solano County hereby makes the following order:

IT IS HEREBY ORDERED:

A. The District Attorney, Chief Probation Officer, Law Enforcement Officials of the Solano County Law Enforcement Agencies and their employees may release, solely in connection with the discharge of their official responsibilities, any information in their possession regarding minors to the following persons and agencies upon the terms and conditions set forth below:

1. The minor about whom the information pertains, said minor's parents, guardians, foster parents or attorneys for the

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aforementioned persons may be given all such information in the possession of the agencies listed in paragraph A.

2. All such information in the possession of the agencies listed in paragraph A may be released to persons who have an official interest and need to know in connection with the discharge of their official responsibilities and who are employed by:

- a) California Attorney General's office
- b) District Attorney's Offices in California
- c) California law enforcement agencies (including peace officers designated in Penal Code Sections §30, 831.0, 830.2, 830.3, 830.4 and 830.9)
- d) Probation Departments in California
- e) Public Welfare Agencies in California
- f) California Bureau of Identification and Investigation
- g) California Youth Authority
- h) California Department of Corrections
- i) Any Coroner
- j) Federal investigative and enforcement agencies.

3. Hospitals, schools, camps, job corps, ranches, placements or any other person, group or institution which require such information for the placement, treatment, or rehabilitation of said minor, pursuant to court order or voluntary placement by probation or public welfare agencies.

4. All California school systems grades Kindergarten through twelve (12) who have a legitimate interest may be given information pertaining to a minor's status with the district Attorney's office or the Probation Department, and any terms or

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conditions imposed upon the minor, as a result of said status which pertain to the minor's schooling.

5. Persons entitled to receive information pursuant to California Vehicle Code Section 20008 through 20012.

6. Victims, parents or guardians of minor victims, attorneys for victims, and insurers of victims may receive the following information:

- a) Orders of restitution made by the Court or agreed upon as a condition of informal probation;
- b) The name and address of a minor offender and the address of his/her parent or guardian for the purpose of pursuing enforcement of civil liability when requested;
- c) Whether or not an arrest has been made;
- d) The offenses for which an arrest has been made;
- e) The disposition of the minor by the law enforcement agency;
- f) Whether or not a petition will be filed with the Juvenile Court and the charge(s) to be alleged in any such petition;
- g) The results of any detention hearing held;
- h) The date and location of the hearing;
- i) The identification of the Judge or Referee who heard or will hear the matter;
- j) The jurisdictional finding and the final disposition of the Court.

**VACATED**

B. All information received by an authorized recipient listed in Paragraph A, Sections 1 through 6, of this Order shall be kept confidential by that recipient, and shall not

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be further released unless utilized to take court action against a minor, parent or guardian.

C. Requests by the public for access to information in the Court files, or by any law enforcement agency to disseminate any information in its files to any person or agency not listed in Paragraph A, Sections 1 through 6, will be considered by the Juvenile Court on an individual basis, pursuant to petition under Welfare and Institutions Code Section 827.

D. Concurrently with the release of any information by any law enforcement agency in Solano County to any authorized recipient not listed above, such law enforcement agency is required to furnish the recipient with a copy of Paragraph A and B of this order.

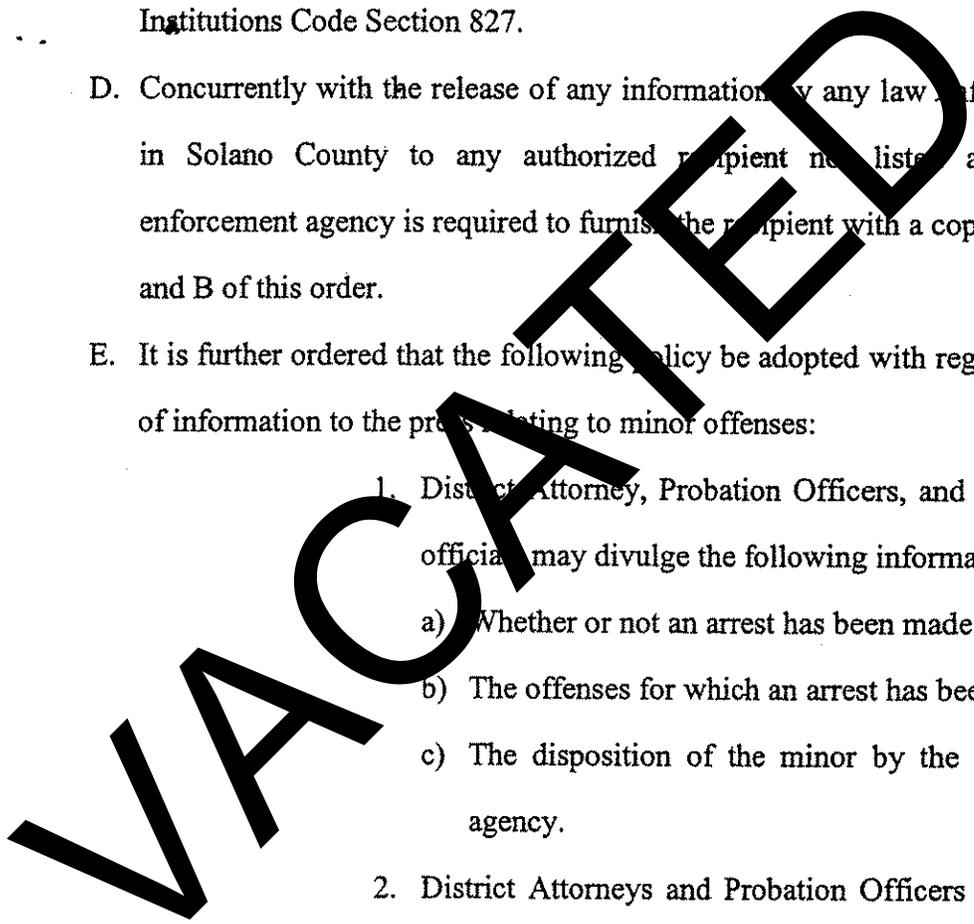
E. It is further ordered that the following policy be adopted with regard to the release of information to the press relating to minor offenses:

1. District Attorney, Probation Officers, and law enforcement officials may divulge the following information:

- a) Whether or not an arrest has been made;
- b) The offenses for which an arrest has been made;
- c) The disposition of the minor by the law enforcement agency.

2. District Attorneys and Probation Officers may divulge the following:

- a) Whether or not a petition will be filed with the Juvenile Court and the charge to be alleged in any such petition;
- b) The results of any detention hearing held;
- c) The date and location of the hearing;
- d) The identification of the Judge or Referee who heard or will hear the matter;



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e) The jurisdictional finding and the final disposition of the Court.

IT IS FURTHER ORDERED that this Order does not prohibit release of information by District Attorneys, Probation Officers or law enforcement agencies about crimes, or the contents of arrest reports, except insofar as they disclose the identity of the juvenile, and this Order does not apply prior to taking into custody or detention of a juvenile, and it is not intended to apply to Coroner's reports.

Dated: 8/2/02

  
\_\_\_\_\_  
DAVID EDWIN POWER  
JUDGE OF THE SUPERIOR COURT, JUVENILE DIVISION

**VACATED**

IN THE SUPERIOR COURT OF SOLANO COUNTY, STATE OF CALIFORNIA: 03  
02 AUG 2 PM

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

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:

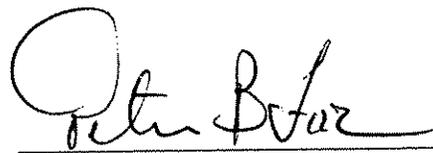
4 1. Effective immediately, all papers and documents in actions or proceedings in  
5 which the Solano County Department of Child Support Services is a party pending in the Solano  
6 County Superior Court shall be served at the address set forth below:

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.

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19 10/6/04  
20 Dated

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\_\_\_\_\_  
Judge of the Superior Court

1  
2 SUPERIOR COURT OF CALIFORNIA  
3 IN AND FOR THE COUNTY OF SOLANO  
4 IN SESSION AS A JUVENILE COURT  
5

12:51  
*James E. Guale*

6  
7 IN THE MATTER OF:  
8 RELEASE OF JUVENILE RECORDS  
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10

STANDING ORDER NO. 2005-01  
RE: RELEASE OF JUVENILE CASE FILE  
INFORMATION FOR W&I 601 AND 602  
PROCEEDINGS

11 The Juvenile Court Standing Order No. 2002-01 as it relates to proceedings under Welfare  
12 and Institutions Code sections 601 and 602 is hereby vacated.

13 Pursuant to the provisions of Welfare and Institutions Code section 827 and the duty  
14 imposed upon the Court by the decision of the California Supreme Court in the case of T.N.G. v  
15 Superior Court (1971) 4 Cal.3d 76, the Juvenile Court of the County of Solano makes the  
16 following standing orders:

17 **I. GENERAL PROVISIONS**

- 18 A. This order applies to the inspection and copying of juvenile case files for minors  
19 currently involved or previously involved in proceedings under Welfare and  
20 Institutions Code sections 601 and 602.
- 21 B. For purposes of this order, a Juvenile Case File means a petition filed in any  
22 juvenile court proceeding, reports of the probation officer, and all other  
23 documents filed in the case or made available to the probation officer in making  
24 his or her report, or to the judge, referee or other hearing officer, and thereafter  
25 retained by the probation officer, judge, referee or other hearing officer. A  
26 Juvenile Case File includes the file retained by the Court ("herein "Juvenile Court  
27 File") and the file retained by the Probation Department (herein "Probation  
28 Department File").

- 1 C. The Juvenile Case File does not include: (1) case notes created by probation  
2 officers; (2) files regarding the minor created or maintained by Juvenile Hall or  
3 other placements, which files are subject to the requirements of Welfare and  
4 Institutions Code section 827.
- 5 D. For purposes of this Order, "psychological or psychiatric reports, evaluations and  
6 other mental health records" and "medical records" are those records which are  
7 created by a medical or mental health care provider.
- 8 E. Nothing in this Standing Order shall prohibit any city or the County from  
9 establishing a computerized data base system that permits the probation  
10 department, law enforcement agencies and school districts to access probation  
11 department, law enforcement, school district and juvenile court information and  
12 records pursuant to the provisions of Welfare and Institutions Code section 827.1.
- 13 F. Nothing in this Standing Order shall prohibit the dissemination of information as  
14 otherwise required by law.
- 15 G. Notwithstanding any other provision of this Standing Order, an adult with a prior  
16 Juvenile Case File may execute a release authorizing the inspection and/or  
17 copying of certain documents and/or the release of verbal information from the  
18 Probation Department File portion of the Juvenile Case File. Victim information  
19 shall be specifically excluded from inspection, and victim information, psychiatric  
20 evaluations, medical records and crime reports shall be specifically excluded from  
21 copying. The release shall be on a form adopted by the Probation Department and  
22 must be either notarized or signed in the presence of a Probation Department  
23 official designated by the Chief Probation Officer.
- 24 H. Except as otherwise provided in this Standing Order, requests by the public for  
25 access to Juvenile Case File information, or by any law enforcement agency to  
26 disseminate any information in its files to any person or agency not authorized by  
27 this Standing Order will be considered by the Juvenile Court on an individual  
28 basis, pursuant to a petition filed under Welfare & Institutions Code section 827.

1 I. All information disseminated pursuant to this Standing Order shall be kept  
2 confidential by the recipient, and shall not be further released unless such release  
3 is permitted by the Juvenile Court.

4 **II. VIEWING JUVENILE CASE FILES**

5 A. The following persons may view a minor's Juvenile Case File without a court  
6 order. However, except as specifically provided in this Standing Order, the right  
7 to view shall not apply to the following documents unless a court order is  
8 obtained: (1) victim information not contained in a probation report; (2)  
9 psychological or psychiatric reports, evaluations, and other mental health records;  
10 (3) medical records:

- 11 1. Solano County Superior Court personnel with an official need.
- 12 2. The minor who is the subject of the proceeding (a minor may view  
13 psychological or psychiatric reports, evaluations, mental health records  
14 and medical records pertaining to him/her, without the need for a court  
15 order).
- 16 3. The minor's parents or legal guardians.
- 17 4. The district attorney, city attorney or city prosecutor authorized to  
18 prosecute criminal or juvenile cases under state law.
- 19 5. The attorneys for the parties who are actively participating in criminal or  
20 juvenile proceedings where the minor is the subject of the proceeding.  
21 Judges, referees, hearing officers and probation officers who are actively  
22 participating in criminal or juvenile proceedings where the minor is the  
23 subject of the proceeding.
- 24 7. Law enforcement officers who are actively participating in criminal or  
25 juvenile proceedings involving the minor.
- 26 8. Authorized legal staff or special investigators who are peace officers  
27 employed by or acting as agents of the State Department of Social  
28 Services, as necessary to the performance of their duties to inspect,

1 license and investigate community care facilities and ensure compliance  
2 with rules and regulations to which such facilities are subject.

3 9. A person, agency or multidisciplinary team providing direct treatment to,  
4 or supervision of, the minor.

5 10. A judge, commissioner, or other hearing officer assigned to a family law  
6 case with issues concerning custody or visitation, or both, involving the  
7 minor.

8 11. A family court mediator, a court-appointed evaluator, or a person  
9 conducting a court-connected child custody evaluation, investigation or  
10 assessment involving the minor.

11 12. Counsel appointed for the minor in a family law case pursuant to Section  
12 3150 of the Family Code.

13 B. The Probation Department and the Superior Court may, in their sole discretion,  
14 require proof that a person wishing to view a file falls into one of the above-  
15 listed categories.

16 C. No information relating to the contents of a Juvenile Case File shall be  
17 disseminated by the person viewing the file without a court order, except to  
18 employees of the department employing the person viewing the file with an  
19 official need.

### 20 III. OBTAINING DOCUMENTS FROM JUVENILE CASE FILES

21 A. Persons in the following categories may obtain copies of documents contained  
22 in the Juvenile Court File portion of the Juvenile Case File without the need for a  
23 Court order. However, except as specifically provided in this Standing Order, the  
24 right to obtain copies shall not apply to the following documents unless a court  
25 order is obtained: (1) victim information not contained in a probation report; (2)  
26 psychological or psychiatric reports, evaluations and other mental health records;  
27 (3) medical records:

28 ///

1. Solano County Superior Court Personnel with an official need.
  2. The minor who is the subject of the proceeding (a minor may obtain copies of psychological or psychiatric reports, evaluations, mental health records and medical records pertaining to him/her, without the need for a court order).
  3. The minor's parents or legal guardians.
  4. The district attorney, city attorney or city prosecutor authorized to prosecute criminal or juvenile cases under state law.
  5. The attorneys for the parties who are actively participating in criminal or juvenile proceedings where the minor is the subject of the proceeding.
  6. Judges, referees, hearing officers and probation officers who are actively participating in criminal or juvenile proceedings where the minor is the subject of the proceeding.
  7. A judge, commissioner or other hearing officer assigned to a family law case with issues concerning custody or visitation, or both, involving the minor.
  8. Counsel appointed for the minor in a family law case pursuant to Section 261 of the Family Code.
- B. The Probation Department and the Superior Court may, in their sole discretion, require proof that a person wishing to obtain copies of documents falls into one of the above-listed categories, and may impose a reasonable fee for copying.
- C. A court order is required in all cases for the copying of information pertaining to crime victims, psychological evaluations and reports, mental health records, medical records, crime reports and information contained in the minor's Probation Department File, unless otherwise provided in this Order.
- D. All other persons listed in Section II may only obtain copies of documents in a Juvenile Case File by filing a petition and obtaining an order from the Court pursuant to section 827 of the Welfare and Institutions Code.

1 E. The Probation Department may, in its discretion, release documents regarding  
2 minors currently under their supervision as necessary to hospitals, schools, camps,  
3 job corps, ranches, or any other person, group or institution which requires such  
4 information for the placement, treatment or rehabilitation of the minor pursuant to  
5 court order or voluntary placement by probation.

6 F. The Probation Department, may, in its discretion, release to the superintendent or  
7 designee of the school district where the minor is enrolled the attending school  
8 information regarding (1) the minor's status with the District Attorney or  
9 Probation and (2) terms or conditions imposed on the minor as a result of said  
10 status which pertain to the minor's schooling.

11 G. Victims, parents or guardians of minor victims, attorneys for victims and insurers  
12 of victims may receive the following documents from the Juvenile Case File without  
13 a court order:

14 i. Orders of restitution made by the Court or agreed upon as a condition  
15 of probation.

16 ii. The name and address of a minor offender and the name and address  
17 of his or her parents or guardians for the purpose of pursuing enforcement  
18 of a restitution order and/or civil liability arising from the offense(s)  
19 which are the subject of the proceeding.

20 iii. All information received by any recipient shall be kept confidential by  
21 that recipient, and shall not be further released unless utilized to take  
22 court action against a minor, parent or guardian.

23 H. A petition filed pursuant to Welfare and Institutions Code section 827 shall be on  
24 Judicial Council Form No. JV-570, and must be served on the District Attorney,  
25 the minor, counsel for the minor, the minor's parent or guardian, the Probation  
26 Department and County Counsel. Any opposition to the petition shall be filed not  
27 later than five court days after the date of service of the petition. This time will be  
28 extended by five calendar days if service is by mail.

1 I. No portion of records or information relating to the contents of records in a  
2 Juvenile Case File shall be made attachments to any other documents without the  
3 prior approval of the Presiding Judge of the Juvenile Court, unless they are used in  
4 connection with and in the course of (1) a criminal investigation; (2) a proceeding  
5 brought to declare a person a dependent child or ward of the juvenile court; (c) by  
6 the State Department of Social Services in a proceeding described in Welfare and  
7 Institutions Code section 827(a)(1)(I); or (4) as otherwise permitted in this  
8 Standing Order.

9 **IV. OBTAINING VERBAL INFORMATION CONTAINED IN JUVENILE CASE**  
10 **FILES**

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

- 15 1. California Attorney General.
- 16 2. District Attorney's offices throughout California.
- 17 3. California law enforcement agencies.
- 18 4. Probation Departments in California.
- 19 5. Public Welfare Agencies in California.
- 20 6. California Bureau of Identification and Investigation.
- 21 7. California Youth Authority.
- 22 8. California Department of Corrections.
- 23 9. Any Coroner.
- 24 10. Federal investigative and enforcement agencies.

25 B. The Probation Department may, in its discretion, verbally provide information to  
26 a minor's school as necessary to promote the rehabilitation of the minor and to  
27 lessen the potential for drug use, violence and other forms of delinquency.

28 C. The Probation Department may, in its discretion, verbally release information  
regarding minors currently under their supervision as necessary to hospitals,

1 schools, camps, job corps, ranches, or any other person, group or institution  
2 which requires such information for the placement, treatment or rehabilitation of  
3 the minor pursuant to court order or voluntary placement by probation

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

- 6 i. Whether or not an arrest has been made.  
7 ii. The offenses for which an arrest has been made.  
8 iii. The disposition of the minor by the law enforcement agency.  
9 iv. Whether or not a petition will be filed with the Juvenile Court and the  
10 charge(s) to be alleged in any such petition.  
11 v. The results of any detention hearing held.  
12 vi. The date, time and location of any hearing in the case.  
13 vii. The identification of the judge or referee who heard or will hear the case.  
14 viii. The jurisdictional finding and the final disposition of the Court.  
15 ix. 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 E. The Probation Department may, in its sole discretion, require proof that a person  
19 wishing to obtain verbal information from a Juvenile Case File is authorized by this  
20 Order to receive such information.

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

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

- 24 A. The District Attorney, Chief Probation Officer and law enforcement officials or  
25 their designees may, in their discretion, divulge the following information:  
26 1. Whether or not an arrest has been made.  
27 2. The offenses for which an arrest has been made.  
28 3. The disposition of the minor by the law enforcement agency.

1 4. In cases where disclosure of information aids in an investigation, assists in the  
2 arrest of a suspect or warns the public of danger, law enforcement officials  
3 may release the name, date of birth and physical description of a minor.

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

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

12 Dated: August 1, 2005

  
\_\_\_\_\_  
GARRY T. ICHNIWA  
Judge of the Superior Court, Juvenile Division

**VACATED**

**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.<sup>1</sup>
- 12 6. Records that have been sealed pursuant to Welfare and Institutions Code  
13 section 398 or 781.

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

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

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

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

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

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

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

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

3 **II. VIEWING JUVENILE CASE FILES**

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

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

11 C. All persons wishing to view a Juvenile Case File must complete and sign a form  
12 which includes an 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.

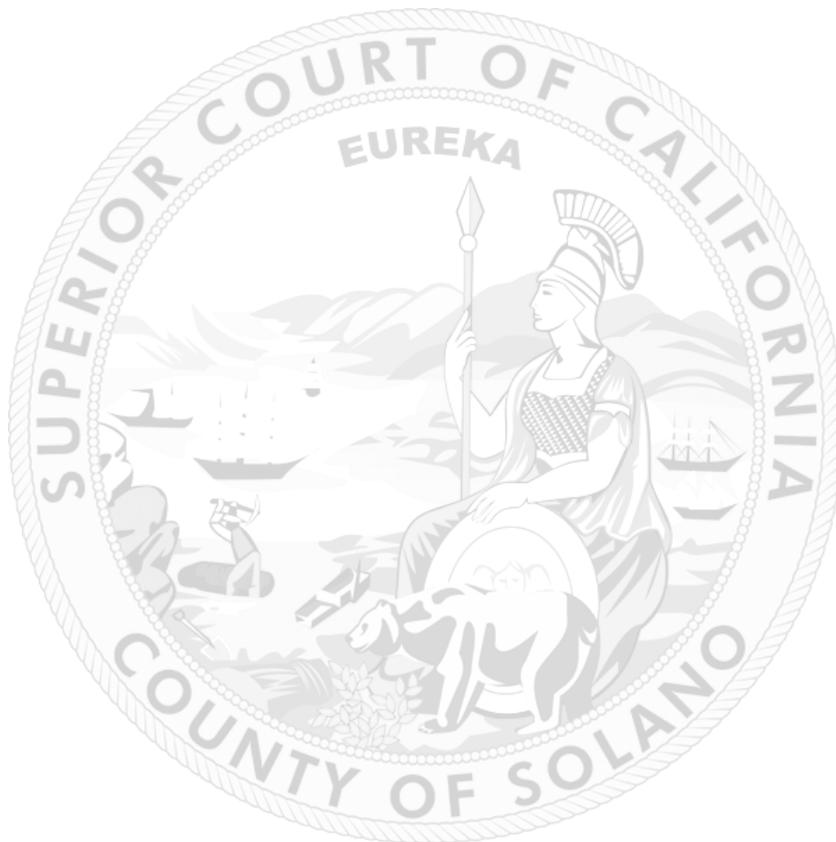
14 D. Any violation of this Protective Order is punishable as a misdemeanor.

15  
16  
17 Dated: Dec 18, 2010



18 \_\_\_\_\_  
19 ROBERT C. FRACCHIA  
20 Presiding Judge of the Superior Court  
21 Juvenile Division  
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**Superior Court of California  
County of Solano**



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**Superior Court of California  
County of Solano**

**Rule 7 – Probate**

**PART ONE: Probate Proceedings Generally**

**7.1 SCOPE OF PROBATE RULES**

**a. MATTERS TO WHICH RULE 7 APPLIES**

Except as otherwise provided elsewhere in these rules, these probate rules apply to all matters governed by the Probate Code.  
*(Subd (a) adopted effective July 1, 2009.)*

**b. MATTERS TO WHICH RULE 7 DOES NOT APPLY**

Except as otherwise provided elsewhere in these rules, Rule 7 does not apply to probate guardianships or probate conservatorships, which are governed by Rule 15.  
*(Subd (b) adopted effective July 1, 2009.)*

*(Rule 7.1 amended effective January 1, 2010; adopted effective July 1, 2009.)*

**7.2 USE OF JUDICIAL COUNCIL FORMS; FORMAT OF PLEADINGS**

**a. USE OF JUDICIAL COUNCIL FORMS**

Printed forms of petitions, orders and other documents which have been adopted or approved by the Judicial Council shall be used in all cases where applicable.  
*(Subd (a) adopted effective July 1, 2009; previously adopted as unlettered portion of Rule 7.1 effective July 1, 1988.)*

**b. FORMAT OF PLEADINGS**

Petitions, orders and other documents for which there is no available form approved by the Judicial Council shall conform to the requirements of the California Rules of Court, rules 2.100-2.119.  
*(Subd (b) adopted effective July 1, 2009; previously adopted as unlettered portion of Rule 7.1 effective July 1, 1988.)*

**c. NOTICES OF UNAVAILABILITY OF COUNSEL**

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) 157Cal.App.4th 73.  
*(Subd (c) adopted effective July 1, 2009; previously adopted as unlettered portion of Rule 7.1 effective July 1, 1988.)*

**Superior Court of California  
County of Solano**

**Rule 7 – Probate**

**PART ONE: Probate Proceedings Generally**

**d. CALENDARING PETITIONS**

Except for petitions brought ex parte, probate petitions shall not be calendared until the moving party files a Notice of Hearing.

*(Subd (d) adopted effective July 1, 2010.)*

*(Rule 7.2 amended effective July 1, 2010; adopted as Rule 7.1 effective July 1, 1988; previously amended effective January 1, 2009; previously amended and renumbered effective July 1, 2009.)*

**7.3 SIGNATURES AND VERIFICATION OF PLEADINGS**

Petitions, reports and accounts, as well as objections or responses to petitions, reports and accounts, shall be verified as required by Probate Code section 1020 et seq. The verification shall be included as part of the pleading at the time the pleading is filed. An unverified pleading set for hearing will be placed off-calendar or denied without prejudice.

*(Rule 7.3 amended and renumbered effective July 1, 2009; adopted as Rule 7.2 effective July 1, 1988; previously amended effective July 1, 1989.)*

**7.4 BONDING OF PERSONAL REPRESENTATIVE**

**a. INCREASES IN BONDS**

When a bond must be increased, the court will ordinarily require the filing of an additional bond rather than a substitute bond.

**b. DECREASES IN BONDS**

When the bond may be decreased, the court will ordinarily require an order decreasing the liability on the existing bond rather than the filing of a substitute bond. All petitions for reduction of bond must be filed and set for a noticed hearing. A petition to reduce bond shall not be granted ex parte.

*(Rule 7.4 amended and renumbered effective July 1, 2009; adopted as Rule 7.6 effective July 1, 1988; previously amended effective July 1, 1989.)*

**7.5 DECLINATION OF NOMINATED EXECUTOR**

If the person petitioning for letters is not the nominated executor in the decedent's will, it is insufficient to allege merely that the nominated executor declines to act as such. The petitioner must either (1) attach to the petition a written declination to act as executor,

**Superior Court of California  
County of Solano**

**Rule 7 – Probate**

**PART ONE: Probate Proceedings Generally**

signed by the nominated executor, or (2) include in the petition sufficient facts demonstrating that the nominated executor should be held to have waived his or her right to appointment per Probate Code section 8001. Any such nominated executor must receive notice of the petition per Probate Code section 8110.

*(Rule 7.5 amended and renumbered effective July 1, 2009; adopted as Rule 7.7 effective July 1, 1988.)*

**7.6 NOTICES**

Several Probate Code sections require the Clerk of the Court to "cause notice of the hearing to be mailed." The Clerk fulfills this function by requiring a party or a party's counsel to do the mailing. Therefore, the party or the party's counsel is charged with this duty.

*(Rule 7.6 amended and renumbered effective July 1, 2009; adopted as Rule 7.10 effective July 1, 1988; previously amended effective July 1, 1989.)*

**7.7 NOTIFICATION TO COURT OF CONTINUANCES, DROPS OR STIPULATIONS**

**a. DUTY TO NOTIFY DEPARTMENT**

When a probate 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 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.

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

**b. CONTINUANCE OF HEARING AFTER ANNOUNCEMENT OF PREGRANT ORDER**

No probate matters will be continued after announcement of a pregrant thereon, except by order of the court for good cause.

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

*(Rule 7.7 adopted effective July 1, 2009.)*

**Superior Court of California  
County of Solano**

**Rule 7 – Probate**

**PART ONE: Probate Proceedings Generally**

**7.8 PREGRANTS IN PROBATE MATTERS**

**a. AVAILABILITY OF PREGRANT ORDERS**

A pregrant order on a probate matter will be available on the court day immediately preceding the scheduled hearing by telephoning a tape-recorded message at (707) 207-7331 or by signing onto the court’s web site at [www.solano.courts.ca.gov](http://www.solano.courts.ca.gov) and clicking “Tentative Rulings” 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.

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

**b. PREGRANT ORDER AS THE ORDER OF THE COURT**

The pregrant order 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 no later than 4:30 p.m. on the court day preceding the hearing, and further advises that such party has notified all interested parties of its intention to appear and argue.

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

*(Rule 7.8 amended effective January 1, 2010; adopted effective July 1, 2009; former Rule 7.8, which concerned filing fees, repealed effective July 1, 2009.)*

**7.9 APPEARANCES AT HEARINGS**

**a. HEARINGS WHERE APPEARANCE NOT REQUIRED**

Those matters which by law may be determined upon verification and without testimony shall be submitted for appropriate action by the court without appearance by counsel or witnesses, provided that counsel or the petitioning party accomplish both of the following:

- (1) All declarations, affidavits, consents, waivers, proposed orders and other necessary papers shall be filed with the Clerk of the Court no later than four full court days prior to the hearing.
- (2) The verified petition or an accompanying affidavit signed by the petitioner or by the personal representative or by counsel of record for either of said persons shall set forth the information necessary to establish the amount of bond, if one is required.

**Superior Court of California  
County of Solano**

**Rule 7 – Probate**

**PART ONE: Probate Proceedings Generally**

All probate matters shall be non-appearance except as stated in Solano County Local Rules, rule 7.9, subdivision (b), or where an appearance is required by the court.

*(Subd (a) amended effective July 1, 2009; adopted effective July 1, 1989; previously amended effective January 1, 2009.)*

**b. HEARINGS WHERE APPEARANCE IS REQUIRED**

Subdivision (a) shall not apply and personal appearance by the parties and/or counsel shall be required in the following cases:

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

*(Subd (b) amended effective July 1, 2009; adopted effective July 1, 1989; previously amended effective January 1, 2009.)*

**c. TELEPHONIC APPEARANCE**

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

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

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

**Superior Court of California  
County of Solano**

**Rule 7 – Probate**

**PART ONE: Probate Proceedings Generally**

**7.10 EX PARTE APPLICATIONS**

**a. NOTICE ON EX PARTE PETITIONS**

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

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

**b. WAIVER OF NOTICE**

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

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

**c. EX PARTE PROCEDURE**

- (1) Ex parte hearings are scheduled by each department individually. A party wishing to set an ex parte hearing shall contact the department to which the case is assigned by noon on the court day prior to the desired ex parte appearance. The moving papers and the proposed order shall be faxed to the department as directed by the judicial assistant.
- (2) On the day of the ex parte appearance, the party seeking ex parte relief shall file the original petition or motion seeking ex parte relief with the Clerk of the Court and pay the applicable filing fees. The party shall provide a copy of the receipt showing the payment of fees to the court at the time of the ex parte appearance; otherwise, the hearing shall not take place.

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

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

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**7.11 APPOINTMENT OF SPECIAL ADMINISTRATOR**

Except upon a showing of good cause for dispensing with notice, petitions for special letters of administration will not ordinarily be granted without the petitioning party giving notice in compliance with Probate Code section 8003 and 8110. Applications for special letters of administration may be requested ex parte, provided the application is prepared and submitted in compliance with Solano County Local Rules, rule 7.10, and California Rules of Court, rule 7.55.

*(Rule 7.11 amended and renumbered effective July 1, 2009; adopted as Rule 7.14 effective July 1, 1988; previously amended effective July 1, 1989.)*

**7.12 INFORMATION TO BE CONTAINED IN PETITIONS FOR PROBATE OF WILL AND FOR LETTERS TESTAMENTARY; FOR LETTERS OF ADMINISTRATION; OR FOR LETTERS OF ADMINISTRATION WITH WILL ANNEXED (PROBATE CODE SECTION 8000 ET SEQ.)**

**a. INFORMATION TO BE INCLUDED WITH THE PETITION**

Any petition for probate of a will and for letters testamentary, for letters of administration, or for letters of administration with will annexed shall contain the following information:

- (1) If the heir is a minor, the heir's date of birth.
- (2) The name of any and all nominated trustees of a trust created by the will.
- (3) The name of any and all trustees and beneficiaries of an inter vivos trust created by the decedent and that is in existence at the time of the decedent's death.
- (4) The name of any and all trustees of a special needs or other trust created to benefit the decedent and that is in existence at the time of the decedent's death.

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

**b. INFORMATION CONCERNING A DECEASED BENEFICIARY**

In addition to the information required in Rule 7.12(a), information concerning a deceased beneficiary shall be included in the petition as follows:

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- (1) If an heir or beneficiary dies before the decedent, that person should be listed with the notation that he or she is predeceased, and date of death. No notice need be given to the successors in interest of the predeceased person unless that person's interest has not lapsed by reason of death, in which case, notice should be given in the same manner as for the postdeceased heir or beneficiary.
- (2) If an heir or beneficiary dies after the decedent, that person's name should be listed with the notation "deceased", and date of death. If a personal representative has been appointed, the postdeceased heir or beneficiary should be listed in care of the name and address of the personal representative. If no personal representative has been appointed, that fact should be alleged, and notice given to the last known address of the postdeceased heir or beneficiary.
- (3) If a named beneficiary predeceased the decedent or did not survive the decedent for the designated survival period, that fact must be stated, together with the actual or approximate date of death.

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

*(Rule 7.12 amended and renumbered effective July 1, 2009; adopted as Rule 7.15 effective July 1, 1988.)*

**7.13 PREPARATION OF ORDERS**

**a. PROPOSED ORDERS SUBMITTED PRIOR TO HEARING**

All probate orders in uncontested matters shall be prepared by the petitioner's attorney of record or the petitioner, if unrepresented, and shall be submitted at least four court days prior to the hearing.

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

**b. MATERIAL TO BE INCLUDED IN PROBATE ORDERS**

All orders or decrees in probate matters must be complete in and of themselves, so that their effect may be understood without reference to the underlying petition. The order or decree shall set forth all matters actually passed on by the court, the relief granted, and the names of persons and descriptions of property or amounts of money affected with the same particularity required of judgments in civil matters. The court will not approve orders or decrees that merely recite that the petition as presented is granted or incorporate by reference the relief sought in

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the petition. However, in orders settling accounts, the court will ordinarily approve general language approving the account, the report, and the acts reflected therein. With the exception of attached schedules, no written matter shall appear after the judicial officer's signature line.

*(Subd (b) adopted effective July 1, 2009; previously adopted as unlettered portion of Rule 7.19 effective July 1, 1988.)*

*(Rule 7.13 amended and renumbered effective July 1, 2009; adopted as Rule 7.18 effective July 1, 1988.)*

**7.14 INTEREST ON FUNERAL AND INTERMENT CLAIMS**

When accrued interest has been paid on delayed payment of claims for the reasonable costs of funeral expenses, a specific allegation must be made in the report accompanying the account in which credit has been taken for such payment, setting forth reasons for any delay in payment. The court will not allow credit for payment of interest when the delay in payment of the claims is not justified by the facts set forth. Interest for funeral and interment claims will be allowed only as provided by Health and Safety Code section 7101.

*(Rule 7.14 amended and renumbered effective July 1, 2009; adopted as Rule 7.21 effective July 1, 1988.)*

**7.15 REAL ESTATE IN INVENTORY AND APPRAISAL**

If a decedent's estate contains real property, the inventory and appraisal shall identify that property by its address and shall include a legal description of the property. If the parcel is unimproved, the inventory must so state.

*(Rule 7.15 amended and renumbered effective July 1, 2009; adopted as Rule 7.23 effective July 1, 1988; amended effective July 1, 1989.)*

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**7.16 CASH DEPOSIT**

A minimum cash deposit of ten percent (10%) of the purchase price (unless the loan proceeds exceed 90% of the purchase price), shall be deposited in escrow ten days prior to the confirmation of sale hearing date, and written verification of said deposit shall be filed with the court five (5) days prior to the confirmation of sale hearing date.

*(Rule 7.16 renumbered effective July 1, 2009; adopted as Rule 7.24 effective July 1, 1988; previously amended effective July 1, 1989.)*

**7.17 SECOND DEEDS OF TRUST**

The court will approve the taking of a promissory note secured by a second deed of trust upon a showing that it serves the best interests of the estate.

*(Rule 7.17 renumbered effective July 1, 2009; adopted as Rule 7.25 effective July 1, 1988.)*

**7.18 EARNEST MONEY DEPOSIT BY OVERBIDDER**

When a sale is confirmed to an overbidder, the overbidder must submit at the time of the hearing a certified or cashier's check in the amount of ten percent (10%) of the bid.

*(Rule 7.18 renumbered effective July 1, 2009; adopted as Rule 7.26 effective July 1, 1988.)*

**7.19 APPEARANCES OF COUNSEL**

In petitions for confirmation of sales of real estate and for sales of personal property where bidding is authorized, the court will ordinarily not proceed with the confirmation of the sale in the absence of the petitioner's attorney, if the petitioner is represented. Where the personal representative, guardian or conservator is present and requests that the sale proceed, the court may do so, in its discretion.

*(Rule 7.19 amended and renumbered effective July 1, 2009; adopted as Rule 7.27 effective July 1, 1988; previously amended effective July 1, 1988.)*

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**7.20 CONDITIONAL SALES OF REAL PROPERTY**

The court will ordinarily not approve a sale of real property which is conditioned upon the occurrence of a subsequent event (such as change in zoning or obtaining approval from an environmental control board). However, if unusual and extraordinary circumstances exist and the necessity and advantage to the estate are set forth in detail, the court may approve such a sale.

*(Rule 7.20 amended and renumbered effective July 1, 2009; adopted as Rule 7.30 effective July 1, 1988.)*

**7.21 BROKER'S COMMISSIONS**

**a. IMPROVED REAL PROPERTY**

An agent or broker's commission on the sale of improved real property shall not exceed six percent (6%). A copy of an executed broker's agreement shall be attached to the petition for confirmation of sale.

*(Subd (a) amended effective July 1, 2009; adopted effective July 1, 1988; previously amended effective July 1, 1989.)*

**b. UNIMPROVED REAL PROPERTY**

An agent or broker's commission on the sale of unimproved or raw real property shall not exceed ten percent (10%). A copy of an executed broker's agreement shall be attached to the petition for confirmation of sale.

*(Subd (b) amended effective July 1, 2009; adopted effective July 1, 1988; previously amended effective July 1, 1989.)*

**c. BROKER COMMISSIONS IN OVERBID SITUATIONS**

Broker commissions in overbid situations are governed by Probate Code section 10160 et seq.

*(Subd (c) amended effective July 1, 2009; adopted effective July 1, 1988; previously amended effective July 1, 1989.)*

*(Rule 7.21 amended and renumbered effective July 1, 2009; adopted as Rule 7.31 effective July 1, 1988; previously amended effective July 1, 1989.)*

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**7.22 STATUTORY COMPENSATION FOR PERSONAL REPRESENTATIVE AND ATTORNEY FEES**

**a. INCLUSION OF COMPUTATION IN PETITION**

The computation in Rule 7.22, subsection (b), must be made regardless of the estate's value and even though an accounting has been waived. For estates worth in excess of \$25,000,000.00 (twenty-five million dollars), the court shall determine the reasonable amount of compensation.

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

**b. FORMAT OF REQUEST FOR STATUTORY COMPENSATION AND ATTORNEY FEES**

The basis for statutory compensation and attorney fees requested shall be set out in the body of the petition for distribution or on a separate schedule as required per California Rules of Court, rule 7.705.

*(Subd (b) adopted effective July 1, 2009; previously adopted as unlettered portion of Rule 7.36 effective July 1, 1988.)*

*(Rule 7.22 amended and renumbered effective July 1, 2009; adopted as Rule 7.36 effective July 1, 1988.)*

**7.23 PARTIAL ALLOWANCE OF STATUTORY COMPENSATION OR ATTORNEY FEES**

**a. COURT ORDER REQUIRED**

A personal representative may not pay an advance on statutory compensation or attorney fees without prior court order. Petitions for an advance of statutory compensation or attorney fees may not be brought ex parte.

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

**b. REQUIREMENT OF INVENTORY AND APPRAISAL; ACCOUNTS**

Notwithstanding Probate Code section 10830, the court shall not consider a petition seeking an advance of statutory compensation or attorney fees unless the personal representative's Inventory and Appraisal is filed prior to or concurrently with the petition. The court prefers that attorney fees not be requested until the first account has been filed.

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

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**c. AMOUNT OF STATUTORY COMPENSATION OR ATTORNEY FEES PERMITTED AS AN ADVANCE**

Any allowance for statutory compensation or attorney fees will be made in accordance with the work actually performed. Where no accounting is filed, the allowance may not exceed 50% of the statutory compensation computed upon the total value appearing in the inventories filed to that time. Where an accounting is filed, the allowance may not exceed 75 % of the statutory compensation so computed.

*(Subd (c) amended and relettered effective July 1, 2009; adopted as unlettered portion of Rule 7.37 effective July 1, 1988.)*

**d. APPORTIONMENT OF FEES FOR SUCCESSIVE ATTORNEYS**

Except in a case in which there is an agreement in writing on apportionment, where the personal representative has been represented by successive attorneys, fees will not ordinarily be apportioned to a prior attorney for the personal representative until the final accounting has been approved.

*(Subd (d) amended and relettered effective July 1, 2009; adopted as unlettered portion of Rule 7.37 effective July 1, 1988.)*

*(Rule 7.23 amended and renumbered effective July 1, 2009; adopted as Rule 7.37 effective July 1, 1988; previously amended effective July 1, 1989.)*

**7.24 APPORTIONMENT OF STATUTORY COMPENSATION BETWEEN TWO OR MORE PERSONAL REPRESENTATIVES**

If the statutory compensation is to be divided among co-personal representatives, the petition shall set out facts upon which the court can base the apportionment.

*(Rule 7.24 amended and renumbered effective July 1, 2009; adopted as Rule 7.38 effective July 1, 1988.)*

**7.25 EXTRAORDINARY COMPENSATION FOR PERSONAL REPRESENTATIVE; EXTRAORDINARY ATTORNEY FEES**

**a. CONTENTS OF PETITIONS OR DECLARATIONS FOR EXTRAORDINARY COMPENSATION OR FEES**

All applications for extraordinary compensation for the personal representative's services and for extraordinary attorney's fees must be supported in the petition or

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in the separate verified declaration requesting said fees. At a minimum, the declaration or petition shall state:

- (1) The nature, necessity, success, cost in time, detail of the services performed and value of the services believed to warrant additional fees;
- (2) The amount requested; and,
- (3) The number of hours spent on ordinary services.

Records of time spent, without substantiated information, are not adequate.  
*(Subd (a) amended and relettered effective July 1, 2009; adopted as unlettered portion of Rule 7.39 effective July 1, 1988.)*

**b. FACTORS THAT WILL NOT SUPPORT A REQUEST FOR EXTRAORDINARY COMPENSATION OR FEES**

The routine conduct of any proceeding relating to the collection of assets, processing of claims, conduct of estate administration or distribution will not, in the absence of special circumstances or problems, justify an extraordinary fee.

*(Subd (b) amended and relettered effective July 1, 2009; adopted as unlettered portion of Rule 7.39 effective July 1, 1988.)*

*(Rule 7.25 amended and renumbered effective July 1, 2009; adopted as Rule 7.39 effective July 1, 1988.)*

**7.26 DISTRIBUTIVE CONTINGENCIES**

If the right of a beneficiary to distribution of part of the estate is dependent upon the occurrence of an event (e.g., death of a parent), the petition must allege the occurrence of that event and the order must contain a finding of the occurrence of that event.

*(Rule 7.26 renumbered effective July 1, 2009; adopted as Rule 7.41 effective July 1, 1988.)*

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**7.27 CONTENTS OF PETITION AND DECREE OF PARTIAL OR FINAL DISTRIBUTION**

**a. WHEN PROPOSED DECREE REQUIRED**

The proposed form of Decree of Distribution shall be filed with any petition for partial or final distribution.

*(Subd (a) amended and relettered effective July 1, 2009; adopted as unlettered portion of Rule 7.42 effective July 1, 1988.)*

**b. DESCRIPTION OF PROPERTY TO BE DISTRIBUTED**

The distribution of property must be separately stated in detail in both the petition and the decree, listing a description of the property to be distributed under the name of each beneficiary. Real estate shall be legally described and street address, if any, shall be included. The decree must be complete in and of itself. Description by reference to the inventory is not acceptable. In both the petition and decree for final distribution, the distribution schedule shall include a summary showing the value of the estate distributed to each beneficiary and the total estate distributed which must agree with "Property on Hand" as shown on the final account's Schedule F and in the summary of account. If any beneficiaries previously received an early distribution, the petition and the decree shall so state.

*(Subd (b) amended effective January 1, 2010; amended and relettered effective July 1, 2009; adopted as unlettered portion of Rule 7.42 effective July 1, 1988.)*

**c. TRACING REQUIRED FOR INTESTATE DECEDENT**

If an intestate decedent who survived his spouse leaves no issue, the applicability of Probate Code Section 6402.5 must be alleged and the necessary tracing must be carried out as far as possible.

*(Subd (c) amended and relettered effective July 1, 2009; adopted as unlettered portion of Rule 7.42 effective July 1, 1988.)*

**d. OTHER ITEMS TO BE INCLUDED IN THE PETITION AND DECREE**

(1) A petition and any decree for distribution shall include the names and addresses of all persons who are present and future distributees of the estate, and shall indicate whether each person listed is an adult or a minor. In all cases where a minor is a distributee, the minor's age and birth date must be stated in the petition and the decree for distribution.

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

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- (2) If distribution will not be made directly to the beneficiary, the name, address and fiduciary capacity of the recipient must be stated in the petition and the decree for distribution.

*(Subd (2) adopted effective January 1, 2010.)*

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

*(Rule 7.27 amended effective January 1, 2010; adopted as Rule 7.42 effective July 1, 1988; previously amended effective July 1, 1989; amended and renumbered effective July 1, 2009.)*

**7.28 DISTRIBUTIONS TO TRUSTS**

**a. DISTRIBUTIONS TO TESTAMENTARY TRUSTS**

The provisions of a decree of distribution establishing a testamentary trust shall include all of the terms of the will relating to the trust. Per California Rules of Court, rule 7.650, the provisions of the trust shall be stated in the present tense and in the third person, and shall not quote the will verbatim. If a trust beneficiary will receive distribution upon reaching a specific age, the petition for distribution and decree thereon must state the age and birthdate of the beneficiary.

*(Subd (a) amended effective January 1, 2010; amended and relettered effective July 1, 2009; adopted as unlettered portion of Rule 7.43 effective July 1, 1988.)*

**b. DISTRIBUTIONS TO INTER VIVOS TRUSTS**

A decree of distribution which distributes assets to an inter vivos trust shall name the trust and specify the name of the trustee to receive the assets. The decree of distribution shall not be approved absent a declaration by the trustee that he or she has in fact accepted the trust. A decree of distribution for a decedent's estate shall not name as beneficiaries of the estate in the distribution plan any beneficiaries who are entitled to distributions from the trust.

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

*(Rule 7.28 amended effective January 1, 2010; amended and renumbered effective July 1, 2009; adopted as Rule 7.43 effective July 1, 1988; former Rule 7.28, which concerned overbids, repealed effective July 1, 2009.)*

**7.29 JOINT TENANCY ASSETS**

In the absence of prior court determination or authorization, joint tenancy assets of the decedent and a person other than the decedent's spouse should not be inventoried as

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assets of the probate estate. However, an asset held in joint tenancy between the decedent and the decedent's spouse, or former spouse in appropriate cases, shall be inventoried if there is an unadjudicated allegation that the asset is in fact community property. A notation concerning the allegation shall be included in all inventory and appraisals until the asset's characterization is determined.

*(Rule 7.29 amended and renumbered effective July 1, 2009; adopted as Rule 7.49 effective July 1, 1988; former Rule 7.29, which concerned increased bid forms, repealed effective July 1, 2009.)*

**7.30 PERSONAL REPRESENTATIVE COMPENSATION AND ATTORNEY FEES IN CONNECTION WITH TERMINATION OF A JOINT TENANCY OR HANDLING OF OTHER NONPROBATE ASSETS**

Assets that pass outside of probate are outside the court's jurisdiction. Therefore, a personal representative or his or her attorney shall not request payment from a probate estate for work done concerning joint tenancy assets or other nonprobate assets, and any request for such relief shall be denied. However, this rule does not prevent a request for extraordinary fees where the termination of joint tenancy with a previously deceased joint tenant is necessary to clear title to property in the decedent's estate.

*(Rule 7.30 amended and renumbered effective July 1, 2009; adopted as Rule 7.50 effective July 1, 1988.)*

**7.31 COURT INVESTIGATOR FEES FOR INVESTIGATION OF PETITION FOR PARTICULAR TRANSACTION**

Pursuant to Probate Code section 3140, the court may, in its discretion, appoint a court investigator to evaluate a petition for a proposed transaction involving an incapacitated spouse's community property and report to the court regarding the transaction's advisability. Appointment of a court investigator for such an investigation shall result in an assessment against the petitioning party for the costs of the investigation. The fee amount is determined by the court on an annual basis and is subject to change. The assessed fee is payable within 30 days after the Assessment and Order for Payment is mailed by the Court Investigators Office.

*(Rule 7.31 adopted effective July 1, 2009.)*

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**7.32 RECEIPT OR WAIVER OF ACCOUNT SIGNED BY ATTORNEY IN FACT**

Any waiver of account or any receipt of a distribution filed with the court that has been signed by an “attorney in fact” on a beneficiary’s behalf shall include a copy of the power of attorney granting authority to the attorney in fact to waive the account or sign the receipt.

*(Rule 7.32 adopted effective July 1, 2010.)*

**7.33 – 7.49 [RESERVED]**

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**7.50 BENEFICIARIES OF TESTAMENTARY TRUST TO BE LISTED IN PETITION FOR LETTERS TESTAMENTARY**

All petitions involving a testamentary trust must set forth the names and last known addresses of all vested and contingent beneficiaries.

*(Rule 7.50 amended and renumbered effective July 1, 2009; adopted as Rule 7.45 effective July 1, 1988.)*

**7.51 TRUSTEE FEES**

a. **APPLICABILITY OF RULE**

This rule applies to all trusts subject to the continuing jurisdiction of the court, to petitions for approval of trustee compensation, and to objections to petitions for trustee compensation.

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

b. **PRESUMPTION OF REASONABLE COMPENSATION FOR TRUSTEES**

Trustee compensation shall be presumed reasonable if it does not exceed 1% (one percent) of the asset value of the estate. However, nothing in this rule limits the court's discretion to find as unreasonable a fee totaling less than 1%.

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

c. **REQUEST FOR ADDITIONAL COMPENSATION**

A trustee may request fees in excess of 1% (one percent) of the asset value of the estate. A trustee requesting such relief shall do one of the following:

- (1) File a declaration from the beneficiaries indicating awareness of the fees being requested and a statement waiving objection to those fees.
- (2) File a declaration detailing the services rendered justifying the fee requested.

*(Subd (c) amended and relettered effective July 1, 2009; adopted as unlettered portion of Rule 7.46 effective July 1, 1988.)*

*(Rule 7.51 amended and renumbered effective July 1, 2009; adopted as Rule 7.46 effective July 1, 1988; previously amended effective July 1, 1988.)*

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**7.52 INFORMATION TO BE INCLUDED IN PETITIONS CONCERNING TRUSTS**

All petitions concerning trusts shall indicate in the pleading title the Probate Code section(s) under which the petition is brought or which supports the relief requested. For example, a petition seeking orders concerning the internal affairs of a trust shall cite Probate Code section 17200 in the pleading title.

*(Rule 7.52 adopted effective July 1, 2009.)*

**7.53 GENERAL PROCEDURES FOR SPECIAL NEEDS TRUSTS**

**a. ESTABLISHMENT OF SPECIAL NEEDS TRUSTS IN SOLANO COUNTY**

If a special needs trust is included as part of a minor's compromise or other judgment entered in Solano County and the trust is to be administered in Solano County, the following procedures shall be followed:

- (1) A petition to approve the terms of the special needs trust shall be filed in the civil action or petition to approve minor's compromise. The judge assigned to hear the civil action or petition to approve minor's compromise shall approve the terms of the special needs trust per Probate Code section 3604.
- (2) Once so approved and signed, the original special needs trust instrument and a copy of the order approving the trust shall be filed in a separate file and assigned a probate case number. No filing fee shall be charged for said filing as the trust instrument is the result of a petition filed to approve a minor's compromise claim per Probate Code section 3600 et seq. Government Code §70655.
- (3) The party filing the special needs trust instrument per subsection (2) shall file a notice in the civil action file or the minor's compromise file indicating the case number assigned to the probate file containing the special needs trust.

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

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**b. TRANSFER OF SPECIAL NEEDS TRUSTS INTO SOLANO COUNTY**

Whenever a special needs trust is transferred into Solano County and the court file being transferred does not contain the original special needs trust instrument, the trustee shall provide the court with the original trust document within 90 days after the court file is received by Solano County.

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

*(Rule 7.53 adopted effective July 1, 2009.)*

**7.54 ACCOUNTINGS AND REPORTS OF SPECIAL NEEDS TRUSTS**

**a. EXPENDITURES ON BEHALF OF BENEFICIARY**

In all accountings for special needs trusts, the trustee shall provide an explanation of any unusual or extraordinary expenses incurred by the trustee on behalf of the beneficiary. These include, but are not limited to, payment of all expenses associated with real property partially owned by the trust, payment of automobile insurance for a vehicle not owned by the trust, acquisition or maintenance of assets not ordinarily used by a beneficiary with the beneficiary's type of disability, and so forth.

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

**b. HIRING OF AGENTS**

The court acknowledges that trustees of special needs trusts often hire agents to advise them concerning the administration of the special needs trusts and the provision of services to the beneficiary. A trustee hiring such an agent shall specify in any report or accounting seeking approval of payment to said agent the type of and need for the services provided by the agent. The trustee shall also include a declaration from the agent concerning the hours spent working with the trustee and the amount of compensation sought.

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

**c. PARENTS AS CAREGIVERS TO CHILD AS BENEFICIARY**

In an account or report indicating that a parent was hired to provide caregiver services to his or her child, the trustee shall provide the following information:

- (1) A description of the services rendered by the parent that are above and beyond the care normally provided by a parent to a child.
- (2) A description of the special skills possessed by the parent enabling him or her to perform these services.

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- (3) The benefit to the beneficiary of having the parent perform the services instead of a professional caregiver.
- (4) The hours worked by the parent.
- (5) The hourly rate being paid to the parent and a justification of that rate. Justification may include a comparison to the rate charged by a professional for the same or similar services.
- (6) Whether caregiving services are being provided through IHSS and if so, the frequency and type of the services provided.
- (7) Whether insurance is in place to cover the caregiver parent in case of injury and if so, the amount of the periodic premium being paid by the parent or the trust.

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

*(Rule 7.54 adopted effective July 1, 2009.)*

**7.55 COMPENSATION OF CONSERVATOR FROM TRUST**

If a conservatee is also the beneficiary of a trust and the compensation of a conservator of the person is sought from the trust, a petition seeking approval of the amount of compensation payable to the conservator shall first be filed in the conservatorship matter. The petition shall include a declaration by the trustee as to whether there are sufficient funds in the conservatorship estate to allow for the compensation sought. A trustee shall not pay a conservator's compensation without a court order approving said compensation by the judge assigned to hear the conservatorship matter.

*(Rule 7.55 adopted effective July 1, 2009.)*

**7.56 TRUST ACCOUNTINGS FILED WITH THE COURT**

Any time a petition seeking approval of a trust accounting is filed with the court, the filing party shall simultaneously submit to the court an additional courtesy copy of the petition and the accounting.

*(Rule 7.56 adopted effective July 1, 2010.)*

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**Rule 8 – Claims of Adults with Disabilities or Minors**

**8.1 CONTENTS OF PETITION FOR COMPROMISE OF CLAIM OF AN ADULT WITH DISABILITIES OR A MINOR**

A petition for court approval of a compromise or covenant not to sue regarding an adult with disabilities or a minor shall comply in all respects with California Rules of Court, rule 3.1384, and shall be presented on the mandatory Judicial Council form MC-350. In addition, the petition shall include:

- (1) A full disclosure of all information concerning the reasonableness of the proposed compromise or covenant not to sue, including the amounts, if any, paid to other claimants.
- (2) The original or a photocopy of each bill which, if paid, shall disclose the date of payment, the amount paid, and the name of the payor.

*(Rule 8.1 amended effective July 1, 2010; adopted effective July 1, 1988; previously amended effective July 1, 2009, and January 1, 2010.)*

**8.2 ATTORNEYS' FEES IN CASES INVOLVING MINORS OR ADULTS WITH DISABILITIES [REPEALED]**

*(Rule 8.2 repealed effective July 1, 2010; adopted effective July 1, 1988; amended effective July 1, 2009, and January 1, 2010.)*

**8.3 ESTABLISHMENT OF SPECIAL NEEDS TRUSTS**

If a compromise of claim or covenant not to sue includes the establishment of a special needs trust with an adult with disabilities or a minor as beneficiary, the establishment of the trust shall comply with Solano County Local Rules, rule 7.53.

*(Rule 8.3 amended effective July 1, 2010; adopted effective July 1, 2009; previously amended effective January 1, 2010; previous Rule 8.3, concerning representation of specified parties by counsel at hearings, repealed effective July 1, 2009.)*

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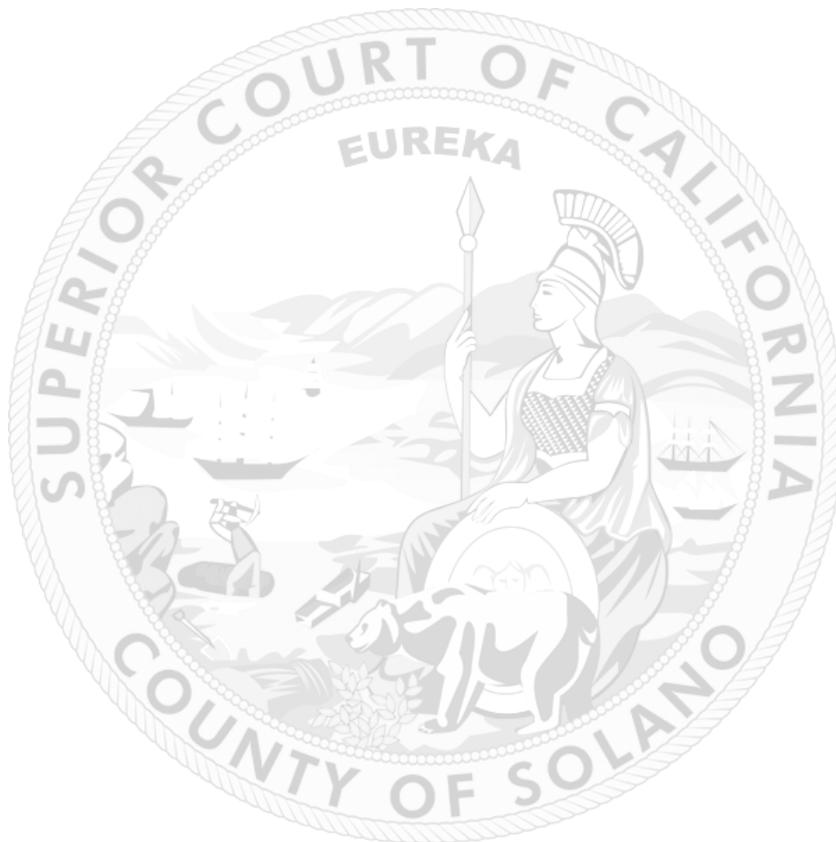
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