Superior Court of California
County of Solano

Rule 8 – Compromises of Claims

8.1 CONTENTS OF PETITION FOR COMPROMISE OF CLAIM OF A PERSON WITH A DISABILITY OR A MINOR

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

(1) A full disclosure of all information concerning the reasonableness of the proposed compromise or covenant not to sue, including the amounts, if any, paid to other claimants.

(2) The original or a photocopy of each bill which, if paid, shall disclose the date of payment, the amount paid, and the name of the payor.

(Rule 8.1 amended effective July 1, 2014; adopted effective July 1, 1988; previously amended effective July 1, 2009, and January 1, 2010, and July 1, 2010.)

8.2 FILING PETITIONS FOR COMPROMISE OF CLAIMS

In cases where no action is pending, a petition to compromise either a minor's claim or a claim of an adult with disabilities shall be filed as an independent case with the Probate Division.

In cases where a civil action is pending, a petition to compromise either a minor's claim or a claim of an adult with disabilities shall be filed within the pending civil action.

(Rule 8.2 adopted effectie July 1, 2014.)

8.3 ESTABLISHMENT OF SPECIAL NEEDS TRUSTS

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

(Rule 8.3 amended effective July 1, 2014; adopted effective July 1, 2009; previously amended effective January 1, 2010, and July 1, 2010; previous Rule 8.3, concerning representation of specified parties by counsel at hearings, repealed effective July 1, 2009.)

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