

SOLANO COUNTY LOCAL RULES EFFECTIVE JULY 1, 2013

FILING INSTRUCTIONS FOR REPLACEMENT PAGES

The Solano County Superior Court is pleased to offer replacement pages for revised rules effective July 1, 2013. These replacement pages are intended for those who already have a complete set of local rules and wish to update just those portions of the rules that have changed.

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<i>Rule Adoption and Revision History; Local Rules Publication Information</i>	Rule Adoption and Revision History (front) ; Local Rules Publication Information (back)	Rule Adoption and Revision History (front); Local Rules Publication Information (back)
<i>Summary Table of Contents</i>	Page 1	Page 1
<i>Detailed Table of Contents</i>	Pages 1 through 9	Pages 1 through 9
<i>Rule 3</i>	Pages 3-1 through 3-6	Pages 3-1 through 3-6
<i>Rule 6</i>	Pages 6-17 through 6-18 Pages 6-25 through 6-36 Page 6-59	Pages 6-17 through 6-18 Pages 6-25 through 6-36 Pages 6-59 through 6-70
<i>Rule 7</i>	Pages 7-5 through 7-8	Pages 7-5 through 7-8
<i>Rule 15</i>	Pages 15-5 through 15-16	Pages 15-5 through 15-16
<i>Subject Matter Index</i>	Pages 1 through 10	Pages 1 through 10
<i>Local Forms List</i>	Pages 1 through 8	Pages 1 through 8
<i>Page List</i>	January 2013 Page List	July 2013 Page List



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**Superior Court of California
County of Solano**

600 Union Avenue
Fairfield, CA 94533
(707) 207-7300

321 Tuolumne Street
Vallejo, CA 94590
(707) 561-7800

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

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

**Superior Court of California
County of Solano**

Local Rules of Court

Summary Table of Contents

Rule 1	General Provisions
Rule 2	Criminal and Traffic Infraction Cases
Rule 3	Civil Cases
Rule 4	Administration of Civil Litigation
Rule 5	Family Law
Rule 6	Juvenile Proceedings
Rule 7	Probate
Rule 8	Claims of Adults with Disabilities or Minors
Rule 9	Attorneys' Fees in Default Matters, Promissory Notes, Contracts, and Foreclosures
Rule 10	Administration
Rule 11	Jury Management (Reserved)
Rule 12	Mental Health Conservatorships (LPS) (Reserved)
Rule 13	Appeals
Rule 14	Unlawful Detainer
Rule 15	Guardianships and Conservatorships
Rule 16	Protective Orders
Rule 17	Miscellaneous

**Superior Court of California
County of Solano**



**Superior Court of California
County of Solano
Local Rules – Detailed Table of Contents**

Number	Rule	Page
<u>RULE 1</u>	<u>GENERAL PROVISIONS</u>	
Rule 1.1	Adoption of Local Rules (<i>Amended eff. 1/1/10</i>)	1-1
Rule 1.2	Divisions Of The Court; Assignment of Supervising Judges (<i>Amended eff. 1/1/10</i>).....	1-1
Rule 1.3	Direct Calendaring (<i>Amended eff. 1/1/10</i>)	1-1
Rule 1.4	Reassignment Upon Disqualification of Judicial Officer or for Other Cause (<i>Amended eff. 1/1/12</i>)	1-2
<u>RULE 2</u>	<u>CRIMINAL AND TRAFFIC INFRACTION CASES</u>	
	PART ONE: Rules Applicable to Misdemeanors and Felonies	
Rule 2.1	Application Of Rules (<i>Amended eff. 1/1/13</i>)	2-1
Rule 2.2	Direct Calendaring Of Criminal Cases (<i>Amended eff. 1/1/13</i>).....	2-1
Rule 2.3	Procedure (<i>Eff. 1/1/13</i>)	2-1
Rule 2.4*	Peremptory Challenge Of Judge Assigned For All Purposes [REPEALED] (<i>Repealed eff. 1/1/13</i>)	2-2
	PART TWO: Felony Criminal Cases	
Rules 2.50 – 2.99	[RESERVED]	2-3
	PART THREE: Misdemeanor Cases	
Rules 2.100 – 2.149	[RESERVED]	2-4
	PART FOUR: Traffic Infraction Cases	
Rules 2.150 – 2.199	[RESERVED]	2-5
<u>RULE 3</u>	<u>CIVIL CASES</u>	
Rule 3.1	Application Of Rules (<i>Amended eff. 7/1/11</i>)	3-1
Rule 3.2	Direct Calendaring Of Civil Cases; Assignments and Reassignments (<i>Amended eff. 1/1/12</i>)	3-1
Rule 3.3	Notification Of Plaintiff Of Assignment To One Judge For All Purposes (<i>Amended eff. 7/1/10</i>)	3-2
Rule 3.4*	Designation Of Court [REPEALED] (<i>Repealed eff. 7/1/11</i>).....	3-2
Rule 3.5	Calendaring of Hearings (<i>Eff. 7/1/11</i>).....	3-2
Rule 3.6	Deposit Of Jury Fees (<i>Amended eff. 7/1/13</i>).....	3-2
Rule 3.7	Forfeiture Of Jury Fees per CCP Section 631.3 (<i>Amended eff. 7/1/13</i>).....	3-3
Rule 3.8	Notification to Court of Drops, Continuances and Stipulations (<i>Amended eff. 1/1/10</i>)	3-3
Rule 3.9	Tentative Rulings (<i>Amended eff. 7/1/13</i>).....	3-4
Rule 3.10	[RESERVED]	3-5

* Denotes a rule that has been renumbered or repealed.

**Superior Court of California
County of Solano
Local Rules – Detailed Table of Contents**

Number	Rule	Page
Rule 3.11	Failure To Notify Court When Attorney Cannot Be Present Shall Be Deemed Sufficient Cause To Order Off Calendar (<i>Amended eff. 1/1/10</i>)	3-5
Rule 3.12	Off Calendar (<i>Amended eff. 1/1/10</i>).....	3-5
Rule 3.13	Ex Parte Matters (<i>Amended eff. 7/1/13</i>).....	3-5
Rule 3.14*	Orders Regarding Orders To Show Cause, Temporary Restraining Orders, And Injunctions [REPEALED] (<i>Repealed eff. 7/1/10</i>)	3-6
Rule 3.15	Motions To Consolidate (<i>Amended eff. 7/1/10</i>).....	3-6
Rule 3.16	Motions Papers (<i>Amended eff. 7/1/10</i>).....	3-6
Rule 3.17	Mandate Actions Arising Under The California Environmental Quality Act (CEQA) (<i>Amended eff. 7/1/10</i>)	3-7
Rule 3.18	Filing Of Notices Of Unavailability (<i>Amended eff. 1/1/10</i>).....	3-11
<u>RULE 4</u>	<u>ADMINISTRATION OF CIVIL LITIGATION</u>	
Rule 4.1	Scope And Policy (<i>Amended eff. 7/1/11</i>).....	4-1
Rule 4.2	Case Designation (<i>Amended eff. 1/1/10</i>).....	4-1
Rule 4.3	Time Requirements For Complaint (<i>Amended eff. 7/1/11</i>).....	4-3
Rule 4.4	Time Requirements For Responsive Pleadings (<i>Amended eff. 7/1/11</i>).....	4-3
Rule 4.5	Time Requirements For Cross-Complaints (<i>Amended eff. 7/1/11</i>).....	4-3
Rule 4.6	Case Management Conferences (<i>Amended eff. 7/1/11</i>)	4-3
Rule 4.7	Diversion To Arbitration (<i>Amended eff. 1/1/12</i>).....	4-7
Rule 4.8	Mediation (<i>Amended eff. 1/1/12</i>).....	4-8
Rule 4.9	Mandatory Settlement Conferences (<i>Amended eff. 7/1/11</i>)	4-12
Rule 4.10	Trial Management Conferences (<i>Amended eff. 1/1/12</i>)	4-14
Rule 4.11	Dismissal Of Action Or Entry Of Judgment Following Settlement (<i>Amended eff. 7/1/11</i>)..	4-16
Rule 4.12	Miscellaneous (<i>Amended eff. 7/1/11</i>).....	4-17
Rule 4.13	Sanctions (<i>Amended eff. 1/1/10</i>).....	4-18
Rule 4.14	Electronic Filing and Service of Pleadings and Documents (<i>Eff. 7/1/10</i>)	4-19
<u>RULE 5</u>	<u>FAMILY LAW</u>	
	PART ONE: Family Law Proceedings Generally	
Rule 5.1	Matters Assigned to the Family Law Division; Applicability of Rule (<i>Eff. 1/1/13</i>).....	5-1
Rule 5.2	Direct Calendaring (<i>Eff. 1/1/13</i>).....	5-2
Rule 5.3	Preparation and Filing of Forms and Pleadings (<i>Eff. 1/1/13</i>)	5-2
Rule 5.4	Applications for Emergency Orders (Ex Parte Orders) (<i>Eff. 1/1/13</i>).....	5-4
Rule 5.5	Law and Motion Hearings (Hearings Other Than Case Management Conferences, Status Conferences, Settlement Conferences, and Trials) (<i>Eff. 1/1/13</i>).....	5-5
Rule 5.6	Presence of Children in Courtroom (<i>Eff. 1/1/13</i>).....	5-8

* Denotes a rule that has been renumbered or repealed.

**Superior Court of California
County of Solano
Local Rules – Detailed Table of Contents**

Number	Rule	Page
Rule 5.7	Family Centered Case Resolution Process (CRC 5.83) (Eff. 1/1/13)	5-8
Rule 5.8	Status Conferences and Status Conference Reports (Eff. 1/1/13).....	5-9
Rule 5.9	Court Reporter Fees (Eff. 1/1/13)	5-11
PART TWO: Settlement Conferences and Trials		
Rule 5.10	Settlement Conferences (Eff. 1/1/13).....	5-12
Rule 5.11	Evidentiary Hearings and Trials (Eff. 1/1/13).....	5-16
Rule 5.12 – 5.19	[RESERVED]	5-17
PART THREE: Child Custody and Visitation		
Rule 5.20	Child Custody Recommending Counseling (Eff. 1/1/13)	5-18
Rule 5.21	Child Custody and Visitation Evaluations (Eff. 1/1/13)	5-20
Rule 5.22 – 5.29	[RESERVED]	5-22
PART FOUR: Support, Property Division, Attorney Fees, Costs, and Sanctions		
Rule 5.30	Calculation of Temporary Spousal or Partner Support (Eff. 1/1/13)	5-23
Rule 5.31 – 5.39	[RESERVED]	5-23
PART FIVE: Judgments		
Rule 5.40	Calendaring Hearings for Default or Uncontested Judgments (Eff. 1/1/13)	5-24
Rule 5.41	Documents Needed for Judgments for Legal Separation or Dissolution of Marriage or Registered Domestic Partnership (Eff. 1/1/13)	5-24
Rule 5.42	Documents Needed for Judgment of Nullity (Eff. 1/1/13)	5-24
Rule 5.43	Documents Needed for Default or Uncontested Judgments for Establishment of Parental Relationship (UPA) or for Establishment of Custody and Support (Eff. 1/1/13).....	5-25
APPENDICES		
5-A	Documents Needed for Judgment of Nullity	5-26
5-B	Documents Needed for Default or Uncontested Judgments for Establishment of Parental Relationship (UPA) or for Establishment of Custody and Support per Family Code §3120	5-31
<u>RULE 6</u> <u>RULES APPLICABLE TO JUVENILE PROCEEDINGS</u>		
PART ONE: Rules for Juvenile Court in General		
Rule 6.1	Adoption, Construction, And Amendment Of Rules and Standing Orders (Amended eff. 1/1/10)	6-1
Rule 6.2	Juvenile Calendar (Amended eff. 1/1/10).....	6-1
Rule 6.3	Access To Courtroom By Non-Parties (Amended eff. 1/1/10).....	6-2
Rule 6.4	Confidentiality (Amended eff. 1/1/10)	6-2
Rule 6.5	Release Of Information Relating To Juveniles (Amended eff. 1/1/10)	6-2
Rule 6.6	Discovery (Amended eff. 1/1/10).....	6-3

**Superior Court of California
County of Solano
Local Rules – Detailed Table of Contents**

Number	Rule	Page
Rule 6.7	Petitions, Pleadings & Motions (<i>Amended eff. 1/1/10</i>).....	6-4
Rule 6.8	Request For Transcripts by Non-Party (<i>Amended eff. 1/1/10</i>).....	6-5
Rule 6.9	Welfare And Institutions Code Section 241.1 Assessments (<i>Amended eff. 1/1/10</i>).....	6-5
Rule 6.10	Motion To Challenge Legal Sufficiency Of Petition (<i>Eff. 1/1/10</i>).....	6-5
Rules 6.11 through 6.29	[RESERVED]	6-7
PART TWO: Juvenile Dependency		
Rule 6.30	Appointed Counsel in Dependency Proceedings (<i>Amended eff. 1/1/10</i>)	6-8
Rule 6.31	Appointment of Private Counsel in Dependency Proceedings (<i>Amended eff. 1/1/10</i>).....	6-9
Rule 6.32	Procedures For Reviewing And Resolving Complaints Regarding Representation In Dependency Proceedings (<i>Amended eff. 1/1/10</i>)	6-9
Rule 6.33	Procedures For Informing The Court Of The Interests Of A Dependent Child [CRC 5.660] (<i>Amended eff. 1/1/10</i>)	6-11
Rule 6.34	Motion to Challenge Legal Sufficiency of Petition (<i>Amended eff. 1/1/10</i>).....	6-12
Rule 6.35	Access To Minors (<i>Amended eff. 1/1/10</i>)	6-13
Rule 6.36	Modifications of Orders (<i>Amended eff. 1/1/10</i>)	6-14
Rule 6.37	Court Appointed Special Advocate Program (CASA) (<i>Amended eff. 1/1/10</i>)	6-15
Rules 6.38 through 6.59	[RESERVED]	6-15
PART THREE: Juvenile Delinquency		
Rule 6.60	Return On Bench Warrant (<i>Amended eff. 1/1/10</i>).....	6-16
APPENDICES		
2002-01	Medical Authorization – Juvenile Hall.....	6-19
2002-02	Community School Programs.....	6-22
2002-05	Release of Records, Absent Parents	6-23
2002-07	Release of Records – Financial Hearing Officer	6-24
2010-001	Release of Juvenile Case File Information for W&I 601 and 602 Proceedings [VACATED] (<i>Vacated eff. 07/01/13</i>)	6-26
2011-001	Standing Order Authorizing Mental Health Evaluation and/or Treatment for Dependent Children or Minors Placed into Protective Custody by Child Welfare Services	6-37
2011-002	Order re: Release of Probation Files and Information Regarding Parents with Children Under the Jurisdiction of the Juvenile Court	6-39
2011-003	Standing Order to Facilitate Child Welfare Services Disaster Response Plan	6-42
2011-004	The Exchange of Information Pertaining to Juveniles Among Members of Multidisciplinary Team	6-44
2011-005	Exchange and Release of Information Between Child Welfare Services and the Solano County Court Investigator	6-46
2011-006	Exchange & Release of Juvenile Records to be Used in the Solano Countywide Foster Youth Services Program (Education Code § 488850 et seq., Welfare & Institutions Code § 827, Cal. Rules of Court, rule 5.552).....	6-49

**Superior Court of California
County of Solano
Local Rules – Detailed Table of Contents**

Number	Rule	Page
2011-007	Release of School Records to Solano County Probation and Solano County Health and Social Services, Child Welfare Services Division (Education Code § 49077).....	6-53
2011-008	Toxicology Testing for Drug Exposed Children Subject to Juvenile Laws (Welfare & Institutions Code § 369, subd. (d))	6-54
2012-001	Standing Order Authorizing Medical Evaluation and Treatment for Minors Placed into Protective Custody and Temporarily Detained in Out-of-Placement By Child Welfare Services	6-56
2013-001	Standing Order re: Release of Juvenile Case File Information for W&I 601 and 602 Proceedings	6-60
<u>RULE 7</u>	<u>PROBATE</u>	
	PART ONE: Probate Proceedings Generally	
Rule 7.1	Scope of Probate Rules; Direct Calendarings (<i>Amended eff. 1/1/12</i>)	7-1
Rule 7.2	Use of Judicial Council Forms; Format of Pleadings; Calendaring (<i>Amended eff. 1/1/12</i>) .	7-1
Rule 7.3	Signatures and Verification of Pleadings (<i>Amended eff. 7/1/09</i>).....	7-2
Rule 7.4	Bonding of Personal Representative (<i>Amended eff. 7/1/09</i>)	7-3
Rule 7.5	Declination of Nominated Executor (<i>Amended eff. 7/1/09</i>).....	7-3
Rule 7.6	Notices (<i>Amended eff. 7/1/09</i>)	7-3
Rule 7.7	Continuances (<i>Amended eff. 1/1/13</i>).....	7-4
Rule 7.8	Pregrants in Probate Matters (<i>Amended eff. 1/1/12</i>)	7-5
Rule 7.9	Appearances at Hearings (<i>Amended eff. 1/1/10</i>).....	7-5
Rule 7.10	Ex Parte Applications (<i>Amended eff. 7/1/13</i>).....	7-6
	PART TWO: Probate Proceedings Other Than Trusts	
Rule 7.11	Appointment of Special Administrator (<i>Amended eff. 7/1/09</i>)	7-8
Rule 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.) (<i>Amended eff. 7/1/09</i>)	7-8
Rule 7.13	Preparation of Orders (<i>Amended eff. 7/1/09</i>)	7-9
Rule 7.14	Interest on Funeral and Interment Claims (<i>Amended eff. 7/1/09</i>).....	7-10
Rule 7.15	Real Estate in Inventory and Appraisal (<i>Amended eff. 7/1/09</i>).....	7-10
Rule 7.16	Cash Deposit (<i>Amended eff. 7/1/09</i>)	7-11
Rule 7.17	Second Deeds of Trust (<i>Amended eff. 7/1/09</i>)	7-11
Rule 7.18	Earnest Money Deposit by Overbidder (<i>Amended eff. 7/1/09</i>).....	7-11
Rule 7.19	Appearances of Counsel (<i>Amended eff. 7/1/09</i>).....	7-11
Rule 7.20	Conditional Sales of Real Property (<i>Amended eff. 7/1/09</i>)	7-12
Rule 7.21	Broker’s Commissioners (<i>Amended eff. 7/1/09</i>).....	7-12
Rule 7.22	Statutory Compensation for Personal Representative and Attorney Fees (<i>Amended eff. 7/1/09</i>)	7-13
Rule 7.23	Partial Allowance of Statutory Compensation or Attorney Fees (<i>Amended eff. 7/1/09</i>)	7-13

**Superior Court of California
County of Solano
Local Rules – Detailed Table of Contents**

Number	Rule	Page
Rule 7.24	Apportionment of Statutory Compensation Between Two or More Personal Representatives (<i>Amended eff. 7/1/09</i>)	7-14
Rule 7.25	Extraordinary Compensation for Personal Representative; Extraordinary Attorney Fees (<i>Amended eff. 7/1/09</i>)	7-14
Rule 7.26	Distributive Contingencies (<i>Amended eff. 7/1/09</i>).....	7-15
Rule 7.27	Contents of Decree of Partial or Final Distribution (<i>Amended eff. 1/1/13</i>).....	7-16
Rule 7.28	Distributions to Trusts (<i>Amended eff. 1/1/10</i>).....	7-17
Rule 7.29	Joint Tenancy Assets (<i>Amended eff. 7/1/09</i>).....	7-18
Rule 7.30	Personal Representative Compensation and Attorney Fees in Connection With Termination of a Joint Tenancy or Handling of Other Nonprobate Assets (<i>Amended eff. 7/1/09</i>)	7-18
Rule 7.31	Court Investigator Fees for Investigation of Petition for Particular Transaction (<i>Amended eff. 7/1/09</i>)	7-18
Rule 7.32	Receipt or Waiver of Account Signed by Attorney in Fact (<i>Eff. 7/1/10</i>).....	7-19
Rule 7.33	Reimbursement of Expenses of Estate Administration (<i>Eff. 1/1/13</i>)	7-19
Rule 7.34 through 7.49	[RESERVED]	7-19
	PART THREE: Trusts	
Rule 7.50	Beneficiaries of Testamentary Trust to be Listed in Petition for Letters Testamentary (<i>Amended eff. 7/1/09</i>)	7-21
Rule 7.51	Trustee Fees (<i>Amended eff. 1/1/12</i>)	7-21
Rule 7.52	Information to be Included in Petitions Concerning Trusts (<i>Eff. 7/1/09</i>)	7-22
Rule 7.53	General Procedures for Special Needs Trusts (<i>Amended eff. 1/1/12</i>).....	7-22
Rule 7.54	Accountings and Reports of Special Needs Trusts (<i>Eff. 7/1/09</i>).....	7-23
Rule 7.55	Compensation of Conservator from Trust (<i>Amended eff. 1/1/12</i>).....	7-24
Rule 7.56	Trust Accountings Filed with the Court (<i>Eff. 7/1/10</i>).....	7-24
<u>RULE 8</u>	<u>CLAIMS OF ADULTS WITH DISABILITIES OR MINORS</u>	
Rule 8.1	Contents of Petition for Compromise Of Claim Of Adult with Disabilities or Minor (<i>Amended eff. 7/1/10</i>)	8-1
Rule 8.2	[RESERVED]	8-1
Rule 8.3	Establishment of Special Needs Trusts (<i>Amended eff. 7/1/10</i>).....	8-1
<u>RULE 9</u>	<u>ATTORNEY FEES IN DEFAULT MATTERS, PROMISSORY NOTES, CONTRACTS, AND FORECLOSURES</u>	
Rule 9.1	Attorney Fees - Unlimited Civil Matters (<i>Amended eff. 1/1/12</i>).....	9-1
Rule 9.2	Attorney Fees - Limited Civil Matters (<i>Amended eff. 1/1/12</i>)	9-2
Rule 9.3	Open Book Accounts - Unlimited And Limited Civil (<i>Amended eff. 1/1/12</i>).....	9-3

**Superior Court of California
County of Solano
Local Rules – Detailed Table of Contents**

Number	Rule	Page
	APPENDICES	
9-A	Example of Attorney Fee Calculation per Rule 9.1	9-4
<u>RULE 10</u>	<u>ADMINISTRATION</u>	
Rule 10.1	Executive Officer (<i>Amended eff. 1/1/10</i>)	10-1
Rule 10.2	Reservation Of Government Code 71620 Powers (<i>Amended eff. 1/1/10</i>).....	10-1
<u>RULE 11</u>	<u>JURY MANAGEMENT</u>	
Rule 11.1 through 11.99	[RESERVED]	11-1
<u>RULE 12</u>	<u>MENTAL HEALTH CONSERVATORSHIPS (LPS)</u>	
Rule 12.1 through 12.99	[RESERVED]	12-1
<u>RULE 13</u>	<u>APPEALS</u>	
Rule 13.1	Fee Waiver Applications for Matters Being Appealed to the Court of Appeal (<i>Eff. 1/1/10</i>)	13-1
<u>RULE 14</u>	<u>UNLAWFUL DETAINER</u>	
Rule 14.1	Telephonic Appearances (<i>Amended eff. 1/1/10</i>)	14-1
Rule 14.2	Trial Management (<i>Eff. 1/1/10</i>)	14-1
Rule 14.3	Attorney Fees in Default Matters (<i>Amended eff. 1/1/12</i>).....	14-1
<u>RULE 15</u>	<u>GUARDIANSHIPS AND CONSERVATORSHIPS</u>	
	PART ONE: Guardianships	
Rule 15.1	Applicability of Guardianship Rules; Terminology; Direct Calendaring (<i>Amended eff. 1/1/13</i>)	15-1
Rule 15.2	Forms to be Filed at Commencement of Proceeding (<i>Amended eff. 1/1/13</i>)	15-1
Rule 15.3	Notice (<i>Amended eff. 1/1/13</i>).....	15-4
Rule 15.4	Appointment of Investigator (<i>Amended eff. 7/1/13</i>)	15-5
Rule 15.5	Court Investigator Fees (<i>Amended eff. 1/1/13</i>)	15-8
Rule 15.6	Temporary Guardianships (<i>Amended eff. 1/1/13</i>).....	15-9
Rule 15.7*	Ex Parte Applications for Temporary Guardianship or Other Temporary Orders [REPEALED] (<i>Repealed eff. 1/1/13</i>)	15-10
Rule 15.8	Contested Guardianships (<i>Amended eff. 1/1/13</i>).....	15-10
Rule 15.9	Orders for Visitation in Guardianships (<i>Amended eff. 1/1/13</i>)	15-11
Rule 15.10	Guardianships of the Estate (<i>Amended eff. 1/1/13</i>).....	15-12

* Denotes a rule that has been renumbered or repealed.

**Superior Court of California
County of Solano
Local Rules – Detailed Table of Contents**

Number	Rule	Page
Rule 15.11	Guardianships of the Person (<i>Eff. 1/1/13</i>).....	15-13
Rule 15.12*	Allowance of Fees in Guardianship Proceedings [REPEALED] (<i>Repealed eff. 1/1/13</i>)	15-14
Rule 15.13*	Investments by Guardian of the Estate [REPEALED] (<i>Repealed eff. 1/1/13</i>)	15-14
Rule 15.14	Appointment of Counsel for Ward (<i>Eff. 7/1/09</i>).....	15-14
Rule 15.15	Termination of Guardianship (<i>Amended eff. 1/1/13</i>).....	15-15
Rule 15.16	Sanctions (<i>Eff. 7/1/09</i>)	15-16
Rule 15.17*	Guardianships of the Person – Status Report [REPEALED] (<i>Repealed eff. 1/1/13</i>)	15-16
Rule 15.18 – 15.49	[RESERVED]	15-16
PART TWO: Conservatorships		
Rule 15.50	Conservatorship Matters to Which Rule 15 Applies (<i>Eff. 7/1/09</i>).....	15-17
Rule 15.51	Continuance of Hearing Where Conservatee Not Served with Citation (<i>Eff. 7/1/09</i>)	15-17
Rule 15.52	Additional Requirements for Proposed Conservators Prior to Issuance of Letters (<i>Amended eff. 7/1/11</i>)	15-17
Rule 15.53	Court Investigator (<i>Amended eff. 1/1/12</i>)	15-18
Rule 15.54	Court Investigator Fees (<i>Eff. 7/1/09</i>)	15-20
Rule 15.55	Appointment of Counsel for Conservatee (<i>Eff. 7/1/09</i>)	15-21
Rule 15.56	Ex Parte Applications for Temporary Conservatorships and Other Orders (<i>Eff. 7/1/09</i>) ...	15-22
Rule 15.57	Independent Exercise of Powers (<i>Eff. 7/1/09</i>)	15-24
Rule 15.58	Conservatorship Inventories and Appraisals (<i>Eff. 7/1/09</i>).....	15-24
Rule 15.59	Conservatorship Accountings (<i>Amended eff. 1/1/12</i>)	15-25
Rule 15.60	Allowance of Fees (<i>Amended eff. 1/1/12</i>).....	15-27
Rule 15.61	Orders for Support and Substituted Judgment (<i>Eff. 7/1/09</i>).....	15-28
Rule 15.62	Payments to Caregiver Spouse of Conservatee (<i>Eff. 7/1/09</i>).....	15-28
Rule 15.63	Termination of Conservatorship (<i>Eff. 7/1/09</i>).....	15-29
Rule 15.64	Conservatorships for Developmentally Disabled Individuals (<i>Eff. 7/1/09</i>).....	15-30
Rule 15.65	Sanctions (<i>Eff. 7/1/09</i>)	15-30
Rule 15.66	Additional Provisions for Conservatorships of the Person (<i>Eff. 1/1/12</i>)	15-30
Rule 15.67 – 15.99	[RESERVED]	15-31
PART THREE: Miscellaneous		
15.100	Complaints Concerning Court Investigators (<i>Eff. 1/1/12</i>)	15-32
APPENDICES		
15-A	List of Service Addresses for Guardianships (<i>Amended eff. 1/1/13</i>)	15-33

* Denotes a rule that has been renumbered or repealed.

**Superior Court of California
County of Solano
Local Rules – Detailed Table of Contents**

Number	Rule	Page
<u>RULE 16</u> <u>PROTECTIVE ORDERS</u>		
16.1	Domestic Violence (Family Code § 6200 et seq.) (<i>Eff. 1/1/12</i>).....	16-1
16.2	Civil Harassment (CCP § 527.6) (<i>Eff. 1/1/12</i>).....	16-2
16.3	Workplace Violence (CCP § 527.8) (<i>Eff. 1/1/12</i>)	16-3
16.4	Postsecondary School Violence (CCP § 527.85) (<i>Eff. 1/1/12</i>)	16-4
16.5	Elder or Dependent Adult Abuse [RESERVED] (<i>Eff. 1/1/12</i>).....	16-4
 <u>RULE 17</u> <u>MISCELLANEOUS</u>		
17.1	Photography, Videotaping, and Electronic Recordings (<i>Eff. 1/1/12</i>)	17-1
17.2	Court Reporter Transcripts (<i>Eff. 1/1/13</i>)	17-2

SUBJECT MATTER INDEX

INDEX OF LOCAL FORMS – BY FORM NUMBER

INDEX OF LOCAL FORMS – ALPHABETICAL

**Superior Court of California
County of Solano**



**Superior Court of California
County of Solano**

Rule 3 – Civil Cases

3.1 APPLICATION OF RULES

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

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

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

3.2 DIRECT CALENDARING OF CIVIL CASES; ASSIGNMENTS AND REASSIGNMENTS

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

When a judicial officer is disqualified in a civil matter, either on a peremptory challenge, for cause, or by the judicial officer’s own determination, the matter shall be reassigned per Rule 1.4. A matter reassigned to another judicial officer for any other reason shall likewise be for all purposes, unless otherwise ordered by the Presiding Judge or Supervising Judge of the Civil Division.

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

(Rule 3.2 amended effective January 1, 2012; adopted effective January 1, 1998; previously amended effective January 1, 2009, and July 1, 2011.)

**Superior Court of California
County of Solano**

Rule 3 – Civil Cases

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

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

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

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

3.4 DESIGNATION OF COURT [Repealed]

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

3.5 CALENDARING OF HEARINGS

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

(Rule 3.5 adopted effective July 1, 2011.)

3.6 DEPOSIT OF JURY FEES

Advance jury fees in the amount of one hundred and fifty dollars (\$150.00) shall be deposited with the Clerk of the Court in compliance with Code of Civil Procedure section 631. Jury fees deposited after June 27, 2012, are nonrefundable.

(Rule 3.6 amended effective July 1, 2013; adopted as Rule 3.10 effective January 1, 1998; previously amended effective October 1, 2002; previously amended and renumbered effective January 1, 2010; amended effective July 1, 2011, and January 1, 2013.)

**Superior Court of California
County of Solano**

Rule 3 – Civil Cases

3.7 FORFEITURE OF JURY FEES PER CCP SECTION 631.3

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

Because jury fees deposited after June 27, 2012, are nonrefundable, this local rule shall apply only to cases where jury fees were deposited on or before June 27, 2012.

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

3.8 NOTIFICATION TO COURT OF DROPS, CONTINUANCES AND STIPULATIONS

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

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

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

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

**Superior Court of California
County of Solano**

Rule 3 – Civil Cases

3.9 TENTATIVE RULINGS

a. AVAILABILITY OF TENTATIVE RULINGS

Per California Rules of Court, rule 3.1308, the court has adopted a tentative rulings procedure for civil law and motion. A tentative ruling on a civil matter will be available after 2:00 p.m. on the court day immediately preceding the scheduled hearing on that matter by signing onto the court's web site at www.solano.courts.ca.gov and selecting "Tentative Rulings," or by telephoning (707) 207-7475. Tentative rulings will not be posted for unlawful detainer matters.

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

b. NOTIFICATION OF INTENT TO APPEAR AT HEARING

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

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

c. ARGUMENT ON TENTATIVE RULING

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

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

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

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

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

**Superior Court of California
County of Solano**

Rule 3 – Civil Cases

(Rule 3.9 amended effective July 1, 2013; adopted as Rule 3.14 effective January 1, 1998; previously amended effective October 1, 2002; amended and renumbered as Rule 3.9 effective January 1, 2010; amended effective July 1, 2010, July 1, 2011, and January 1, 2012.)

3.10 ORDERS AFTER HEARING [Repealed]

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

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

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

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

3.12 OFF CALENDAR

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

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

3.13 EX PARTE MATTERS

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

**Superior Court of California
County of Solano**

Rule 3 – Civil Cases

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

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

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

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

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

3.15 MOTIONS TO CONSOLIDATE

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

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

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

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.)

**Superior Court of California
County of Solano**

Rule 6 – Juvenile Proceedings

APPENDIX – Standing Orders of the Juvenile Court

<u>Standing Order</u>	<u>Title</u>
2002-01	Medical Authorization – Juvenile Hall
2002-02	Community School Programs
2002-05	Release of Records, Absent Parents
2002-07	Release of Records – Financial Hearing Officer
2010-001	Release of Juvenile Case File Information for W&I 601 and 602 Proceedings [VACATED] (<i>Vacated effective July 1, 2013</i>)
2011-001	Standing Order Authorizing Mental Health Evaluation and/or Treatment for Dependent Children or Minors Placed into Protective Custody by Child Welfare Services
2011-002	Order re: Release of Probation Files and Information Regarding Parents with Children Under the Jurisdiction of the Juvenile Court
2011-003	Standing Order to Facilitate Child Welfare Services Disaster Response Plan
2011-004	The Exchange of Information Pertaining to Juveniles Among Members of Multidisciplinary Teams
2011-005	Exchange and Release of Information Between Child Welfare Services and the Solano County Court Investigator
2011-006	Exchange & Release of Juvenile Records to be Used in the Solano Countywide Foster Youth Services Program (Education Code § 488850 et seq., Welfare & Institutions Code § 827, Cal. Rules of Court, rule 5.552)
2011-007	Release of School Records to Solano County Probation and Solano County Health and Social Services, Child Welfare Services Division (Education Code § 49077)
2011-008	Toxicology Testing for Drug Exposed Children Subject to Juvenile Laws (Welfare & Institutions Code § 369, subd. (d))
2012-001	Standing Order Authorizing Medical Evaluation and Treatment for Minors Placed into Protective Custody and Temporarily Detained in Out-of-Placement by Child Welfare Services

**Superior Court of California
County of Solano**

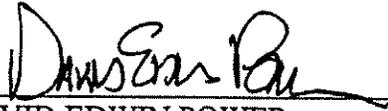
Rule 6 – Juvenile Proceedings

APPENDIX – Standing Orders of the Juvenile Court

<u>Standing Order</u>	<u>Title</u>
2013-001	Standing Order re: Release of Juvenile Case File Information for W&I 601 and 602 Proceedings

1 from Welfare and Institutions Code section 300 case files.

2 Dated: 8/2/02

3 

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

- 2 -

FILED
Clerk of the Superior Court

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

JUN 23 2010

By C. Wojan
DEPUTY CLERK

IN THE MATTER OF:
RELEASE OF JUVENILE DELINQUENCY
RECORDS

STANDING ORDER NO. 2010-001 _____

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

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

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

I. GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

3 **II. VIEWING JUVENILE CASE FILES**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VI. PROTECTIVE ORDER

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

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

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

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

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

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

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

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

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

20
21 Dated: April 8, 2010



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

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

5
6 IN THE MATTER OF:
7 RELEASE OF JUVENILE RECORDS
8
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PROTECTIVE ORDER RE: RELEASE OF
JUVENILE CASE FILE INFORMATION FOR
W&I 601 AND 602 PROCEEDINGS

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

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

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

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

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

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

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

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

15
16
17 Dated: Dec 18, 2010



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

VACATED JULY 1, 2013
Effective

1 assessments, treatments and/or procedures which are consistent with the scope of this
2 order, including specific consents required for assessment, treatment, sharing of
3 information, determination of eligibility and provision for the payment of the services.

4 Dated: 6/4/12



5 _____
6 PRESIDING JUDGE OF THE
7 JUVENILE COURT

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

6 IN THE MATTER OF:

7 RELEASE OF JUVENILE DELINQUENCY
8 RECORDS
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11

STANDING ORDER NO. 2013-001

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

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

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

20 **I. GENERAL PROVISIONS**

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

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

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

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

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

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

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

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

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

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

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

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

3 **II. VIEWING JUVENILE CASE FILES**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VI. PROTECTIVE ORDER

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

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

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

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

Dated: _____

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

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

4
5 IN THE MATTER OF:
6 RELEASE OF JUVENILE RECORDS
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PROTECTIVE ORDER RE: RELEASE OF
JUVENILE CASE FILE INFORMATION FOR
W&I 601 AND 602 PROCEEDINGS

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

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

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

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

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

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

Dated: _____

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

**Superior Court of California
County of Solano**

Rule 7 – Probate

PART ONE: Probate Proceedings Generally

7.8 PREGRANTS IN PROBATE MATTERS

A pregrant order on a probate matter will be available after 2:00 p.m. on the court day immediately preceding the scheduled hearing by signing onto the court’s web site at www.solano.courts.ca.gov and clicking “Tentative Rulings” or by telephoning the court at (707) 207-7331.

(Rule 7.8 amended effective January 1, 2012; adopted effective July 1, 2009; previously amended effective January 1, 2010.)

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.

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.

**Superior Court of California
County of Solano**

Rule 7 – Probate

PART ONE: Probate Proceedings Generally

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

c. TELEPHONIC APPEARANCE

Telephonic appearance will be permitted when authorized by California Rule of Court, rule 3.670 and Solano County Local Rules, rule 4.12(h), if the party seeking to appear telephonically has also complied with the notice requirements set forth in those rules, and subject to the exceptions set forth in those rules and the court's discretion to require personal appearances.
(Subd (c) amended effective January 1, 2010; amended and relettered effective July 1, 2009; adopted as subd (d) of Rule 7.11 effective July 1, 1989; previously amended effective January 1, 2009.)

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

7.10 EX PARTE APPLICATIONS

a. NOTICE ON EX PARTE PETITIONS

- (1) Unless otherwise ordered by the court, a party seeking ex parte relief shall provide notice of the petition to all individuals entitled to notice of a petition by 10:00 a.m. on the court day prior to the ex parte appearance.
- (2) All applications for ex parte orders must contain a statement on special notices. The statement shall recite that no request for special notice is on file and in effect or shall list the parties requesting special notice and have attached to the petition the specific waivers of notice by such parties or proof of service on parties requesting special notice.
(Subd (a) adopted effective July 1, 2009; previously adopted as subd (c) of former Rule 7.11 effective July 1, 1989.)

**Superior Court of California
County of Solano**

Rule 7 – Probate

PART ONE: Probate Proceedings Generally

b. WAIVER OF NOTICE

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

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

c. EX PARTE PROCEDURE

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

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

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

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

**Superior Court of California
County of Solano**

Rule 7 – Probate

PART TWO: Probate Proceedings Other Than Trusts

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:

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

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

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

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

15.4 APPOINTMENT OF INVESTIGATOR

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

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

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

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

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

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

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

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

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

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

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

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

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

15.5 COURT INVESTIGATOR FEES

a. COURT INVESTIGATOR FEES GENERALLY

A fee for the services of the Court Investigators Office shall be imposed upon the person(s) so responsible for payment per Probate Code section 1513.1. The rate of this fee depends on the nature of the investigation and is determined by the court on an annual basis. All rates are subject to change. The amount of the fee payable shall be determined by the fee schedule in effect on the date the petition triggering the investigation is filed, the date the accounting being reviewed is filed, or the due date of any reviews mandated by law. A list of current fees is available from the Court Investigators Office or the Family Law Clerk’s Office. *(Subd (a) amended effective January 1, 2013; adopted effective July 1, 2009; amended effective January 1, 2010.)*

b. PAYMENT OF COURT INVESTIGATOR FEES

Any and all assessments not waived by the court or county shall be paid to the court.

If an investigation is required because a petition has been filed, the investigation shall not be undertaken unless and until the applicable investigation fee is paid, unless otherwise ordered by the court. This includes, but is not limited to, investigations necessitated by a petition for appointment of a temporary guardian, appointment of a guardian, removal of a guardian, or termination of a guardianship.

For other court investigator services not triggered by the filing of a petition but still required by law or court order, the assessed fee is payable within 30 days after the *Assessment and Order for Payment* is mailed by the court. This includes, but is not limited to, investigations necessitated by the mandatory periodic reviews in guardianships.

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

c. DEFERMENT OR WAIVER OF COURT INVESTIGATOR FEES

Upon application by a guardian, a parent, or a ward, the court may defer or waive a portion or all of the assessed court investigator fees if the court finds that ordering payment of the assessed fees would constitute a hardship for the ward or the ward’s estate pursuant to Probate Code section 1513.1. The court may also defer fees pursuant to Probate Code section 2628. There shall be a rebuttable presumption that the assessed court investigator fees constitute a hardship on a

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

ward or proposed ward if the proposed guardian qualifies for a fee waiver under Government Code section 68630 et seq.

The court may periodically review the person's ability to pay the assessed fee. If the court becomes aware of a change in circumstances permitting payment of the fees by the person, the court shall order the fees paid after notice to the person and an opportunity to be heard.

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

(Rule 15.5 amended effective January 1, 2013; previously adopted as Rule 7.54 effective July 1, 1989; previously renumbered as Rule 7.56 effective July 1, 2008; previously readopted as Rule 15.5 effective July 1, 2009; amended effective January 1, 2010.)

15.6 TEMPORARY GUARDIANSHIPS

a. SETTING HEARING ON TEMPORARY GUARDIANSHIPS

Unless otherwise ordered by the court, hearings on temporary guardianships shall normally be set six to eight court days from the date the petition for a temporary guardianship is filed.

(Subd (a) adopted effective January 1, 2013; previous subd (a) adopted effective July 1, 2009; previous subd (a) repealed effective January 1, 2013.)

b. EX PARTE APPLICATIONS FOR ORDERS WAIVING OR SHORTENING NOTICE, OR MODIFYING THE METHOD OF NOTICE

In addition to the Judicial Council and local forms required for temporary guardianships, a petitioner seeking an ex parte order waiving or shortening notice or modifying the method of notice of the hearing on the temporary guardianship shall be required to file an *Ex Parte Application to Waive or Shorten Notice of Hearing on Temporary Guardianship or Conservatorship* (Solano County Local Form no. 3710).

The emergency order procedure set forth in Local Rule 5.4 shall apply to all applications to waive or shorten notice, or to modify the method of notice, filed in guardianships.

(Subd (b) adopted effective January 1, 2013; previous subd (b) repealed effective January 1, 2013.)

(Rule 15.6 amended effective January 1, 2013; adopted as Rule 7.57 effective July 1, 2008; adopted effective July 1, 2009.)

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

15.7 EX PARTE APPLICATIONS FOR TEMPORARY GUARDIANSHIP OR OTHER TEMPORARY ORDERS [Repealed]

(Rule 15.7 repealed effective January 1, 2013; adopted as Rule 7.55 effective July 1988; renumbered as Rule 7.58 effective July 1, 2008; adopted as Rule 15.7 effective July 1, 2009.)

15.8 CONTESTED GUARDIANSHIPS

a. OBJECTIONS TO THE APPOINTMENT OF GUARDIAN

A person objecting to the appointment of a temporary or general guardian of the person and/or estate are strongly encouraged to file and serve their objection on a local form designated for that purpose as far in advance as possible of the appropriate guardianship hearing date. If filing and service of the objection is not possible prior to the hearing date, the objecting party shall appear at the hearing either personally or through counsel to state their objection(s) on the record; however, unless otherwise ordered by the court, appearance at the hearing does not excuse the objecting party from filing his or her written objection and complying with the service requirements in this rule.

(Subd (a) relettered and amended effective January 1, 2013; adopted as subd (b) effective July 1, 2009; previous subd (a) repealed effective January 1, 2013.)

b. OBJECTOR’S NOMINATION OF ALTERNATE GUARDIAN

A person’s nomination of an alternate guardian for a proposed ward shall not be considered unless and until a petition naming the alternate proposed guardian is filed and the alternate proposed guardian indicates in writing that he or she consents to the nomination. A petition filed under this rule shall be filed in the same case number as the original petition. A petition filed pursuant to this rule is subject to the same service and notice requirements as the original petition for guardianship.

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

(Rule 15.8 amended effective January 1, 2013; adopted as Rule 7.56 effective July 1, 1988; renumbered as Rule 7.59 effective July 1, 2008; adopted as Rule 15.8 effective July 1, 2009.)

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

15.9 ORDERS FOR VISITATION IN GUARDIANSHIPS

a. **REQUEST FOR VISITATION ORDERS**

A person seeking orders granting that person visitation with a ward shall file a petition seeking visitation orders. The petition may be filed in pleading format or may be filed on a *Request for Order* form (Judicial Council form FL-300). No filing fee shall be charged for the *Request for Order* if it is filed in a guardianship of the person only. (Gov. C. 70657(e).) Unless otherwise ordered by the court upon proper application, the person shall provide notice of his or her petition as required by Probate Code section 1511.

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

b. **DOCUMENTS TO BE SERVED**

A person requesting visitation orders must have the following documents served on any person who is entitled to notice of the petition for guardianship per Probate Code section 1511 or by order of the court:

(1) A copy of the filed petition or *Request for Order* for visitation with any and all attachments; and,

(2) *Notice of Hearing – Guardianship or Conservatorship* (Judicial Council form GC-020).

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

c. **PROOFS OF SERVICE; DECLARATIONS OF DUE DILIGENCE**

A person requesting visitation shall file one or more proofs of service demonstrating that all persons entitled to notice have been served as required. A person who cannot locate or provide notice to a particular individual shall file a declaration with the court explaining the person's efforts to locate the individual.

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

d. **MEDIATION**

If a dispute exists as to the request for visitation, the matter shall be referred to mediation with Family Court Services. Mediations ordered as a result of this local rule shall be subject to all provisions found in Chapter 11 (commencing with Family Code section 3160) of Part 3 of Division 8 of the Family Code, all applicable provisions in the California Rules of Court, and Solano County Local Rules, rule 5.20.

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

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

e. **ORDERS FOR VISITATION**

Stipulations between the parties for visitation between a ward and another individual shall be prepared as a pleading or on a form designated by the court for use in guardianship matters. All other court orders concerning visitation with a ward shall be prepared and filed as a pleading or on a form designated by the court for use in guardianship matters.

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

(Rule 15.9 amended effective January 1, 2013; adopted as Rule 7.60 effective July 1, 2008; adopted as Rule 15.9 effective July 1, 2009.)

15.10 GUARDIANSHIPS OF THE ESTATE

a. **INVENTORIES AND APPRAISALS**

In order to ensure compliance with the guardian's obligation to file an inventory and appraisal, the court will ordinarily set a review hearing to take place four (4) months after the date of appointment of a guardian of the estate or a guardian of the person and estate. The date of the initial compliance review hearing shall be listed as part of the order appointing the guardian. For good cause shown, the court may dispense with setting this review hearing.

The guardian shall file the inventory and appraisal required by Probate Code section 2610 at least thirty (30) days prior to the date of the review hearing concerning that inventory and appraisal. The guardian shall serve an exact copy of the inventory and appraisal on the Court Investigators Office, if the inventory is in a relative guardianship of the estate, or on the Solano County Department of Health & Social Services, if the inventory is in a non-relative guardianship of the estate.

A person who files an objection to the inventory and appraisal of a guardian shall timely serve a notice of hearing on the Court Investigators Office, if the inventory and appraisal is in a relative guardianship of the estate, or on the Solano County Department of Health & Social Services, if the inventory and appraisal is in a non-relative guardianship of the estate. This notice of hearing shall only be required for a hearing set by the objecting party that is not already on calendar. No notice of the hearing is required for the review hearings set automatically by the court.

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

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

b. ACCOUNTINGS

In order to ensure compliance with the guardian's obligation to file an accounting, the court will ordinarily set a review hearing to take place fifteen (15) months after the date of appointment of a guardian of the estate or a guardian of the person and estate. The date of the compliance review hearing shall be listed as part of the order appointing the guardian. For good cause shown, the court may dispense with setting this review hearing in individual cases. The court may set additional review hearings as needed for the initial and any subsequent accounts. The guardian shall file the accounting at least thirty (30) days prior to the date of the review hearing concerning that accounting. The guardian shall serve an exact copy of the accounting on the Court Investigators Office, if the accounting is in a relative guardianship of the estate, or on the Solano County Department of Health & Social Services, if the accounting is in a non-relative guardianship of the estate. Absent a court order to the contrary, any subsequent accountings shall likewise be filed and served at least 30 days prior to any subsequent compliance review hearings.

(Subd (b) adopted effective January 1, 2013; previous subd (b) repealed effective January 1, 2013.)

c. INVESTMENTS

If a request for special notice has not been filed, a petition seeking court authorization to invest may be heard without notice. The emergency order procedure set out in Local Rule 5.4 shall apply.

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

(Rule 15.10 amended effective January 1, 2013; adopted as Rule 7.59 effective July 1, 1992; renumbered as Rule 7.61 effective July 1, 2008; adopted as Rule 15.10 effective July 1, 2009.)

15.11 GUARDIANSHIPS OF THE PERSON

a. ANNUAL STATUS REPORT

The court may order on a case-by-case basis that a guardian of the person or a guardian of the person and estate shall comply with the annual status report requirement per Probate Code section 1513.2.

(Subd (a) relettered effective January 1, 2013.)

(Rule 15.11 renumbered effective January 1, 2013; adopted as Rule 15.17 effective January 1, 2010; previous Rule 15.11 repealed effective January 1, 2013.)

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

15.12 ALLOWANCE OF FEES IN GUARDIANSHIP PROCEEDINGS [Repealed]

(Rule 15.12 repealed effective January 1, 2013; adopted as Rule 7.63 effective July 1, 1989; adopted as Rule 15.12 effective July 1, 2009.)

15.13 INVESTMENTS BY GUARDIAN OF THE ESTATE [Repealed]

(Rule 15.13 repealed effective January 1, 2013; adopted as Rule 7.64 effective July 1, 1988; adopted as Rule 15.13 effective July 1, 2009.)

15.14 APPOINTMENT OF COUNSEL FOR WARD

a. ELIGIBILITY FOR INITIAL APPOINTMENT

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

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

b. RENEWAL OF ELIGIBILITY FOR APPOINTMENT

An attorney who is eligible for appointment in guardianship cases pursuant to rule 15.14, subdivision (a), shall certify to the court by March 31 of each year following the attorney's initial approval that he or she has completed the education requirements set forth in California Rules of Court, rule 7.1101. The certification shall be on the *Annual Certification of Court-Appointed Attorney* form (Judicial Council form GC-011). Failure to timely comply with the certification requirements or with the education requirements in rule 7.1101 shall result in the removal of the attorney from the approved panel of appointed attorneys; however, the court may reinstate the attorney upon the prompt filing of an affidavit to the court demonstrating good cause why the certification was not timely submitted to the court.

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

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

c. STANDARDS GOVERNING COUNSEL FOR WARD

Counsel appointed to represent a ward in a guardianship proceeding shall be subject to, and shall have all applicable rights and responsibilities found in, California Rules of Court, rule 5.242.

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

d. COMPENSATION OF COUNSEL FOR WARD

Compensation of counsel appointed to represent a ward shall be governed by Probate Code section 1470. All orders appointing minor's counsel in guardianship proceedings, including orders setting compensation, shall be on an Order Appointing Minor's Counsel form (Solano County Local Form no. 3750).

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

(Rule 15.14 adopted effective July 1, 2009; adopted as Rule 7.65 effective July 1, 2008.)

15.15 TERMINATION OF GUARDIANSHIP

a. FORMS TO BE FILED FOR TERMINATION OF GUARDIANSHIP

A party wishing to terminate a guardianship for a ward who is not deceased or emancipated must file the following forms:

(1) *Notice of Hearing – Guardianship or Conservatorship* (Judicial Council form GC-020);

(2) *Petition for Termination of Guardianship* (Judicial Council form GC-255);
and,

(3) Order Terminating Guardianship (Judicial Council form GC-260).

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

b. NOTICE OF THE PETITION TO TERMINATE

In addition to complying with the service and notice requirements set by law, a person filing a petition to terminate the guardianship shall also serve a copy of the petition and the *Notice of Hearing* on the Court Investigators Office, if the guardianship to be terminated is a relative guardianship, or on the Solano County Department of Health & Social Services, if the guardianship to be terminated is a non-relative guardianship.

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

**Superior Court of California
County of Solano**

Rule 15 – Guardianships and Conservatorships

PART ONE: Guardianships

c. LODGING OF ORDER TERMINATING GUARDIANSHIP

In the event the court makes custody orders as part of an order terminating a guardianship pursuant to Probate Code section 1601, a copy of the custody order shall be filed in any pending or subsequently commenced proceeding concerning custody of the child. The custody order shall be prepared as a pleading or on a form designated by the court for use pursuant to this rule.

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

(Rule 15.15 amended effective January 1, 2013; adopted as Rule 7.81 effective July 1, 1988; renumbered as Rule 7.66 effective July 1, 2008; adopted as Rule 15.15 effective July 1, 2009.)

15.16 SANCTIONS

Failure to comply with these local rules in guardianship matters may result in the imposition of sanctions pursuant to Code of Civil Procedure section 575.2.

(Rule 15.16 adopted effective July 1, 2009.)

15.17 GUARDIANSHIPS OF THE PERSON – STATUS REPORT [REPEALED]

(Rule 15.17 repealed effective January 1, 2013; adopted effective January 1, 2010.)

15.18 – 15.49 [RESERVED]

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

<u>Rule</u>	<u>Rule Number</u>	<u>Page</u>
Access To Courtroom By Non-Parties (<i>Juvenile Proceedings</i>)	Rule 6.3	6-2
Access To Minors (<i>Juvenile Proceedings – Dependency</i>)	Rule 6.35	6-13
Accountings and Reports of Special Needs Trusts (<i>Probate</i>)	Rule 7.54	7-23
Additional Requirements for Proposed Conservators Prior to Issuance of Letters (<i>Conservatorships</i>)	Rule 15.52	15-17
Administration	Rule 10	
Administration of Civil Litigation	Rule 4	
Adoption of Local Rules (<i>General Provisions</i>)	Rule 1.1	1-1
Adoption, Construction and Amendment of Rules and Standing Orders (<i>Juvenile Proceedings</i>)	Rule 6.1	6-1
Allowance of Fees (<i>Conservatorships</i>)	Rule 15.60	15-27
Appeals	Rule 13	
Appearances at Hearings (<i>Probate</i>)	Rule 7.9	7-5
Appearances of Counsel (<i>Probate</i>)	Rule 7.19	7-11
Appendices (<i>Attorney Fees in Default Matters, Promissory Notes, Contracts, and Foreclosures</i>)	Rule 9	9-4
Appendices (<i>Family Law</i>)	Rule 5	5-26
Appendices (<i>Guardianships and Conservatorships</i>)	Rule 15	15-33
Appendices (<i>Juvenile Proceedings</i>)	Rule 6	6-17
Applicability of Guardianship Rules; Terminology; Direct Calendaring (<i>Guardianships</i>)	Rule 15.1	15-1
Application of Rules (<i>Civil Cases</i>)	Rule 3.1	3-1
Application Of Rules (<i>Criminal and Traffic Infraction Cases</i>)	Rule 2.1	2-1
Applications for Emergency Orders (Ex Parte Orders) (<i>Family Law</i>)	Rule 5.4	5-4
Appointed Counsel in Dependency Proceedings (<i>Juvenile Proceedings – Dependency</i>)	Rule 6.30	6-8
Appointment of Counsel for Conservatee (<i>Conservatorships</i>)	Rule 15.55	15-21
Appointment of Counsel for Ward (<i>Guardianships</i>)	Rule 15.14	15-14
Appointment Of Investigator (<i>Guardianships</i>)	Rule 15.4	15-5

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

Appointment of Private Counsel in Dependency Proceedings (<i>Juvenile Proceedings – Dependency</i>)	Rule 6.31	6-9
Appointment Of Special Administrator (<i>Probate</i>)	Rule 7.11	7-8
Apportionment of Statutory Compensation Between Two or More Personal Representatives (<i>Probate</i>)	Rule 7.24	7-14
Attorney Fees - Limited Civil Matters (<i>Attorney's Fees In Default Matters, Promissory Notes, Contracts, And Foreclosures</i>)	Rule 9.2	9-2
Attorney Fees - Unlimited Civil Matters (<i>Attorney's Fees In Default Matters, Promissory Notes, Contracts, And Foreclosures</i>)	Rule 9.1	9-1
Attorney Fees in Default Matters (<i>Unlawful Detainer</i>)	Rule 14.3	14-1
Attorney's Fees In Default Matters, Promissory Notes, Contracts, And Foreclosures	Rule 9	
Beneficiaries of Testamentary Trust to be Listed in Petition for Letters Testamentary (<i>Probate</i>)	Rule 7.50	7-21
Bonding Of Personal Representative (<i>Probate</i>)	Rule 7.4	7-3
Broker's Commissions (<i>Probate</i>)	Rule 7.21	7-12
Calculation of Temporary Spousal Or Partner Support (<i>Family Law</i>)	Rule 5.30	5-23
Calendaring Hearings for Default or Uncontested Judgments (<i>Family Law</i>)	Rule 5.40	5-24
Calendaring of Hearings (<i>Civil Cases</i>)	Rule 3.5	3-2
Case Designation (<i>Administration of Civil Litigation</i>)	Rule 4.2	4-1
Case Management Conferences (<i>Administration of Civil Litigation</i>)	Rule 4.6	4-3
Cash Deposit (<i>Probate</i>)	Rule 7.16	7-11
Child Custody and Visitation Evaluations (<i>Family Law</i>)	Rule 5.21	5-20
Child Custody Recommending Counseling (<i>Family Law</i>)	Rule 5.20	5-18
Civil Cases	Rule 3	
Civil Harassment (CCP § 527.6) (<i>Protective Orders</i>)	Rule 16.2	16-2
Claims Of Minors or Adults with Disabilities	Rule 8	
Compensation of Conservator from Trust (<i>Probate</i>)	Rule 7.55	7-24
Conditional Sales Of Real Property (<i>Probate</i>)	Rule 7.20	7-12

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

Confidentiality (<i>Juvenile Proceedings</i>)	Rule 6.4	6-2
Conservatorship Accountings (<i>Conservatorships</i>)	Rule 15.59	15-25
Conservatorship Inventories and Appraisals (<i>Conservatorships</i>)	Rule 15.58	15-24
Conservatorship Matters to Which Rule 15 Applies (<i>Conservatorships</i>)	Rule 15.50	15-17
Conservatorships	Rule 15	
Conservatorships for Developmentally Disabled Individuals (<i>Conservatorships</i>)	Rule 15.64	15-30
Contents of Petition and Decree of Partial or Final Distribution (<i>Probate</i>)	Rule 7.27	7-16
Contents of Petition for Compromise Of Claim Of Minor Or Adult with Disabilities (<i>Claims Of Minors or Adults with Disabilities</i>)	Rule 8.1	8-1
Contested Guardianships (<i>Guardianships</i>)	Rule 15.8	15-10
Continuance of Hearing Where Conservatee Not Served With Citation (<i>Conservatorships</i>)	Rule 15.51	15-17
Court Appointed Special Advocate Program (CASA) (<i>Juvenile Proceedings – Dependency</i>)	Rule 6.37	6-15
Court Investigator (<i>Conservatorships</i>)	Rule 15.53	15-18
Court Investigator Fees (<i>Conservatorships</i>)	Rule 15.54	15-20
Court Investigator Fees (<i>Guardianships</i>)	Rule 15.5	15-8
Court Investigator Fees for Investigation of Petition for Particular Transaction (<i>Probate</i>)	Rule 7.31	7-18
Court Reporter Fee (<i>Family Law</i>)	Rule 5.9	5-11
Court Reporter Transcripts (<i>Miscellaneous</i>)	Rule 17.2	17-2
Criminal and Traffic Infraction Cases	Rule 2	
Declination of Nominated Executor (<i>Probate</i>)	Rule 7.5	7-3
Deposit of Jury Fees (<i>Civil Cases</i>)	Rule 3.6	3-2
Direct Calendaring (<i>Family Law</i>)	Rule 5.2	5-2
Direct Calendaring (<i>General Provisions</i>)	Rule 1.3	1-1
Direct Calendaring Of Civil Cases; Assignments and Reassignments (<i>Civil Cases</i>)	Rule 3.2	3-1

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

Direct Calendaring Of Criminal Cases (<i>Criminal and Traffic Infraction Cases</i>)	Rule 2.2	2-1
Discovery (<i>Juvenile Proceedings</i>)	Rule 6.6	6-3
Dismissal Of Action Or Entry Of Judgment Following Settlement (<i>Administration of Civil Litigation</i>)	Rule 4.11	4-16
Distributions to Trusts (<i>Probate</i>)	Rule 7.28	7-17
Distributive Contingencies (<i>Probate</i>)	Rule 7.26	7-15
Diversion To Arbitration (<i>Administration of Civil Litigation</i>)	Rule 4.7	4-7
Divisions Of The Court; Assignment of Supervising Judges (<i>General Provisions</i>)	Rule 1.2	1-1
Documents Needed for Default or Uncontested Judgments for Establishment of Parental Relationship (UPA) or for Establishment of Custody and Support (<i>Family Law</i>)	Rule 5.43	5-25
Documents Needed for Judgment of Nullity (<i>Family Law</i>)	Rule 5.42	5-24
Documents Needed for Judgments for Legal Separation or Dissolution of Marriage or Registered Domestic Partnership (<i>Family Law</i>)	Rule 5.41	5-24
Domestic Violence (Family Code § 6200 et seq.) (<i>Protective Orders</i>)	Rule 16.1	16-1
Earnest Money Deposit by Overbidder (<i>Probate</i>)	Rule 7.18	7-11
Elder or Dependent Adult Abuse [Reserved] (<i>Protective Orders</i>)	Rule 16.5	16-4
Electronic Filing and Service of Pleadings and Documents (<i>Administration of Civil Litigation</i>)	Rule 4.14	4-19
Establishment of Special Needs Trusts (<i>Claims Of Minors or Adults with Disabilities</i>)	Rule 8.3	8-1
Evidentiary Hearings and Trials (<i>Family Law</i>)	Rule 5.11	5-16
Ex Parte Applications (<i>Probate</i>)	Rule 7.10	7-6
Ex Parte Applications for Temporary Conservatorship and Other Orders (<i>Conservatorships</i>)	Rule 15.56	15-22
Ex Parte Matters (<i>Civil Cases</i>)	Rule 3.13	3-5
Executive Officer (<i>Administration</i>)	Rule 10.1	10-1
Extraordinary Compensation for Personal Representative; Extraordinary Attorney Fees (<i>Probate</i>)	Rule 7.25	7-14

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

Failure To Notify Court When Attorney Cannot Be Present Shall Be Deemed Sufficient Cause To Order Off Calendar (<i>Civil Cases</i>)	Rule 3.11	3-5
Family Centered Case Resolution Process (CRC 5.83) (<i>Family Law</i>)	Rule 5.7	5-8
Family Law	Rule 5	
Fee Waiver Applications for Matters Being Appealed to the Court of Appeal (<i>Appeals</i>)	Rule 13.1	13-1
Filing of Notices of Unavailability (<i>Civil Cases</i>)	Rule 3.18	3-11
Forfeiture of Jury Fees (<i>Civil Cases</i>)	Rule 3.7	3-3
Forms to be Filed at Commencement of Proceeding (<i>Guardianships</i>)	Rule 15.2	15-1
General Procedures for Special Needs Trusts (<i>Probate</i>)	Rule 7.53	7-22
General Provisions	Rule 1	
Guardianships	Rule 15	
Guardianships of the Estate (<i>Guardianships</i>)	Rule 15.10	15-12
Guardianships of the Person (<i>Guardianships</i>)	Rule 15.11	15-13
Independent Exercise of Powers (<i>Conservatorships</i>)	Rule 15.57	15-24
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.) (<i>Probate</i>)	Rule 7.12	7-8
Information to be Included in Petitions Concerning Trusts (<i>Probate</i>)	Rule 7.52	7-22
Interest on Funeral and Interment Claims (<i>Probate</i>)	Rule 7.14	7-10
Joint Tenancy Assets (<i>Probate</i>)	Rule 7.29	7-18
Jury Management	Rule 11	
Juvenile Calendar (<i>Juvenile Proceedings</i>)	Rule 6.2	6-1
Juvenile Proceedings	Rule 6	
Law and Motion Hearings (Hearings Other Than Case Management Conferences, Status Conferences, Settlement Conferences, and Trials) (<i>Family Law</i>)	Rule 5.5	5-5
Mandate Actions Arising Under the California Environmental Quality Act (CEQA) (<i>Civil Cases</i>)	Rule 3.17	3-7

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

Mandatory Settlement Conferences (<i>Administration of Civil Litigation</i>)	Rule 4.9	4-12
Matters Assigned to the Family Law Division; Applicability of Rule (<i>Family Law</i>)	Rule 5.1	5-1
Mediation (<i>Administration of Civil Litigation</i>)	Rule 4.8	4-8
Mental Health Conservatorships (LPS)	Rule 12	
Miscellaneous	Rule 17	
Miscellaneous (<i>Administration of Civil Litigation</i>)	Rule 4.12	4-17
Modifications Of Orders (<i>Juvenile Proceedings – Dependency</i>)	Rule 6.36	6-14
Motion To Challenge Legal Sufficiency Of Petition (<i>Juvenile Proceedings</i>)	Rule 6.10	6-5
Motion To Challenge Legal Sufficiency Of Petition (<i>Juvenile Proceedings – Dependency</i>)	Rule 6.34	6-12
Motions Papers (<i>Civil Cases</i>)	Rule 3.16	3-6
Motions to Consolidate (<i>Civil Cases</i>)	Rule 3.15	3-6
Notice (<i>Guardianships</i>)	Rule 15.3	15-4
Notices (<i>Probate</i>)	Rule 7.6	7-3
Notification Of Plaintiff Of Assignment To One Judge For All Purposes (<i>Civil Cases</i>)	Rule 3.3	3-2
Notification to Court of Continuances, Drops or Stipulations (<i>Probate</i>)	Rule 7.7	7-4
Notification to Court of Drops, Continuances and Stipulations (<i>Civil Cases</i>)	Rule 3.8	3-3
Off Calendar (<i>Civil Cases</i>)	Rule 3.12	3-5
Open Book Accounts - Unlimited And Limited Civil (<i>Attorney's Fees In Default Matters, Promissory Notes, Contracts, And Foreclosures</i>)	Rule 9.3	9-3
Orders for Support and Substituted Judgment (<i>Conservatorships</i>)	Rule 15.61	15-28
Orders for Visitation in Guardianships (<i>Guardianships</i>)	Rule 15.9	15-11
Partial Allowance of Statutory Compensation or Attorney Fees (<i>Probate</i>)	Rule 7.23	7-13
Payments to Caregiver Spouse of Conservatee (<i>Conservatorships</i>)	Rule 15.62	15-28

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

Personal Representative Compensation and Attorney Fees in Connection with Termination of a Joint Tenancy or Handling of Other Nonprobate Assets (<i>Probate</i>)	Rule 7.30	7-18
Petitions, Pleadings & Motions (<i>Juvenile Proceedings</i>)	Rule 6.7	6-4
Photography, Videotaping, and Electronic Recordings (<i>Miscellaneous</i>)	Rule 17.1	17-1
Postsecondary School Violence (CCP § 527.85) (<i>Protective Orders</i>)	Rule 16.4	16-4
Pregrants in Probate Matters (<i>Probate</i>)	Rule 7.8	7-5
Preparation and Filing of Forms and Pleadings (<i>Family Law</i>)	Rule 5.3	5-2
Preparation of Orders (<i>Probate</i>)	Rule 7.13	7-9
Presence of Children in Courtroom (<i>Family Law</i>)	Rule 5.6	5-8
Probate	Rule 7	
Procedure (<i>Criminal and Traffic Infraction Cases</i>)	Rule 2.3	2-1
Procedures For Informing The Court Of The Interests Of A Dependent Child [CRC 5.660] (<i>Juvenile Proceedings – Dependency</i>)	Rule 6.33	6-11
Procedures For Reviewing And Resolving Complaints Regarding Representation In Dependency Proceedings (<i>Juvenile Proceedings – Dependency</i>)	Rule 6.32	6-9
Protective Orders	Rule 16	
Real Estate in Inventory and Appraisal (<i>Probate</i>)	Rule 7.15	7-10
Reassignment Upon Disqualification of Judicial Officer (<i>General Provisions</i>)	Rule 1.4	1-2
Receipt or Waiver of Account Signed by Attorney in Fact (<i>Probate</i>)	Rule 7.32	7-19
Release Of Information Relating To Juveniles (<i>Juvenile Proceedings</i>)	Rule 6.5	6-2
Request For Transcripts by Non-Party (<i>Juvenile Proceedings</i>)	Rule 6.8	6-5
Reservation of Government Code §71620 Powers (<i>Administration</i>)	Rule 10.2	10-1
Return On Bench Warrant (<i>Juvenile Proceedings – Delinquency</i>)	Rule 6.60	6-16
Sanctions (<i>Administration of Civil Litigation</i>)	Rule 4.13	4-18
Sanctions (<i>Conservatorships</i>)	Rule 15.65	15-30
Sanctions (<i>Guardianships</i>)	Rule 15.16	15-16

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

Scope And Policy (<i>Administration of Civil Litigation</i>)	Rule 4.1	4-1
Scope of Probate Rules (<i>Probate</i>)	Rule 7.1	7-1
Second Deeds of Trust (<i>Probate</i>)	Rule 7.17	7-11
Settlement Conferences (<i>Family Law</i>)	Rule 5.10	5-12
Signatures and Verifications of Pleadings (<i>Probate</i>)	Rule 7.3	7-2
Standing Order 2002-01: Medical Authorization – Juvenile Hall (<i>Juvenile Proceedings</i>)	Rule 6	6-19
Standing Order 2002-02: Community School Programs (<i>Juvenile Proceedings</i>)	Rule 6	6-22
Standing Order 2002-05: Release of Records, Absent Parents (<i>Juvenile Proceedings</i>)	Rule 6	6-23
Standing Order 2002-07: Release of Records – Financial Hearing Officer (<i>Juvenile Proceedings</i>)	Rule 6	6-24
Standing Order 2010-01: Release of Juvenile Case File Information for W&I 601 and 602 Proceedings (<i>Juvenile Proceedings</i>)	Rule 6	6-26
Standing Order 2011-01: Standing Order Authorizing Mental Health Evaluation and/or Treatment for Dependent Children or Minors Placed into Protective Custody by Child Welfare Services (<i>Juvenile Proceedings</i>)	Rule 6	6-37
Standing Order 2011-02: Order re: Release of Probation Files and Information Regarding Parents with Children Under the Jurisdiction of the Juvenile Court (<i>Juvenile Proceedings</i>)	Rule 6	6-39
Standing Order 2011-03: Standing Order to Facilitate Child Welfare Services Disaster Response Plan (<i>Juvenile Proceedings</i>)	Rule 6	6-42
Standing Order 2011-04: The Exchange of Information Pertaining to Juveniles Among Members of Multidisciplinary Team (<i>Juvenile Proceedings</i>)	Rule 6	6-44
Standing Order 2011-05: Exchange and Release of Information Between Child Welfare Services and the Solano County Court Investigator (<i>Juvenile Proceedings</i>)	Rule 6	6-46
Standing Order 2011-06: Exchange & Release of Juvenile Records to be Used in the Solano Countywide Foster Youth Services Program (Education Code § 488850 et seq., Welfare & Institutions Code § 827, Cal. Rules of Court, rule 5.552) (<i>Juvenile Proceedings</i>)	Rule 6	6-49

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

Standing Order 2011-07: Release of School Records to Solano County Probation and Solano County Health and Social Services, Child Welfare Services Division (Education Code § 49077) (<i>Juvenile Proceedings</i>)	Rule 6	6-53
Standing Order 2011-08: Toxicology Testing for Drug Exposed Children Subject to Juvenile Laws (Welfare & Institutions Code § 369, subd. (d)) (<i>Juvenile Proceedings</i>)	Rule 6	6-54
Standing Order 2012-001: Standing Order Authorizing Medical Evaluation and Treatment for Minors Placed into Protective Custody and Temporarily Detained in Out-of-Placement by Child Welfare Services (<i>Juvenile Proceedings</i>)	Rule 6	6-56
Standing Order 2013-001: Standing Order re: Release of Juvenile Case File Information for W&I 601 and 602 Proceedings (<i>Juvenile Proceedings</i>)	Rule 6	6-60
Status Conferences And Status Conference Reports (<i>Family Law</i>)	Rule 5.8	5-9
Statutory Compensation for Personal Representative and Attorney Fees (<i>Probate</i>)	Rule 7.22	7-13
Telephonic Appearances (<i>Unlawful Detainer</i>)	Rule 14.1	14-1
Temporary Guardianships (<i>Guardianships</i>)	Rule 15.6	15-9
Tentative Rulings (<i>Civil Cases</i>)	Rule 3.9	3-4
Termination of Conservatorship (<i>Conservatorships</i>)	Rule 15.63	15-29
Termination of Guardianship (<i>Guardianships</i>)	Rule 15.15	15-15
Time Requirements For Complaint (<i>Administration of Civil Litigation</i>)	Rule 4.3	4-3
Time Requirements For Cross Complaints (<i>Administration of Civil Litigation</i>)	Rule 4.5	4-3
Time Requirements For Responsive Pleadings (<i>Administration of Civil Litigation</i>)	Rule 4.4	4-3
Trial Management (<i>Unlawful Detainer</i>)	Rule 14.2	14-1
Trial Management Conferences (<i>Administration of Civil Litigation</i>)	Rule 4.10	4-14
Trust Accountings Filed with the Court (<i>Probate</i>)	Rule 7.56	7-24
Trustee Fees (<i>Probate</i>)	Rule 7.51	7-21
Unlawful Detainer	Rule 14	

**Superior Court of California
County of Solano**

**Local Rules
Subject Matter Index**

Use Of Judicial Council Forms; Format Of Pleadings (<i>Probate</i>)	Rule 7.2	7-1
Welfare And Institutions Code Section 241.1 Assessments (<i>Juvenile Proceedings</i>)	Rule 6.9	6-5
Workplace Violence (CCP § 527.8) (<i>Protective Orders</i>)	Rule 16.3	16-3

**Superior Court of California
County of Solano**

Index of Local Forms – By Form Number

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

**Superior Court of California
County of Solano**

Index of Local Forms – By Form Number

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

**Superior Court of California
County of Solano**

Index of Local Forms – By Form Number

<u>FORM NUMBER</u>	<u>DIVISION</u>	<u>FORM NAME</u>	<u>REVISION DATE</u>	<u>MANDATORY OR OPTIONAL</u>
3500	Probate	Assessment and Order for Payment	January 2013	Mandatory
3500-P	Probate	Assessment and Order for Payment – Probate Code §3100 Petitions	July 2009	Mandatory
3510	Probate	Order Appointing Court Investigator (Guardianships)	July 2008	Mandatory
3515	Probate	Order Appointing Investigator and Notice of Investigation Costs	July 2009	Mandatory
3700	Probate	Declaration re: Venue (Guardianships)	July 2008	Optional
3705	Probate	Declaration of Due Diligence (Guardianships and Conservatorships)	July 2009	Optional
3710	Probate	Ex Parte Application to Waive or Shorten Notice of Hearing on Temporary Guardianship or Conservatorship; Order re: Notice	January 2013	Optional
3720	Probate	Petition for Visitation Orders	July 2009	Optional
3740	Probate	Application to Practice as Minor’s Counsel (Guardianship)	July 2008	Mandatory
3800	Probate	Preliminary Inventory of Guardianship Estate	July 2008	Mandatory
5000	Adoption	Confidential Court Investigator’s Information and Referral Form (<i>Stepparent Adoption</i>)	August 2008	Mandatory
5005	Adoption	Reference for Stepparent Adoption	August 2008	Mandatory
5010	Adoption	Consent of Child to be Adopted (<i>Stepparent Adoption</i>)	August 2008	Mandatory
5113	Family	Notice of Case Management Conferences and Assignment of Judicial Officer for All Purposes	July 2013	Mandatory

**Superior Court of California
County of Solano**

Index of Local Forms – By Form Number

<u>FORM NUMBER</u>	<u>DIVISION</u>	<u>FORM NAME</u>	<u>REVISION DATE</u>	<u>MANDATORY OR OPTIONAL</u>
6025	Juvenile	Pre-Screen Financial Declaration – Juvenile Dependency	July 2013	Mandatory
7000	Small Claims	Judgment Debtor’s Statement re: Request to Enter Satisfaction of Judgment	November 2000	Optional
7020	Probate	Verification of Viewing of Conservatorship Video	July 2011	Mandatory
7023	Small Claims	Request for Dismissal	September 1999	Optional
7040	Civil	Judgment After Trial by Court (Unlawful Detainer)	May 2000	Optional
7060	Small Claims	Declaration re: Default in Payments & Order Setting Aside Order Providing Payment of Judgment in Installments	November 2000	Optional
7090	Small Claims	Amendment to Claim Prior to Judgment (<i>Small Claims</i>)	March 2000	Optional
7500	Probate	Placement and Level of Care Assessment for Conservatee (Probate Code §2352.5)	January 2010	Mandatory

**Superior Court of California
County of Solano**

Index of Local Forms – Alphabetical

<u>FORM NUMBER</u>	<u>DIVISION</u>	<u>FORM NAME</u>	<u>REVISION DATE</u>	<u>MANDATORY OR OPTIONAL</u>
7090	Small Claims	Amendment to Claim Prior to Judgment (<i>Small Claims</i>)	March 2000	Optional
322	Family	Application and Order for Publication of Summons	September 2008	Mandatory
3740	Probate	Application to Practice as Minor’s Counsel (Guardianship)	July 2008	Mandatory
3500	Probate	Assessment and Order for Payment	January 2013	Mandatory
3500-P	Probate	Assessment and Order for Payment – Probate Code §3100 Petitions	July 2009	Mandatory
327	Family	Attachment to FL-327	March 2007	Mandatory
397	Family	Attorney’s Declaration re Mediation Video	January 2007	Optional
3490	Probate	Confidential Court Investigators’ Information and Referral Form (<i>Guardianship</i>)	January 2010	Mandatory
5000	Adoption	Confidential Court Investigator’s Information and Referral Form (<i>Stepparent Adoption</i>)	August 2008	Mandatory
5010	Adoption	Consent of Child to be Adopted (<i>Stepparent Adoption</i>)	August 2008	Mandatory
323	Family	Declaration in Support of Application for Order for Publication of Summons	September 2008	Mandatory
1320	Family	Declaration in Support of Request for Separate Mediation Sessions	June 1998	Optional
3705	Probate	Declaration of Due Diligence (Guardianships and Conservatorships)	July 2009	Optional
1070	Family	Declaration re Notice Upon Ex Parte Application for Orders	December 2006	Mandatory

**Superior Court of California
County of Solano**

Index of Local Forms – Alphabetical

<u>FORM NUMBER</u>	<u>DIVISION</u>	<u>FORM NAME</u>	<u>REVISION DATE</u>	<u>MANDATORY OR OPTIONAL</u>
1070-G	Probate	Declaration re Notice Upon Ex Parte Application for Orders (Guardianships)	July 2008	Mandatory
7060	Small Claims	Declaration re: Default in Payments & Order Setting Aside Order Providing Payment of Judgment in Installments	November 2000	Optional
3700	Probate	Declaration re: Venue (Guardianships)	July 2008	Optional
3710	Probate	Ex Parte Application to Waive or Shorten Notice of Hearing on Temporary Guardianship or Conservatorship; Order re: Notice	January 2013	Optional
392	Family	Form of Papers	April 2007	N/A
165	Civil	Judgment (Default by Clerk)	September 1998	Optional
166	Civil	Judgment (Default by Court)	December 2007	Optional
168	Civil	Judgment (Trial)	October 2000	Optional
7040	Civil	Judgment After Trial by Court (Unlawful Detainer)	May 2000	Optional
7000	Small Claims	Judgment Debtor's Statement re: Request to Enter Satisfaction of Judgment	November 2000	Optional
010	Family	Meet and Confer Orders	March 2008	Mandatory
5113	Family	Notice of Case Management Conferences and Assignment of Judicial Officer for All Purposes	July 2013	Mandatory
399	Family	Notice of Continued Hearing	April 2007	Optional

**Superior Court of California
County of Solano**

Index of Local Forms – Alphabetical

<u>FORM NUMBER</u>	<u>DIVISION</u>	<u>FORM NAME</u>	<u>REVISION DATE</u>	<u>MANDATORY OR OPTIONAL</u>
3455	Probate	Objection to Appointment of Guardian	January 2007	Mandatory
300	Family	Order After Hearing/Stipulation and Order	December 2006	Optional
320	Family	Order Appointing Counsel for Minors	November 2000	Optional
3510	Probate	Order Appointing Court Investigator (Guardianships)	July 2008	Mandatory
3515	Probate	Order Appointing Investigator and Notice of Investigation Costs	July 2009	Mandatory
309	Probate	Order Appointing Regional Center to Evaluate Proposed Ward or Conservatee	July 2008	Mandatory
345	Family	Order re: Testing for Alcohol or Illegal Use of Controlled Substances	July 2008	Mandatory
304	Family	Parenting Orders Attachment	September 2007	Optional
3720	Probate	Petition for Visitation Orders	July 2009	Optional
7500	Probate	Placement and Level of Care Assessment for Conservatee (Probate Code §2352.5)	January 2010	Mandatory
3800	Probate	Preliminary Inventory of Guardianship Estate	July 2008	Mandatory
6025	Juvenile	Pre-Screen Financial Declaration – Juvenile Dependency	July 2013	Mandatory
5005	Adoption	Reference for Stepparent Adoption	August 2008	Mandatory
7023	Small Claims	Request for Dismissal	September 1999	Optional
920	Civil	Request for Extension of Time (re Filing Response)	December 2000	Optional

**Superior Court of California
County of Solano**

Index of Local Forms – Alphabetical

<u>FORM NUMBER</u>	<u>DIVISION</u>	<u>FORM NAME</u>	<u>REVISION DATE</u>	<u>MANDATORY OR OPTIONAL</u>
910	Civil	Request for Extension of Time (re Proof of Service of Summons)	December 2000	Optional
1325	Family	Request for Separate Mediation or Support Person	June 1998	Optional
890	Family	Status Conference Report – Family Law (Marriage/RDP)	July 2009	Mandatory (blue paper)
890-UPA	Family	Status Conference Report – Family Law (Uniform Parentage Act)	July 2009	Mandatory (blue paper)
303	Family	Stipulation & Order re: Partial Child Custody Evaluation	March 2000	Optional
306	Family	Supervised Visitation/Supervised Exchange Order	August 2002	Optional
314	Family	Time Sharing Arrangement Table	October 2007	Optional
3006	Civil	Trial Management Conference Report	January 2010	Optional
7020	Probate	Verification of Viewing of Conservatorship Video	July 2011	Mandatory