Superior Court of California, County of El Dorado

Local Rules

Revision: January 1, 2026

https://www.eldorado.courts.ca.gov/

LOCAL RULES FOR THE SUPERIOR COURT

COUNTY OF EL DORADO

Effective January 1, 2026

With the implementation of new rules and revisions, these rules should replace all other El Dorado County Local Rules you may have in your possession.

Thank you.

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1.00.00 SCOPE OF RULES FOR THE SUPERIOR COURT

These Local Rules apply to the Superior Court of California, in and for the County of El Dorado.
(Revised July 1, 2014)

1.00.01 EFFECTIVE DATE OF RULES

These rules shall take effect on January 1, 2026.
(Revised January 1, 2026)

1.00.02 EFFECT OF RULES AND CITATION TO RULES

These rules shall be known and cited as "Local Rules of the El Dorado County Superior Court." These rules supersede all local court rules previously adopted.
(Revised July 1, 2014)

1.00.03 CONSTRUCTION AND APPLICATION OF RULES

These rules shall be construed and applied in such a manner as to not conflict with the California Rules of Court and shall be liberally construed to serve the proper and efficient administration of justice in the Superior Court of El Dorado County.

The civil rules shall apply to all probate and unlawful detainer matters, except where time limits are otherwise prescribed by law.

These rules do not apply to small claims division actions or proceedings, unless the text of specific rules otherwise indicates.

The CEO of the Superior Court, as court clerk, shall be the official publisher of these rules and shall maintain a set of the rules in the clerk's office of each court for public inspection. Copies shall be made available for sale at a reasonable fee.
(Revised January 1, 1999)

1.00.04 DEFINITION OF WORDS USED IN THESE RULES

A. The word "court" shall mean the Superior Court in and for the County of El Dorado, as well as all branches and departments of the court. It shall further include any judge, commissioner, or judge pro tempore, who is a duly elected or appointed member of a trial court in this county, and any judge, commissioner, or judge pro tempore, including retired judges, who shall be assigned to a trial court in this county by the chairperson of the Judicial Council.

B. The word "person" shall include and apply to corporations, firms, associations, and all other entities, as well as to natural persons.

C. The word "affidavit" includes declarations and "declaration" includes affidavits.

D. The word "judgment" includes and applies to any judgment, and to any order or decree from which an appeal may lie.

E. The use of the masculine, feminine, and neutral gender terms shall include the other

genders.
(Revised January 1, 1999)

1.00.05 AMENDMENT, ADDITION, OR REPEAL OF RULES

These rules may be amended or repealed, and new rules may be added, by a majority vote of the judges of the Superior Court.
(Revised January 1, 1999)

2.00.00 COURT OF ORIGINAL PROCEEDINGS

The Court of Original Proceedings, as defined in the California Constitution, Article 6, section 10, and applicable statutes, has jurisdiction of all adjudicative proceedings.
(Effective January 1, 1994)

2.00.01 SUPERVISION OF COURT BUSINESS

A. The business of the Superior Court shall be supervised by the executive committee, which shall consist of the presiding judge, the assistant presiding judge, the court executive officer, and the assistant court executive officer.

B. The presiding judge and the assistant presiding judge shall be selected by July 1 by a majority of the judges of the court and shall serve for a 2-year term beginning January 1. The presiding judge and the assistant presiding judge may be elected for additional terms. The grand jury judge shall be selected in January but shall serve a term beginning July l and continuing to June 30 of the following year.

C. Each branch court shall have a supervising judge who shall be appointed by the presiding judge. If only one judge regularly sits in a particular branch, that judge shall be designated the supervising judge.

D. Judges' meetings shall be held monthly, or as otherwise determined by vote of the judges. The executive committee is authorized to decide routine or noncontroversial matters in the event a monthly judges' meeting is not held.

(Revised January 1, 2017)

2.00.02 DUTIES OF THE PRESIDING JUDGE

A. The presiding judge of the court shall perform the duties specified in California Rules of Court, rule 10.603. In performing those duties, the presiding judge shall be guided by the Standards of Judicial Administration set forth in the California Rules of Court.

B. In accordance with the policies of the court and as authorized by California Rules of Court, rule 10.605, an executive committee may be established by the court to advise the presiding judge or to establish policies and procedures for the internal management of the court. An executive committee may be appointed by the presiding judge to advise the presiding judge.

C. For purposes of California Rules of Court, rule 10.603(c)(2)(H) (defining "vacation day"): An absence of four consecutive hours in the morning (8:00 – 12:00) or afternoon (1:00 – 5:00) is vacation time of half a day. An absence of eight consecutive hours is one full day of vacation. Time off for dental and medical visits and for illness

will not be charged as vacation time.
(Revised July 1, 2013)

2.00.03 ASSISTANT PRESIDING JUDGE

If at any time the presiding judge shall be absent, ill, on vacation, or otherwise unable to perform his or her duties, the assistant presiding judge shall perform all the duties and exercise the authority of the presiding judge.

If at any time during the term of office both the presiding judge and the acting presiding judge are unavailable because of illness, vacation, or other cause, the senior judge, or other judge as designated by the presiding judge, shall serve as assistant presiding judge during the period of unavailability.
(Effective January 1, 1994)

2.00.04 CEO OF THE SUPERIOR COURT

The CEO of the Superior Court shall also serve as clerk of the court. The CEO of the Superior Court has ultimate responsibility, under the supervision of the presiding judge, for the planning, organizing, and directing the non-judicial activities of the court, and shall perform the duties specified in California Rules of Court, rule 10.610 and in the job description as approved by the court from time to time.

The CEO of the Superior Court serves at the pleasure of the court and is appointed by the elected members of the county judiciary by a simple majority vote.
(Revised July 1, 2012)

2.00.05 COURT COMMISSIONERS AND JUDGES PRO TEMPORE

Court commissioners for the court may be appointed by, and shall serve at the pleasure of, a majority of its judges, and under the control and supervision of the presiding judge. Within the jurisdiction of each court and under the direction of its judges, court commissioners shall exercise all the powers and perform all the duties authorized by law to be performed by commissioners of the appointing court, and such additional powers and duties as may be prescribed by law.

At the direction of the judges of the Superior Court, commissioners may have the same jurisdiction and exercise the same powers and duties as the judges of the appointing court, and with the consent of the parties, where required by law, may hear any other action as a judge pro tempore.

Temporary judges shall be appointed for the court in accordance with the California Rules of Court, rules 2.810–2.819. Temporary judges serve under the control and direction of the presiding judge and shall hear matters as assigned by the presiding judge.
(Revised July 1, 2021)

2.00.06 COMPLAINTS AGAINST COURT STAFF, COMMISSIONERS, REFEREES, AND JUDGES PRO TEMPORE

A. Complaints about the conduct of a subordinate judicial officer or judge pro tempore will be processed in accordance with the procedures set forth in California Rules of Court, rule 10.703. A person having a complaint regarding the professional conduct

of and/or procedures employed by a subordinate judicial officer or judge pro tempore shall make the complaint in writing to the presiding judge. Persons who are unable to file a written complaint because of a disability may present an oral complaint, which the presiding judge must commit to writing. The presiding judge, or another judge designated by the presiding judge, will conduct an investigation of the matter, which may include consultation with the judge pro tempore or subordinate judicial officer. Within 90 days of receipt, the complainant will be informed in writing of the results of the investigation.

(1) Written complaints against subordinate judicial officers can be submitted via mail to:
El Dorado County Superior Court
Attn: Presiding Judge c/o Court Administration
2850 Fairlane Court, Ste 110
Placerville, CA 95667

B. Concerns regarding a court staff member, court procedure, or a suggestion on improving a process, other than those related to a particular case, can be submitted in writing to the Court Executive Officer. Written concerns must be signed and include an address where the Court's response can be sent.

(1) Written complaints against court staff can be submitted via mail to:
El Dorado County Superior Court
Attn: Court Executive Officer
2850 Fairlane Court, Ste 110
Placerville, CA 95667

(Revised July 1, 2025)

2.00.07 RECORD OF PROCEEDINGS

A. The court makes every effort to secure the services of official reporters for most civil case matters, except as set forth in subsection (D). However, the court cannot guarantee that official reporting services are available for proceedings where such services are not required by statute.

B. The parties will be notified as soon as possible in the event the court cannot secure the services of an official reporter. If official reporting services are not required by statute for the case type, the matter will proceed as scheduled without reporting services. On the condition it does not cause a continuation of the proceeding, a party may also arrange, at the party's expense, for a private certified court reporter or certified shorthand reporter to report proceedings. The court does not facilitate the attendance of private reporters.

C. Pursuant to Government Code section 69957, in limited civil actions and criminal misdemeanor and infraction proceedings, the court, at its sole discretion, may utilize electronic recording as a means of generating a verbatim record of proceedings. In those instances, court reporters will not be provided.

D. Pursuant to California Rules of Court, rule 2.956, the court does not provide court

reporters for hearings in the following matters:

- All Civil Case Management Conferences
- All Civil Settlement Conferences
- All Civil Ex Parte Application hearings
- All hearings regarding Unlawful Detainers, Name Changes, or Small Claims
- All Infraction hearings

A litigant who wishes to obtain a record of a hearing for any of the above types of matters must arrange for a court reporter at their expense. A litigant may contact the court to determine if a court-connected court reporter is available by calling, as applicable, the Placerville Session at (530) 621-5867, or the South Lake Tahoe Session at (530) 573-3075. If a court-connected reporter is available and provided to the litigant by the court, the litigant shall be charged fees as set forth in subsection (F) below. The court does not facilitate the attendance of private certified court reporters to report proceedings.

E. Notwithstanding subsection (D), an official reporter will be provided at court expense upon the request for a court reporter by a party with a valid fee waiver on file, unless the proceeding is being electronically recorded.

F. There shall be a court reporter fee as set forth in the court's Uniform Civil Fee Schedule, which can be viewed at the court's web site at: www.eldorado.courts.ca.gov. All parties shall provide and post court reporter fees pursuant to Government Code section 68086. Fees for proceedings lasting less than one hour shall be posted by the moving party as directed by the court. Fees for proceedings lasting more than one hour, including trials, shall be posted as directed by the court or at the beginning of any long cause hearing or trial. Failure to provide and post court reporter fees pursuant to statute and these rules shall be cause for the hearing or trial to be postponed or continued at the discretion of the court. The court may award attorney fees and/or sanctions against the non-complying party.

G. Unless otherwise required by statute, the parties shall be responsible for all transcript costs pursuant to Government Code section 69953.

H. The court may tape or otherwise electronically record any hearing or proceeding for its internal use. Any such recording shall not constitute an official record of the proceeding recorded.

(Revised January 1, 2024)

2.00.08 LOCATION FOR FILING AND COURT SESSIONS

A. LOCATION

(1) In the Western Slope of El Dorado County, also referred to as the Western Slope area (excludes the Tahoe Basin), sessions of the court may be held in the following locations:

a. Placerville Main Street Branch, 495 Main Street, Placerville, CA 95667

b. Placerville Building C Branch, 2850 Fairlane Court, Placerville, CA 95667

c. Placerville Fair Lane Branch, 295 Fair Lane, Placerville, CA 95667

d. Cameron Park Branch, 2927 Meder Road, Cameron Park, CA 95682

(2) In the City of South Lake Tahoe, also referred to as the South Lake Tahoe area as described in section C below, all sessions of the court are held at:

a. South Lake Tahoe Branch, 1354 Johnson Blvd., South Lake Tahoe, CA 96150

(3) The court may conduct sessions at any appropriate location within the County of El Dorado as directed by the judicial officer presiding at the hearing.

(4) Unless otherwise ordered by the court, all papers must be filed directly with the clerk's office in the courthouse where the case is assigned, except that filings for Department 8 must be filed in Building C at 2850 Fairlane Court, Ste. 120, Placerville, CA 95667.

(Revised July 1, 2025)

B. The courts take judicial notice of the last preceding census, taken under the authority of the Congress of the United States, that the population of the City of South Lake Tahoe in the County of El Dorado exceeds 7,000, and the City Hall in the City of South Lake Tahoe is more than 30 miles from the courthouse. Therefore, pursuant to the provisions of the Government Code section 69751.5, it is declared that a session of the Superior Court of the State of California, for the County of El Dorado, shall be held in the City of South Lake Tahoe to serve the convenience of the residents of the County and to promote the ends of justice.

C. For the convenience of the courts, there is hereby designated a portion of the County of El Dorado, to be known as the South Lake Tahoe Area.

The South Lake Tahoe Area is legally described as follows:

Commencing at a point on the North section line of Section 35, Township 14 North, Range 14 East and the centerline of Barts Creek, said point being also on the El Dorado-Placer County line; thence Southerly along the centerline of Barts Creek to its intersection with the centerline of Gerle Creek; then Southerly along the centerline of Gerle Creek to a point on the centerline of Wentworth Springs Road; thence Southerly along the centerline of Wentworth Springs Road to its intersection with the centerline of Icehouse Road; thence Southerly along the centerline of Icehouse Road to the East-West centerline of Section 13, Township 12 North, Range 14 East; then East along the centerline of said Section 13, and Sections 18, 17, 16, 15 and 14, Township 12 North, Range 15 East to the East section line of said Section 14; then

South along the East line of Section 14, Township 12 North, Range 15 East to the Southwest corner of Section 18 of Township 12 North, Range 16 East; thence East along the South lines of Sections 18, 17, 16, 15, 14 and 13 of Township 12 North, Range 16 East and the South lines of Sections 18 and 17 of Township 12 North, Range 17 East to the Southeast corner of said Section 17; thence South along the West lines of Sections 21, 28 and 33 of Township 12 North and Range 17 East and the West lines of Sections 4, 9, 16, 21 and 28, Township 11 North, Range 17 East, to the Southwest corner of said Section 28; thence West along the North line of Sections 5 and 6 to the Northwest corner of Section 6, Township 10 North, Range 17 East; thence South along the West lines of Township 10 North, Range 17 East and Township 9 North, Range 17 East to intersection with the El Dorado-Amador County line; thence Northeasterly along said county line to its intersection with the California-Nevada State Line; thence Northerly and Westerly along the El Dorado County line to the point of beginning. All Townships and Ranges are within the Mount Diablo Meridian.

D. The following actions or proceedings may be heard in the South Lake Tahoe Session:

(1) All jury actions or proceedings wherein the subject matter arises in the South Lake Tahoe area.

(2) All non-jury actions or proceedings wherein the subject matters arise in the South Lake Tahoe area.

(3) All non-jury actions or proceedings involving title to, or possession of real property located in said area in whole or in part.

(4) Proceedings for probate of an estate, termination of a life estate or joint tenancy and guardianship, wherein residence is established in said area.

(5) All juvenile actions where the subject matter arises in the South Lake Tahoe area.

(6) Any action or proceeding may, for good cause, be transferred from the South Lake Tahoe Session to the Session at the County Seat, or vice versa, on motion of any party or the Courts.

(Revised July 1, 2011)

2.00.09 TRANSFERRING CASES BETWEEN PLACERVILLE AND SOUTH LAKE TAHOE SESSIONS

A. Transfers shall be handled with regard for the present statutory requirements concerning cases entitled to preference. Cases may only be transferred with the specific consent of the presiding judge.

B. If a case has been venued in the Placerville session, all filings in that case must be made in Placerville only.

(1) If a case has been venued in the South Lake Tahoe Session, all filings in that case must be made in South Lake Tahoe only.

(2) Pursuant to 2.00.08(A)(4), unless otherwise ordered by the court, all papers must be filed directly with the clerk's office in the courthouse where the case is assigned, except that filings for Department 8 must be filed in Building C at 2850 Fairlane Court, Ste. 120, Placerville, CA 95667.

C. The judge in the receiving court shall be the authority on whether a transfer is to take place. Before a case may be transferred, the judge in the receiving court must be consulted as to the cases pending in that court on the date in question.

D. If the judge in the transferring court disagrees with the judge of the receiving court's decision, the presiding judge shall rule as to:

(1) Whether the case shall be transferred;

(2) Whether it shall take precedence over the cases then pending in the receiving court; and

(3) Whether the case being transferred, if it is not to be heard during the trial week it was set for in the transferring court, shall be given precedence over the cases pending in the receiving court.

E. The judge in the receiving court shall have full authority over the case once transferred and any change in trial status or reported settlement shall be made through the receiving court.

F. The judge of the transferring court shall notify counsel of the transfer immediately and shall advise counsel that all further communications and inquiries concerning the case should be made to the judge of the receiving court assigned to try the case or the calendar clerk of that court.

G. The presiding judge may transfer any case between the 2 sessions for reasons of court convenience, including the availability of a courtroom, the availability of a judicial officer, or for other reasons promoting judicial efficiency as determined by the presiding judge.

(Effective July 1, 2025)

2.00.10 JUDICIAL ASSIGNMENTS

Cases assigned to a judge are for all purposes. Current judicial assignments are maintained on the court's website at www.eldorado.courts.ca.gov/general-information/judicial-assignments.

(Revised January 1, 2022)

2.00.11 RESERVED FOR FUTURE USE

(Revised January 1, 2021)

2.00.12 DUTY JUDGE

A. Each of the judges shall serve 1 week at a time as duty judge on a rotating basis. Each 1-week period shall commence on Friday at 5:00 p.m. and continue until the following Friday at 5:00 p.m., unless otherwise noted on the schedule.

B. The judges shall annually by November of each year designate which time period each will be available to serve as duty judge in the coming year, and the presiding judge shall make assignments according to those designations. The judges shall rotate the name of each judge assigned to each 1-week period so that each of the 8 judges shall serve one period every two months. A duty judge unable to act will arrange for a substitute and the pertinent agencies shall be so notified by the CEO of the Superior Court. The presiding judge shall provide all relevant law enforcement and governmental agencies with a copy of the judges' annual duty judge schedule and any subsequent revisions.

C. The duty judge shall be available by email or telephone at all times. In the event the duty judge cannot be reached, then leave a voicemail message with contact information. If the judge does not respond to the voicemail message within approximately five (5) minutes, then dispatch, or the officer must call the on-call judge back at the provided phone number(s).

D. The duty judge shall be responsible for accomplishing the following:

(1) Providing a ruling on all probable cause requests by law enforcement;

(2) Issuing domestic violence restraining orders;

(3) Executing written search warrants or, if because of distance such is not feasible, issuing telephonic search warrants;

(4) Issuing emergency authorization for medical treatment for dependency children and other children if required. In the event medical treatment is required for children who have been taken into custody by Child Protective Services, it shall be the responsibility of Child Protective Services to contact the duty judge and set forth the nature of the emergency, including:

a. Name and telephone number of the doctor who is to be contacted;

b. Nature of the illness;

c. Names of the foster parents and their telephone number;

d. Telephone number of the Child Protective Services social worker who will be monitoring the matter;

e. A succinct statement as to the nature of the emergency which dictates the requested authorization.

The duty judge shall then confirm directly with the doctor the nature of the emergency and the fact that the procedure which is to be taken cannot be delayed until the next workday when the dependency calendar commissioner or judge will be available. The duty judge shall then, pursuant to the requirements of law, determine whether or not said authorization shall be given. In the event of children who are not dependent children of the juvenile court or are not in the custody of Child Protective Services, the duty judge shall follow the procedure as specified by law, confirming the nature of the emergency procedure and the need for immediate operation, and proceed, if necessary, by telephonic hearing.

(5) All other emergency requests by law enforcement, Child Protective Services, probation department, or any other governmental entity or individual entitled to emergency requests.

(Revised January 1, 2024)

2.00.13 HOLIDAYS

If any day on which an act is required by these rules to be done falls on a holiday, as defined in Code of Civil Procedure section 134 and Government Code section 6700, the act may be performed on the next succeeding court day after the holiday, with the same effect as if it had been performed on the required day.

(Effective January 1, 1994)

2.00.14 ALCOHOLIC BEVERAGES

Open containers of alcoholic beverages are prohibited in all areas of the courthouse and may not be brought into the courthouse unless the container and its contents are to be used as an exhibit in a court proceeding.

(Effective July 1, 2010)

2.00.15 FIREARMS; WEAPONS; BODY ARMOR OR BALLISTIC PROTECTION

No person, including correctional officers, governmental employees, deputy sheriffs, members of the Highway Patrol, or other law enforcement representatives, other than a bailiff or person specifically charged with the security of the court building, or as otherwise authorized by the judge, shall keep on his or her person firearms or other weapons while in the court building and shall not bring any weapon into the courtroom when the appearance is in a civil, family law, or probate matter. No person, except law enforcement representatives, shall have on his or her person body armor or ballistic protection while in the court building.

(Revised July 1, 2018)

2.00.16 COURT SECURITY: SEARCHES OF PERSONS AND PROPERTY

In order to maintain adequate physical security for court personnel, litigants, and the public, the following procedures shall apply to all court facilities.

A. All courtrooms and exterior doors of the courthouse shall be posted with a sign that shall state that all persons entering the courthouse, or a courtroom, are subject to search.

B. All persons entering the courthouse, or a courtroom, shall be subject to cursory search, including searches of purses, parcels and other carried items at any time deemed warranted by court security personnel or as directed by a judge of the court. "Cursory search" includes the use of "pat down" searches, electronic metal detection, and visual inspection of the contents of any purse, parcel, or carried item.

C. All persons entering a courtroom shall be subject to detailed search, including searches of purses, parcels, or other carried items at any time authorized by the judge of the subject courtroom. "Detailed search" shall include all the means in the previous paragraph, plus such additional measures as may be deemed warranted by the authorizing judge.

D. Conducting searches pursuant to this rule, court security personnel shall acknowledge the right of a person to decline a search of their person or property, on condition that they immediately leave the courthouse. Such right to leave without being searched shall not apply to searches incident to arrest or otherwise being taken into custody or any other circumstances authorized by law, which permits searches without warrant. A person who refuses to submit to search and also refuses to leave the courthouse may be subject to arrest for violation of Penal Code sections 148 and 166(a)(5).

E. Conducting searches as authorized by this rule, court security personnel, to the extent reasonably practicable, shall conduct the searches with discretion and out of the general view of the public and other court participants, including jurors. In exercising their discretion, court security personnel may take into account such factors as the intrusiveness of the search, potential disruption of court proceedings, officer safety and the security needs of the court.

F. Notwithstanding any of the foregoing provisions, upon good cause shown, a judge of the court may order any method of search of persons or property deemed necessary on a case by case basis to secure the safety of the courthouse, court personnel, litigants and the public.

(Effective January 1, 1994)

2.00.17 USE OF ELECTRONIC DEVICES IN THE COURTROOM

This rule has been developed for the protection of all parties to ensure the secure and efficient handling of cases and events in all court facilities of the Superior Court, County of El Dorado. No filming, photography or electronic recording, including by way of smartphone or computer tablet, is permitted in the court facilities except as permitted in the courtroom consistent with California Rules of Court, rule 1.150 and this rule, or as permitted as a reasonable accommodation for a person with a disability consistent with California Rules of Court, rule 1.100.

A. Media requests for coverage for any type of video, still photography or audio coverage, including pool cameras, must be made in compliance with California Rules of Court, rule 1.150(e)(1) and submitted to the judicial officer assigned to hear the case on Judicial Council Forms MC-500, Media Request to Photograph, Record or Broadcast and MC-510, Order on Media Request to Permit Coverage.

A copy of the request must also be submitted to the court's Public Information Office.

B. Videotaping, photographing, or electronic recording by the media and general public is not permitted in any part of the court, including, but not limited to lobby areas, halls, stairs, and elevators.

C. Videotaping, photographing or electronic recording devices must be turned off, while transporting them in any area of the court.

D. All audible electronic devices must be turned off when they are in courtrooms.

E. Any photography of the interior of a courtroom through glass door windows or from the lobby area through open doors is prohibited.

F. The use of photographic equipment or audio recording or transmission equipment in any jury assembly area or juror deliberation room, through a window into such rooms, or into any such rooms from any vantage point outside of such rooms is prohibited without advance permission of the presiding judge or his/her designee.

G. Photographing, videotaping, filming, and electronic recording of anyone wearing a juror badge anywhere inside a courthouse is prohibited. Photographing, videotaping, filming, and electronic recording or anyone standing in line awaiting entry into a jury assembly area is also prohibited.

H. Photographing, videotaping, filming, and electronic recording of anyone involved in any case, including litigants, witnesses, and spectators, anywhere inside a courthouse is prohibited. Nothing in this rule shall be read to prohibit photography associated with weddings as long as persons who are prohibited from being photographed in this rule are not depicted in such photos.

I. Unless specifically authorized by the judge, no computer, laptop, computer tablet, wireless device, cell phone or other electronic devices may be used or accessed within any courtroom by counsel or any member of the public.

J. Photography, video and electronic recording equipment used in violation of this rule is subject to confiscation and search. Any person who violates this rule may be subject to criminal or civil prosecution under Code of Civil Procedure section 177.5; Penal Code section 632; Penal Code section 166(a)(1); California Rules of Court, rule 1.150(f).

(Revised July 1, 2014)

2.00.18 PRESENTATION OF AUDIO/VISUAL EVIDENCE

A. COURTROOM EQUIPMENT. In general, each courtroom is equipped with a conference telephone, assisted-listening devices, Wi-Fi internet access, and either an LCD television or a projector screen.

B. BRINGING YOUR OWN EQUIPMENT. The court is not able to provide assistance in

setup or use of equipment which does not belong to the court. If requested, the court's Information Technology Department can provide reasonable technical assistance with issues involving connectivity to court technology equipment. The request for assistance must be made at least one week in advance of the court date.

C. USE OF DVDS; FORMAT. Please be advised that certain DVD formats are not compatible with the court's DVD players in the jury deliberation rooms. To prevent delays in court due to compatibility problems, a party presenting evidence by way of DVD must ensure all video and pictures on the DVD are burned in a DVD-player playable format.

(Effective January 1, 2017)

2.01.00 LOCAL COMMITTEE ON THE ELIMINATION OF BIAS

The court, in cooperation with the El Dorado County Bar Association, establishes a Committee on the Elimination of Bias ("the Committee"), as required by the California Rules of Court, Standard 10.20, Title 10, Standards of Judicial Administration.

A. POLICY. The court is dedicated to preserving the integrity and impartiality of the judicial system, to ensuring that courtroom proceedings are conducted in a manner that is fair and impartial to all participants, and to eliminating explicit and implicit bias in all court proceedings.

In all courtroom proceedings, except where such conduct is relevant to the issues in the proceeding, all court staff, courtroom clerks, court reporters, bailiffs (collectively "court staff"), judicial officers, attorneys, jurors, witnesses, and all other participants shall refrain from engaging in any conduct or comment that exhibits bias, including but not limited to, bias based on ancestry, race, national origin, ethnicity, gender, sexual orientation or identity, religion, age, disability, marital status, or socioeconomic status whether that bias is directed toward counsel, court staff, witnesses, parties, jurors, or any other participants.

Judicial officers shall ensure that all orders, rulings, and decisions are based on the sound exercise of judicial discretion and the balancing of competing rights and interests and are not influenced by stereotypes or biases.

B. COMMITTEE COMPOSITION AND FUNCTION

(1) The presiding judge, or the judge's designee, shall appoint the members of the Committee, with the intent to create a diverse representation of the community at large. The Committee Chair shall be a judge of the court. The other Committee members should be drawn from the court community and its justice partners, including but not limited to judges, lawyers, court administrators, members of any local bar association, community organizers, and representatives and individuals from nonprofit agencies.

(2) The Committee aims to sponsor or support educational programs designed to eliminate bias within the court and legal communities.

C. COMPLAINTS

(1) Any person who believes that they have been subjected to conduct by a judicial officer, court staff, or any other courtroom participant in violation of paragraph (A) above, may submit a written complaint to the following:

a. Written complaints against subordinate judicial officers can be submitted via mail to:
El Dorado County Superior Court
Attn: Presiding Judge c/o Court Administration
2850 Fairlane Court, Ste 110
Placerville, CA 95667

b. Written complaints against court staff or other courtroom participants can be submitted via mail to:
El Dorado County Superior Court
Attn: Court Executive Officer
2850 Fairlane Court, Ste 110
Placerville, CA 95667

c. Complaints against a judicial officer should be directed to the Commission on Judicial Performance.

(2) Anonymous complaints are prohibited. To the extent possible and unless disclosure is required by law, the Court will protect the confidentiality of the complainant, the person who is the subject of the complaint, and other interested persons.

(3) Under the California Rules of Court, Standard 10.20, Title 10, Standards of Judicial Administration, the Committee has no authority to take disciplinary action, however it may refer the complainant to the appropriate disciplinary authority as warranted.

(4) To the extent possible and unless disclosure is required by law, retention of written records of complaints received is prohibited. Collection of data on types of complaints or underlying anecdotes that might be useful in educational programs is permitted.

(Effective July 1, 2025)

3.00.00 JURIES AND JURY SERVICE

(Effective January 1, 1994)

3.00.01 COMMON JURY PANEL

A. Any court in either the South Lake Tahoe area or the Western Slope area may use a jury panel summoned by another court in the same area.

B. Venire persons for trial juries in El Dorado County shall be summoned from the supervisorial district which is geographically proximate to the court within which the trial shall be held, as well as from residents of other immediately adjacent

supervisorial districts, or portions thereof, as may be determined by the jury commissioner. In the interest of justice, the court may order a countywide venire.

C. When a countywide venire is utilized, a prospective juror shall have the option of selecting whether he or she wishes to serve in the South Lake Tahoe or Placerville Session of court. Such selection shall, in the ordinary case, be determined by the mileage between the Juror's residence and the City of Placerville or the City of South Lake Tahoe.

(Revised, January 1, 1994)

3.00.02 DEMAND FOR JURY IN CIVIL ACTION; PAYMENT OF FEES

Demand for jury in civil actions and payment of jury fees shall be pursuant to Code of Civil Procedure section 631, et seq.
(Revised July 1, 2013)

3.00.03 DUTY OF CITIZENSHIP

Jury service, unless excused by law, is a responsibility of citizenship. The court and its staff should employ all necessary and appropriate means to assure that citizens fulfill this important civic responsibility.
(Effective January 1, 1994)

3.00.04 REQUESTS TO BE EXCUSED

All requests to be excused from jury service that are granted for undue hardship shall be in writing from the prospective juror or placed on the court's record. The prospective juror shall support the request with facts specifying the hardship and a statement why the circumstances constituting the undue hardship cannot be avoided by deferring the prospective juror's service.
(Effective January 1, 1994)

3.00.05 GROUNDS CONSTITUTING UNDUE HARDSHIP

A. An excuse on the ground of undue hardship may be granted for any of the following reasons:

(1) The prospective juror has no reasonably available means of public or private transportation;

(2) The prospective juror must travel a distance exceeding one and one-half hours from the prospective juror's home;

(3) The prospective juror will bear an extreme financial burden;

B. In determining whether to excuse the prospective juror, consideration should be given to:

(1) The source of the prospective juror's household income;

(2) The availability and extent of income reimbursement;

(3) The expected length of service; and

(4) Whether service can reasonably be expected to compromise that person's ability to support himself or herself or his or her dependents, or so disrupt the economic stability of any individual as to be against the interests of justice.

C. The prospective juror will bear an undue risk of material injury to or destruction of property of the prospective juror, where it is not feasible to make alternative arrangements to alleviate the risk. In determining whether to excuse the prospective juror, consideration shall be given to:

(1) The nature of the property;

(2) The source and duration of the risk;

(3) The probability that the risk will be realized;

(4) The reason why alternative arrangements to protect the property cannot be made; and

(5) Whether material injury to or destruction of the property will so disrupt the economic stability of any individual as to be against the interests of justice.

D. The prospective juror has a physical or mental disability or impairment, not affecting that person's competence to act as a juror, which would expose the potential juror to undue risk of mental or physical harm. In an individual case, except where the person is aged 70 years or older, the prospective juror must furnish verification or a method of verification of the disability or impairment, its probable duration, and the particular reasons for the person's inability to serve as a juror.

E. The prospective juror's services are immediately needed for the protection of the public health and safety, and it is not feasible to make alternative arrangements to relieve the person of these responsibilities during the period of service as a juror without substantially reducing essential public services.

F. The prospective juror has a personal obligation to provide actual and necessary care to another, including sick, aged, or infirm dependents, or a child who requires the prospective juror's personal care and attention, and no comparable substitute care is either available or practical without imposing an undue economic hardship on the prospective juror or the person cared for. Where the request to be excused is based on care provided to a sick, disabled, or infirm person, the prospective juror may be required to furnish verification or a method of verification that the person being cared for is in need of regular and personal care.

(Revised January 1, 2012)

3.00.06 PRIOR JURY SERVICE

A prospective juror who served on a grand or trial jury or was summoned and appeared for jury service in any state or federal court during the immediately preceding 12 months, shall

be excused from jury service on request for a period of 1 year from the date of that jury service. This rule does not apply to the South Lake Tahoe jury service requirement where a juror may be called to appear more than one time within a one-year period.
(Revised July 1, 2012)

3.00.07 PERSONS QUALIFIED TO SERVE AS JURORS
The following persons are qualified to serve as jurors:

A. A citizen of the United States;

B. At least 18 years of age;

C. A resident of the County of El Dorado; and

D. Able to understand, read, and speak the English language.
(Effective January 1, 1994)

3.00.08 PERSONS DISQUALIFIED FROM JURY SERVICE
The following persons are disqualified from jury service:

A. Persons who do not possess the above qualifications;

B. Have been convicted of a felony and whose civil rights have not been restored, malfeasance in office or other high crime;

C. Persons presently serving as a Grand Juror in any state or federal court;

D. A person is exempt from jury service, if currently a peace officer as defined in Penal Code sections 830.1 and 830.2(a).
(Effective January 1, 1994)

3.00.09 REQUEST FOR A PROSPECTIVE JUROR TO BE EXCUSED OR DEFERRED

A. Upon written request, the jury commissioner or the court is empowered to excuse from jury service persons for which jury service would entail an undue hardship as defined in rule 3.00.05.

B. Upon written request, the jury commissioner or the court is empowered to postpone the jury service of a person for a period not to exceed 90 days.

C. Upon written request, the jury commissioner or court is empowered to postpone any other legitimate temporary hardship not expressly defined on the summons itself, in the opinion of the jury commissioner that would justify the temporary deferment of jury service.
(Revised July 1, 2012)

4.00.00 DOCUMENTS PRESENTED FOR FILING
(Effective January 1, 1994)

4.00.01 GENERAL FORMAT OF DOCUMENTS

A. All papers and documents presented for filing shall comply with California Rules of Court, rules 2.100–2.150 and rules 3.1110–3.1116.

B. A document that is produced by photocopying a printed form shall possess the same format with respect to the face and reverse side of the form as does the printed form from which it is copied.

C. All documents presented for filing should include the office telephone number, facsimile telephone number, and the electronic mail address (e-mail address) of the attorney or party in propria persona presenting the document for filing, although the clerk will not reject a paper presented for filing because it does not contain the facsimile telephone number or electronic mail address of the attorney or party in propria persona.

   The "office telephone number" means a telephone at a physical location where the party or the attorney can be reached; cellular telephone numbers are not "office telephone numbers." If the party or the attorney does not have a facsimile transmission telephone number, the document shall so state.

D. CONFIDENTIAL INFORMATION IN CIVIL FILINGS

   (1) When filing any documents with the court in a civil action, all parties shall exclude social security numbers and financial account numbers from the documents to be filed. If a party intends to file any document which would otherwise include an individual's social security number or financial account number(s), the party shall exclude or redact all numbers except for the last four digits of the social security number or financial account number(s) prior to filing the document with the court.

   (2) A party wishing to file a document containing the unredacted social security or financial account number(s) may submit a motion or ex parte application to file an unredacted document under seal. Such documents may only be filed with the court upon order of the court.

   (3) The responsibility for redacting these personal identifiers rests solely with the filing party.

E. Original financial account statements and records filed with accountings pursuant to Probate Code section 2620(c) shall be exempt from this rule. Those original confidential financial account statements are to be filed by the parties with a separate caption page and filed as a separate document from the accounting and, when filed in that manner, they will be placed in a confidential envelope.

F. Unless clearly required to be confidential, court files are public records and are open to inspection to any member of the public. The clerk of the court is not authorized to redact any such confidential information. It is the responsibility of counsel or a party in propria persona to redact any such information from any document presented for

filing.
(Revised January 1, 2024)

4.00.02 FORMAT OF DOCUMENTS – LAW AND MOTION MATTERS

The rule applies to all papers filed in connection with any law and motion matter.

A. Law and motion documents filed with the court shall not include attached copies of any documents to which reference has been made that are already in the court's file, but such documents shall be referred to by the title, date of the document, and date of filing, if known.

B. A duplicate copy of the law and motion document, to which shall be attached a copy of all documents in the court's file to which reference has been made, shall be delivered to the clerk at the time of the filing for use by the judge who will hear the matter.

(Revised July 1, 2009)

4.00.03 JUDGMENTS AND DECREES

A. All written judgments and decrees presented for signature and a legible copy that shall be lodged with the clerk at the time of filing will accompany filing.

B. If the parties enter into a written stipulation for judgment, the form of the proposed judgment to be signed and filed shall be a separate document. A copy of the proposed judgment may be attached as an exhibit to the stipulation.

(Effective January 1, 1994)

4.00.04 CONFORMING COPIES

The clerk will conform a maximum of 2 copies of any document at the time of filing. Additional copies will be provided by photocopying and the standard fee for photocopying will be charged.
(Effective January 1, 1994)

4.00.05 RETURN ENVELOPE REQUIRED FOR CONFORMED COPIES

A self-addressed, return envelope with sufficient postage affixed is required when any party desires the return of conformed copies.

Copies submitted for conformance without a return envelope will be placed in the attorney's "will-call file" at the office of the Superior Court clerk. Conformed documents that have not been picked up within a reasonable time may be placed in the court file or destroyed.
(Effective January 1, 1994)

4.00.06 TIME AND DATE OF HEARING TO BE INDICATED

When the date of hearing of any law and motion, criminal, or probate matter is known, all documents filed for consideration at the hearing shall contain the date of hearing, the time, and the department, below the action number. Failure to comply with this rule may result in documents not being before the court at the time of the hearing.
(Effective January 1, 1994)

4.00.07 ATTORNEY "WILL-CALL" FILE

For their convenience, attorneys who wish to obtain copies of minute orders, other orders, judgments, rulings, and other documents issued by the court may maintain a "will-call" file in the "will-call" file cabinet located at the Placerville, Cameron Park, and South Lake Tahoe courthouses.

By requesting a "will-call" file, the attorney consents to service of the documents issued by the Superior Court. Documents placed in an attorney's "will-call" file located in an El Dorado County courthouse by individuals or agencies other than the Superior Court will not be considered "served" upon the attorney or his or her client. Service on the attorney shall be deemed complete five (5) days after the date of the minute order or other document. Copies of documents placed in the "will-call" file will not be mailed to the attorney. An attorney who does not consent to such service will not be permitted to maintain a "will-call" file.

In the event of partnerships or associations going under a law firm name, each member of the firm must sign. This also includes submitting the signature of any new attorney joining the firm.

Documents placed in the "will-call" file and not picked up within a reasonable amount of time will be placed in the court file or destroyed.
(Revised January 1, 2009)

4.00.08 FILING OF DOCUMENTS BY FAX

No documents, except for criminal complaints, parole violation petitions, and registration of protective orders issued by the local Tribal Court, may be filed by fax with the Clerk of the Court, unless the filing is by an Electronic Filing Service Provider as provided in rule 7.08.00.
(Revised January 1, 2024)

4.00.09 DIGITAL SIGNATURES

Digital signatures on documents filed with the Court are authorized and shall have the same force and effect as the use of a manual signature. All digital signatures must comply with the requirements of Government Code section 16.5(a)(1)-(5). A party who files a document containing a digital signature under this rule represents that the signer's certificate or similar verification document is maintained in the party's possession or control and may be subject to production upon request from the Court.

The term "Documents," as applied to criminal cases, includes misdemeanor plea and plea in abstentia forms, but excludes felony plea forms, which must be presented to the court with original, wet signatures.
(Revised August 5, 2025**)**

4.00.10 AFTER-HOURS DROP BOX

Filings presented to the Superior Court may be placed in any of the court's after-hours drop boxes. Filings placed in the court's after-hours drop boxes after 4:00 p.m. will be filed by the court on the next court day. An after-hours drop box is available at all of the court facilities. Filings not placed in the court's after-hours drop box will not be accepted for filing.
(Effective January 1, 2018)

5.00.00 CRIMINAL PROCEEDINGS
(Effective January 1, 1994)

5.00.01 APPLICATION OF RULES
The criminal rules apply to all criminal cases unless otherwise provided by statute, or rule in the California Rules of Court or the Local Rules of the El Dorado County Superior Court.
(Effective July 1, 2014)

5.00.02 RESERVED FOR FUTURE USE
(Revised January 1, 2024)

5.00.03 CRIMINAL COMPLAINTS: TIME AND PLACE FOR FILING
A. All criminal actions or proceedings wherein the subject matter arises in the South Lake Tahoe area as defined in Local Rule 2.00.09(C) shall be filed in the South Lake Tahoe Session. All other criminal actions or proceedings shall be filed in the Placerville Session. The court, in its discretion, with the concurrence of the presiding judge, may transfer an action between sessions.

B. All criminal complaints and petitions charging in-custody defendants shall be filed at the earliest time possible, but in no case later than 11:00 a.m. on the date set for the arraignment of the defendant on those charges. The clerk may accept documents for filing after 11:00 a.m. only upon permission of the judge assigned to the arraignment, or any other judicial officer if the judge assigned is unavailable.

C. All criminal complaints charging out-of-custody defendants shall be filed with the clerk no later than five (5) court days before the time of the defendant's first appearance on those charges. The judge assigned to the criminal calendar may authorize the filing of late documents.

(Revised July 1, 2025)

5.00.04 POLICY
It is the policy of the Superior Court to dispose of misdemeanors and felony preliminary examinations as follows:

A. MISDEMEANOR CASES

(1) 90 percent disposed of within 30 days after the defendant's first court appearance.

(2) 98 percent disposed of within 90 days after the defendant's first court appearance.

(3) 100 percent disposed of within 120 days after the defendant's first court appearance.

B. FELONY PRELIMINARY EXAMINATIONS

(1) 90 percent disposed of within 30 days after the defendant's first court

appearance.

(2) 98 percent within 45 days after the defendant's first court appearance.

(3) 100 percent disposed of within 90 days after the defendant's first court appearance.

(Effective July 1, 2000)

5.01.00 REMOTE APPEARANCES IN CRIMINAL MATTERS

Unless otherwise prohibited by law, and as addressed below, parties may appear remotely with the approval of the court. The requesting party must file and serve Local Form M-51 (Application and Order for Video Conference Appearance) at least four (4) days prior to the date the matter is initially set for hearing. Absent prior approval by the court, or a finding of good cause by the court, the court will not accept remote appearances. Any party who does not receive approval to appear remotely must appear physically in court for the hearing.

Absent a prior finding of good cause, remote appearances shall not be permitted in criminal matters for evidentiary hearings or trials. An "evidentiary hearing or trial" is any proceeding in which oral testimony or evidence may be provided to the court.

Any video recording, audio recording, photographing, taking screenshots and/or reproducing of the proceedings is strictly prohibited. The recording, publishing, broadcasting or other copying or transmission of courtroom proceedings by video, audio, still photography or any other means is strictly prohibited and is subject to penalties for contempt of court.

The application form is available at the court's website or in the clerk's office.

(Revised January 1, 2025)

5.02.00 – 5.09.00 RESERVED FOR FUTURE USE

(Revised July 1, 2014)

5.10.00 BAIL

(Effective January 1, 1994)

5.10.01 REQUESTS FOR BAIL OR RELEASE ON OWN RECOGNIZANCE

Once bail has been set, counsel may request that bail be modified. Written notice of a request to modify bail shall be given to all parties and the court, no less than two (2) court days prior to the hearing, so that the issue may be fully litigated.

(Revised July 1, 2025)

5.10.02 BAIL FORFEITURES

A. The court will not give notice to the district attorney or to county counsel when considering a request to set aside a forfeiture of bail pursuant to Penal Code section 1305(a), provided all of the following occurs:

(1) The defendant has been delivered into the custody of the County Sheriff or the defendant is present at the court proceeding for bail exoneration; and

(2) The proceeding for exoneration of bail has been commenced within 180 days after entry in the minutes or mailing of the notice of forfeiture, together with whatever additional time, if any, the court may have ordered pursuant to Penal Code section 1305(a);

(3) Where the defendant has been transported back to El Dorado County at public expense, the actual expenses incurred shall be assessed.

B. In all other cases, the district attorney and county counsel shall be given notice by the agency posting bail pursuant to the provisions of Penal Code section 1305(a). Proof of service of such notice shall be filed with the court.

(Effective January 1, 2025)

5.11.00 TRIAL SETTING AND READINESS CONFERENCES

Each criminal case pending trial shall receive a date certain for trial and readiness conference. At the time a trial date is assigned, counsel shall advise the court of the estimated length of trial.

Prior to the Readiness Conference, counsel is required to personally meet and confer in an attempt to resolve the matter and resolve any discovery issues.
(Revised July 1, 2025)

5.11.01 RESERVED FOR FUTURE USE

(Revised, July 1, 2025)

5.11.02 RESERVED FOR FUTURE USE

(Revised January 1, 2013)

5.11.03 PRETRIAL CONFERENCE

(Revised July 1, 2014)

5.11.04 MOTIONS IN CRIMINAL CASES

A. CRIMINAL LAW AND MOTION CALENDAR

(1) Length of Hearing:

Matters on the criminal law and motion calendar are set for a total of no more than 15 minutes for argument, without the taking of testimony. When a matter is called on the criminal law and motion calendar and it appears that argument will take more than 15 minutes or testimony is required, it shall be deemed a long cause matter. The court, in its discretion, may reset the matter at a date and time convenient to the court for long cause hearing.

If counsels believe that a matter will take more than 15 minutes to argue, that matter should not be placed on the regularly scheduled criminal law and motion calendar. In such a case, counsel should contact the calendar clerk and request that the matter be scheduled as a long cause hearing.

(2) Pretrial Motions

Unless otherwise ordered or specifically provided for by law, all pretrial motions, accompanied by a memorandum, must be served and filed at least ten (10) court days, all reply papers at least five (5) court days, and all reply papers at least two (2) court days before the time appointed for hearing. The court may consider the failure, without good cause, of the moving party to serve and file a memorandum within the time permitted as an admission that the motion lacks merit.

Absent good cause and leave of the court, no opening or responding memorandum may exceed fifteen (15) pages in length and no reply memorandum may exceed ten (10) pages in length. The page limit does not include the caption page, the notice of motion and motion, exhibits, declarations, attachments, table of contents, the table of authorities, or the proof of service.

A party may apply to the court ex parte, but with written notice of the application to the opposing party at least 24 hours before the memorandum is due, for permission to file a longer memorandum. The application must state the reasons why the argument cannot be made within the stated limit.

B. MOTIONS IN LIMINE

(1) Notwithstanding section (A)(2) above, any motions in limine in criminal cases, unless otherwise specifically ordered by the court, shall be submitted in writing not less than seven (7) calendar days before the trial date. Any response to a motion in limine shall be filed not later than four (4) calendar days preceding the first day of trial.

(2) A hearing on the motions in limine will be specially set at the convenience of the court, but in no event later than 1:30 p.m. on the Friday preceding the first day of trial. If counsel believe that a hearing on the motions will delay the scheduled trial date, they shall promptly advise the court of the circumstances which will cause the delay.

C. COMPLEX MOTIONS DURING TRIAL

(1) Motions that are complex, extensive, or are out of the ordinary in any other respect, shall follow the same notice and hearing procedure described above for motions in limine.

(Revised January 1, 2025)

5.11.05 ELECTRONIC RECORDINGS OFFERED INTO EVIDENCE

Unless otherwise ordered by the court, a party offering into evidence an electronic sound or sound-and-video recording shall have a typewritten transcript of the recording lodged with the court and a copy provided to opposing parties no later than the time of the hearing on the motions in limine.

(Revised August 1, 2016)

5.12.00 TRIAL
(Effective January 1, 1994)

5.12.01 CONTINUANCES
A continuance of a criminal trial or hearing shall require the approval of the court. Counsel are required to file a noticed motion requesting a continuance, or written stipulation to a continuance. The written stipulation shall include a good cause finding and shall be signed by all counsel and defendant(s) with an approval line for the Court. The stipulation shall include a time waiver by defendant(s).
(Revised July 1, 2025)

5.12.02 MARKING EXHIBITS
In any case in which 10 or more exhibits will be marked for identification, all counsel shall meet and confer not later than the day before trial and provide the clerk with a list of proposed exhibits, along with a brief description, to be marked. These lists should be electronically transmitted when possible.

If less than 10 exhibits are to be marked, the List of Exhibits Form, together with the marked exhibits, shall be delivered to the clerk by 8:30 a.m. on the morning of the first day of trial. The clerk will provide exhibit marking tags and the List of Exhibits Form upon request of counsel.
(Revised August 1, 2016)

5.12.03 WITHDRAWAL OF TIME WAIVERS
A defendant who wishes to withdraw a previous general time waiver must give "proper notice" to the district attorney as required by Penal Code section 1382(a). Such proper notice shall be in writing, addressed and delivered in a manner reasonably calculated to come to the immediate attention of a prosecutor with responsibility for the case, and be given enough in advance to permit the district attorney to ascertain witness availability and the court to set an appropriate trial date accordingly. Two days' notice shall constitute proper notice. A judge may determine, however, based on the facts of the case, that a lesser time constitutes proper notice.
(Effective July 1, 2020)

5.13.00 FELONY BAIL SCHEDULE
The court will periodically adopt a bail schedule. The CEO of the Superior Court shall maintain copies of the current schedule and make it available on the court website.
(Revised July 1, 2025)

5.14.00 EXHIBIT STORAGE AND DISPOSITION
(Revised July 1, 2014)

5.14.01 POLICY
It is the policy of the El Dorado County Courts that evidence admitted in any case before the courts:

A. Shall be only those items required in the case;

B. Shall not pose a security or storage problem nor a risk to health or safety;

C. Shall not be retained by the court beyond the minimum time required by law, unless good cause is shown.

(Effective January 1, 1994)

5.14.02 RECEIPT OF EXHIBITS

A. No exhibits shall be accepted by the exhibits custodian unless:

(1) All containers of liquid substances shall be clearly marked as to the type of liquid and the amount;

(2) All containers of controlled substances shall be clearly marked identifying the substance and its weight, and are sealed to prevent pungent or strong-smelling odors and leaks;

(3) All cash, whether individually or packaged, shall be specifically identified as to the total amount of cash and the number of bills of each denomination;

(4) All firearms shall be secured by means of a nylon tie or trigger lock

(5) All hypodermic needles shall be placed in containers that safeguard personnel handling the exhibit from accidental injury.

B. All exhibits must be individually tagged with the appropriate exhibit tag. Each exhibit tag must be properly completed and securely attached to the exhibit.

C. No exhibit shall be received by the court if it poses a security or storage problem or a risk to health or safety. Unidentified liquids, containers, or suspect substances shall be returned to the party who offered the exhibit. Types of exhibits which will not be received include, but are not limited to, the following:

(1) Any type of explosive powder;

(2) Explosive chemicals, including toluene and ethane;

(3) Explosive devices, including grenades, pipe bombs;

(4) Flammable liquids, including gasoline, kerosene, lighter fluid, paint thinner, and ethyl ether;

(5) Canisters containing tear-gas, mace, or similar substances;

(6) Rags that have been soaked in flammable liquids;

(7) Liquid drugs, including phencyclidine (PCP); methamphetamine, fentanyl,

corrosive liquids, pyrrolidine, morpholine, and piperidine; or

(8) Samples of blood, urine, other bodily fluids, and any substance requiring refrigeration or humidity-controlled storage.

D. Exhibits toxic by their nature that pose a health hazard to humans shall be introduced to the court in the form of a photographic record and a written chemical analysis certified by competent authority. Where the court finds that good cause exists to depart from this procedure, toxic exhibits may be brought into the courtroom and introduced. Upon conclusion of a trial, exhibits containing toxic or hazardous materials, including but not limited to bodily fluids, controlled substances (including marijuana), weapons, and any other exhibit the court determines may present a hazard shall be returned to the originating agency for storage pending appeal.

E. Any exhibit that is improperly tagged, marked, weighed, or otherwise improperly identified, will not be accepted by the court.

F. The court, in its discretion, may admit any exhibit in the interests of justice.

G. Original photographs shall be substituted for any photographically enlarged exhibits.

H. The court, in its discretion, may order a representative sample and/or a photograph substituted for large or bulky exhibits that pose a storage problem.

(Revised July 1, 2025)

5.14.03 RETENTION, DESTRUCTION, AND RETURN OF EXHIBITS

A. The clerk shall retain custody of any exhibit introduced into evidence in a criminal proceeding until the final determination or dismissal of the action or proceeding, or as otherwise required by law.

B. Upon entry of a judgment of acquittal/not guilty verdict, all exhibits that have been marked, identified, and/or admitted into evidence, shall be removed from the courtroom by counsel at the conclusion of the trial.

C. Except in capital cases, once a judgment has become final, and any appellate proceedings in the matter have been terminated, exhibits retained from a case shall be promptly destroyed or otherwise disposed of by the court clerk in accordance with current law or rule of court. Parties who wish to retain their exhibits shall sign and file with the clerk a request for return of exhibits prior to the end of the hearing or trial of the matter.

D. Except as required by law, the court, on its own motion, may order exhibits destroyed or otherwise disposed of, or may order that exhibits be returned to the attorney for the party introducing those exhibits, 60 days after the expiration of the time for filing a notice of appeal.

(Revised July 1, 2006)

5.14.04 VIEWING EXHIBITS

While a case is active, only the attorneys of record and court personnel may view the exhibits. Viewing of exhibits by the attorneys of record shall take place in the presence of the exhibit's custodian. Exhibits may not be altered or taken apart, except upon order of the court.
(Revised July 1, 2025)

5.15.00 COURT APPOINTED COUNSEL AND EXPERTS; COMPENSATION

(Effective January 1, 1994)

5.15.01 RESERVED FOR FUTURE USE

(Revised July 1, 2006)

5.15.02 INVESTIGATIVE FEES AND EXPENSES

A. Application for Fees and Expenses. Application for investigative fees and expenses shall be made in writing, as follows:

   (1) To the judge of the department to which the case has been assigned;

   (2) To the judge of the department to which the matter has been referred pursuant to Penal Code section 987.9; or

   (3) To the presiding judge for all other cases.

B. Amount of Fees. The amount of fees will be as set by court policy, including maximum rates and claims procedure.

(Revised July 1, 1995)

5.15.03 EXPERT FEES AND EXPENSES

A. Application for Expert Fees and Expenses. Application for expert fees and expenses shall be made in writing as follows:

   (1) To the judge of the department to which the case has been assigned;

   (2) To the judge of the department to which the matter has been referred, pursuant to Penal Code section 987.9; or

   (3) For all other cases, to the presiding judge.

B. Amount of Fees. In no event shall the court grant fees or expenses not reasonably justified by the nature of the case, as supported by written application. The written application shall specify the nature, purpose, and materiality of the proposed expert services and shall contain an estimate of the fees and expenses involved including the proposed expert's hourly fees for out of court work and for courtroom testimony. The name of the expert to be retained and a brief statement of qualification shall also be included or attached. Unusual or extraordinary requests shall be justified in detail.

C. Order for Fees and Expenses. The order for expert fees and expenses shall be on a

form approved by the court.

D. Maximum Rates for Expert Services and Testimony. Claims for expert services authorized pursuant to this Rule shall not exceed the amounts approved by the court.

E. Submission of Claims. Claims for expert fees and expenses shall be made on a form approved by the court, to which must be attached a copy of the court order awarding fees and a detailed accounting of all claimed fees and expenses. The claim shall be submitted to the department that authorized the expenditure as specified in subsection (A) of this rule.

(Revised July 1, 2013)

5.15.04 PUBLIC ACCESS TO POLICE REPORTS

Any police report submitted to the court shall be placed in the confidential section of the court file by the clerk.

A member of the public may request that a police report be made available upon written notice. Within five (5) court days of the request, a judge will review the report and may redact any contact information for witnesses and victims, including telephone numbers and addresses, as well as any other information the judge concludes meets the constitutional standards for confidentiality. Upon completion of the judge's review, the police report will be made available to the person requesting the report.

(Revised July 1, 2014)

5.15.05 JURY INSTRUCTIONS

No later than the first day of trial in a criminal case, the prosecution shall submit proposed jury instructions for use in that case.

(Revised July 1, 2025)

6.00.00 TRAFFIC AND SMALL CLAIMS PROCEEDINGS

(Revised January 1, 2008)

6.00.01 TRIAL BY WRITTEN DECLARATION

The court, pursuant to this rule, adopts the trial by declaration process defined in Vehicle Code section 40902. In addition, pursuant to Vehicle Code section 40903, any person who fails to appear at trial as provided by law may be deemed to have elected to have a trial by written declaration.

(Effective January 1, 1994)

7.00.00 CIVIL PROCEEDINGS

(Effective January 1, 1994)

7.01.00 APPLICATION OF RULES

The civil rules apply to all civil cases, including general civil, family, juvenile, and probate cases, unless otherwise provided by statute, or rule in the California Rules of Court or the Local Rules of the El Dorado County Superior Court.

(Effective July 1, 2014)

7.02.00 REMOTE PROCEEDINGS

Pursuant to Code of Civil Procedure section 367.75 and California Rules of Court ("CRC"), rule 3.672, remote appearances may be authorized at the discretion of the court. This rule applies to all civil cases, except as set forth in Code of Civil Procedure section367.75, subdivision (a)(2).

A "civil case" is as defined in CRC, rule 1.6(3), and includes all cases except criminal cases and petitions for habeas corpus, other than petitions for habeas corpus under the Lanterman-Petris-Short Act (Welf. & Inst. Code section 5000, et seq.), which are governed by this rule.

"Remote technology" means technology that provides for the transmission of video and audio signals or audio signals alone, including a computer, tablet, telephone, cellphone, or other electronic or communications device.

A. COURT DISCRETION TO REQUIRE IN-PERSON APPEARANCE

(1) Except as otherwise required by law, the Court may require a party or witness to appear in person at a proceeding in any of the following circumstances:

(a) If the Court determines on a hearing-by-hearing basis that an in-person appearance would materially assist in the determination of the proceeding or in the effective management or resolution of the case.

(b) If the Court does not have the technology to conduct the proceeding remotely, or if the quality of the technology prevents the effective management or resolution of the proceeding.

(c) Although the Court has the requisite technology, the quality of the technology or audibility at the proceeding inhibits the court reporter's ability to accurately prepare a transcript of the proceeding, or prevents an attorney from being able to provide effective representation to a client, or inhibits a court interpreter's ability to provide language access to a court user or authorized individual.

(d) If, at any time during a remote proceeding, the Court determines that an in-person appearance is necessary, the Court may continue the matter and require such an appearance. Such determination may be based on the factors listed in Code of Civil Procedure section 367.75(b).

(2) Notwithstanding subdivision (A)(1)(a), an expert witness may appear remotely absent good cause to compel in-person testimony.

B. REMOTE PROCEEDINGS OTHER THAN AN EVIDENTIARY HEARING OR TRIAL

(1) Required Notice and Notice Process

(a) For matters set with at least three (3) court days' notice, the requesting

party must file and serve Notice of Remote Appearance (Judicial Council form RA-010) at least two (2) court days prior to the hearing date of the proceeding. Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least two (2) court days before the proceeding. This notice process does not apply to Case Management Conferences ("CMC") or Ex Parte proceedings.

(b) For matters set with less than three (3) court days' notice, including Ex Parte applications, the requesting party must file and serve form RA-010 no later than 2:00 p.m. on the court day before the proceeding. Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received no later than 2:00 p.m. on the court day before the proceeding.

(c) CMCs are currently conducted remotely. The parties are not required to file a notice to appear remotely prior to a CMC. This rule does not limit the right of a party to appear in person at a CMC.

(d) If the requesting party intends to appear remotely throughout the case, the requesting party only needs to file form RA-010 once (check item 2a). However, if any party appears in the case after this notice has been given, form RA-010 must be served on that party. Service may be by any means authorized by law.

C. REMOTE PROCEEDINGS FOR AN EVIDENTIARY HEARING OR TRIAL

An "evidentiary hearing or trial" is any proceeding at which oral testimony may be provided, including small claims, unlawful detainers, civil harassment restraining order hearings, domestic violence restraining order hearings, and gun violence restraining order hearings. (CRC, rule 3.672(c)(2).)

(1) Required Notice and Notice Process

(a) For matters set with at least 15 court days' notice, the requesting party must file and serve Notice of Remote Appearance (Judicial Council form RA-010). Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least 10 court days before the proceeding.

(b) For matters set with less than 15 court days' notice, the requesting party must file and serve Notice of Remote Appearance (Judicial Council form RA-010). Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least two (2) court days before the proceeding.

(c) In response to receiving from a party or witness a notice of a remote proceeding for an evidentiary hearing or trial, other parties in the action may oppose the remote appearance by serving and filing Opposition to

Remote Proceeding at Evidentiary Hearing or Trial (Judicial Council form RA-015). The opposition must be accompanied by a proposed order. The party opposing the remote appearance may use Order Regarding Remote Appearance (Judicial Council form RA-020). The opposition must be filed and served on all parties or other persons entitled to receive notice of the proceedings at least five (5) court days prior to the hearing or trial date, unless the hearing is set with less than 15 days' notice, in which case the opposition must be filed and served by 12:00 p.m. on the court day preceding the hearing or trial.

(d) In determining whether to conduct an evidentiary hearing or trial, in whole or in part, through the use of remote technology over opposition, the Court must consider the factors in Code of Civil Procedure section 367.75(b) and (f), and any limited access to technology or transportation asserted by a party. The Court may not require a party to appear through remote technology for an evidentiary hearing or trial.

D. REMOTE PROCEEDINGS IN JUVENILE DEPENDENCY

(1) General Provisions

(a) This subdivision does not apply to juvenile justice proceedings.

(b) The definitions of CRC, rule 3.672(c) apply, except that, for purposes of this subdivision, a "party" is any of the following persons and that person's counsel:

(i) A child or nonminor dependent subject to the proceeding.

(ii) Any parent, Indian custodian, or guardian of a child subject to the proceeding.

(iii) The social worker who filed the petition to commence the juvenile dependency proceedings on behalf of the county child welfare department.

(iv) The tribe of an Indian child subject to the proceeding if the tribe has intervened.

(v) A de facto parent of a child subject to the proceeding to whom the Court has granted party status.

(2) Conducting a Remote Proceeding

Any juvenile dependency proceeding may be conducted, in whole or in part, through the use of remote technology, as long as the following conditions are met:

(a) Any party or person authorized to be present at the proceeding may request to appear remotely.

(b) The Court may not require any party to appear remotely.

(c) All statutory confidentiality requirements applicable to a juvenile dependency proceeding held in person apply equally to a remote proceeding.

(3) Required Notice and Request Process

(a) Any person entitled under CRC, rule 5.530(b) or authorized by court order to be present at a proceeding may request to appear remotely by filing and serving Request to Appear Remotely–Juvenile Dependency (Judicial Council form RA-025) with the court at least three (3) court days prior to the hearing date of the proceeding. Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least three (3) court days before the proceeding.

(b) Any party may ask the Court to compel the physical presence of a party or witness by filing the request in writing with the Court and serving a copy of the request on each party by any means authorized by law reasonably calculated to ensure receipt no later than two (2) court days prior to the proceeding. The party opposing the remote appearance may use Request to Compel Physical Presence–Juvenile Dependency (Judicial Council form RA-030).

(4) Determination of Request

(a) A witness must appear in person unless all parties to the proceeding have consented to the witness's remote appearance.

(b) The Court may require any person to appear in person if the Court determines that:

(i) One or more of the factors listed in Code of Civil Procedure section 367.75(b) or (f) or in this rule, including the person's limited access to technology, requires the person's physical presence; or

(ii) The Court cannot ensure that the person's remote appearance will have the privacy and security necessary to preserve the confidentiality of the proceeding; or

(iii) A remote appearance by the person is likely to cause undue prejudice to a party.

(c) A parent, child, nonminor dependent, or Indian tribe as defined in Welfare and Institutions Code section 224.1, may utilize remote

technology for the appearance of an expert witness without the consent of all parties.

(d) The Court must consider a person's limited access to technology as well as the person's access to transportation.

E. WAIVER OF NOTICE
At any time during a case, all parties to an action may stipulate to waive notice of any other participant's remote appearance. This stipulation may be made orally during a proceeding or in writing filed with the Court.

F. OTHER RULES REGARDING NOTICE

(1) Any party may choose to appear in person, even if the party gave notice of the intent to appear remotely or was authorized to appear remotely.

(2) Notwithstanding the other provisions of this rule, a party may ask the Court for leave to appear remotely without the notice provided for under subdivisions B, C and D. The Court may permit the party to appear remotely upon a finding of good cause, unforeseen circumstances, or that the remote appearance would promote access to justice.

G. VENDORS OR PLATFORMS
A list of the vendors or platforms that must be used for remote appearances are located on the Court's website at www.eldorado.courts.ca.gov/remote-appearances.

H. REMOTE APPEARANCE FEES

(1) Fees for each telephonic appearance in civil cases are charged pursuant to CRC, rule 3.670(k). Fees for each videoconference appearance will be charged pursuant to CRC, rule 3.72, and Government Code section 70630, and will not exceed the total fee charged for telephonic appearances.

(2) Parties who, by statute, are not charged filing fees or fees for court services may not be charged a remote appearance fee under Government Code section 70630. (CRC, rule 3.672(k)(1).)

(3) Parties with a fee waiver shall not be charged fees for remote appearances. To obtain remote appearance services without payment of a fee, the party must advise the vendor or the Court that they have received a fee waiver from the Court. If a vendor requests, the party must transmit a copy of the order granting the fee waiver to the vendor.

(Revised July 1, 2025)

7.03.00 INTERPRETER FEES FOR LATE CANCELLATIONS OR CONTINUANCES

If a party requested an interpreter for a hearing, and the hearing is canceled or continued with less than 48 hours' notice, the Court system incurs a cost for canceling or

rescheduling the interpreter's appearance. Accordingly, absent a showing of good cause, the party responsible for the untimely cancellation or continuance shall be responsible for payment of any interpreter fees incurred as a result of the cancellation or continuance, as well as for any costs associated with rescheduling an interpreter. A party shall not be responsible for costs incurred where the cancellation or continuance is due to the Tentative Ruling calendar.

The responsible party shall submit to the Court, in writing, or orally in the Court's discretion, the good cause basis as to why the party should not be responsible for payment of the costs for the cancellation or continuance.
(Revised July 1, 2025)

7.04.00 – 7.07.00 RESERVED FOR FUTURE USE
(Revised January 1, 2024)

7.08.00 ELECTRONIC SUBMISSION OF FILINGS

A. Use of Electronic Filing (eFiling) is mandatory in Adoptions, Civil, Family Law, Family Support, Probate, and Small Claims pursuant to Code of Civil Procedures section 1010.6(g) and CRC, rule 2.253(b) for all represented parties and justice partners. eFiling is not permitted in other case types. Self-represented parties, as defined in CRC, rule 2.250(b)(10), are exempt from mandatory eFiling.

B. Any documents received electronically by the Court between 12:00 a.m. and 11:59 p.m. on any court day, are deemed filed that same day. Any documents received electronically on a non-court day (i.e., weekend or holiday) are deemed filed on the next court day.

C. Filings will not be accepted by this Court through any other electronic methods (i.e., email or fax).

D. eFilings must be submitted through an authorized Electronic Filing Service Provider (EFSP). Each EFSP may charge a transaction fee. EFSP fees are waived for parties with an active fee waiver and government entities. A list of authorized EFSPs is maintained on the Court's website.

E. Justice partners may eFile using an EFSP or court interface.

F. Documents submitted through eFiling must be in PDF Format, text searchable, and viewable on any standard PDF viewer.

   (1) All documents equal to or exceeding 10 pages and containing multiple exhibits or sections must be bookmarked with the title of the corresponding exhibit or section.

   (2) All documents submitted electronically must include page numbers.

G. The following documents are excluded from eFiling and must be submitted in

paper format:

(1) Original will and codicil

(2) Bonds/undertaking

(3) Exhibits to be lodged for hearings or trials.

(4) Subpoenaed documents

(5) Copy requests

(6) CARE Act Filings

(7) Any document ordered by The Court to be submitted in paper format.

H. Any attorney representing a party may request to be excused from mandatory eFiling and service by showing undue hardship or significant prejudice. An attorney requesting exemption shall file a Request for Exemption from Mandatory Electronic Filing and Service (Judicial Council form EFS-007) and Order of Exemption from Electronic Filing and Service (Judicial Council form EFS-008).

An attorney who requests an exemption shall be served with documents in paper form until the Court rules on the request.

Undue hardship or significant prejudice does not include the inability to pay fees for eFiling.

Self-represented parties, non-parties, and attorneys excused from eFiling must be served as required by statute or rule of court.

(Revised January 1, 2026)

7.09.00 RESERVED FOR FUTURE USE
(Revised January 1, 2024)

7.09.01 RESERVED FOR FUTURE USE
(Revised January 1, 2024)

7.10.00 LAW AND MOTION CALENDAR
(Revised July 1, 2025)

7.10.01 SCOPE OF LAW AND MOTION RULES
These rules supplement the Uniform Law and Motion Rules set forth in the California Rules of Court, Title 3, Division 11, and orders and proceedings thereon.
(Revised January 1, 2007)

7.10.02 MOTIONS: IN GENERAL

A. All civil law and motion calendar dates will be assigned by the clerk upon the filing

of the appropriate papers. Civil law and motion matters will be heard at a time set by the Court.

B. Failure to timely serve and file opposition papers may be deemed, in the Court's discretion, as a waiver of any objections and may be treated as an admission that the motion or other application is meritorious. The Court, in its discretion, may also grant the motion. In that case, a party desiring to further oppose the motion will be required to bring a properly noticed motion for reconsideration, motion for new trial, or other appropriate motion, and comply with any specific requirements of the motion so brought.

C. Failure to timely serve and file a paper or file a proof of service may, in the Court's discretion, constitute a sufficient basis for denial of the motion or application or to disregard the untimely filed document. This subsection is not intended to limit the Court's authority to exercise discretion in any other appropriate manner, including, but not limited to, the granting of continuances or the imposition of sanctions.

D. Papers and materials lodged with the clerk shall be accompanied by an addressed return envelope with sufficient postage.

E. Each exhibit submitted in support of or in opposition to a motion or other application must be identified as an exhibit, attached to a declaration, and made a part thereof by reference.
All exhibits submitted in support of or in opposition to a motion shall be separately tabbed and identified numerically by the parties. All references to an exhibit in the memorandum of points and authorities shall identify the exhibit referred to and state the page and line numbers of the exhibit to which reference is made.

F. An index to exhibits shall be provided if there are five or more exhibits. Exhibits written in a foreign language shall be accompanied by an English translation, certified under oath by a qualified interpreter.

G. If a California administrative regulation, administrative decision, or opinion of the attorney general is relied upon and cited, a copy of that authority shall be attached to the memorandum.

H. Unless a statute authorizes a declaration on information and belief, a declaration shall set forth statements of evidentiary facts to which the declarant could testify if called as a witness and shall include a declaration by the declarant under penalty of perjury to that fact. If a statute authorizes a statement on information and belief and such a statement is made by the declarant, the facts upon which the declarant bases such information and belief shall be included.

(Revised July 1, 2025)

7.10.03 RESERVED FOR FUTURE USE

(Revised July 1, 2025)

7.10.04 RESERVED FOR FUTURE USE

(Effective July 1, 2025)

7.10.05 TENTATIVE RULING SYSTEM FOR WESTERN SLOPE AND SOUTH LAKE TAHOE

A. GENERAL. The Superior Court for El Dorado County has adopted the following tentative ruling system pursuant to California Rules of Court (CRC), rule 3.1308, subdivision (a)(1) for all matters set on the regularly scheduled law and motion calendars of both the Western Slope and South Lake Tahoe Branches. The tentative rulings can be obtained in two ways:

(1) Online: The tentative rulings and complete written rationale for each tentative ruling will be posted on the El Dorado County Superior Court website at www.eldorado.courts.ca.gov by no later than 2:00 p.m. on the court day preceding the date the matter is set on the law and motion calendar. The tentative ruling and the rationale can be viewed on the web site by clicking on the "Tentative Rulings" link. The tentative rulings are listed by department and calendar date. Simply click on the tentative rulings for the assigned department and then click on the date you wish to view.

(2) By Telephone: The tentative rulings providing the disposition of the matter only, without the rationale, can also be obtained by calling (530) 621-6551 (Western Slope Branch) or (530) 573-3042 (South Lake Tahoe Branch) beginning at 2:00 p.m. on the court day preceding the date the matter is set on the law and motion calendar.

B. TENTATIVE RULING PROCEDURE

(1) Acceptance of tentative ruling

a. If you wish to accept the tentative ruling which has been issued, or do not wish to oppose it, you do not need to do anything. If no notice of intent to appear and request oral argument is received from any party to the matter by 4:00 p.m. on the day the tentative ruling is issued, the tentative ruling will automatically become the final order of the court pursuant to CRC, rule 3.1308, subdivision (a)(1).

b. If you do not wish to accept the tentative ruling in its entirety, you must give notice of your intent to appear and request oral argument as to the specific aspects of the tentative ruling you wish to challenge to both the Court and all parties to the action through the procedures listed below by 4:00 p.m. on the day the tentative ruling is issued. If you do not give such notice and request oral argument by 4:00 p.m., the tentative ruling will become the final order of the Court as provided in CRC, rule 3.1308, subdivision (a)(1).

(2) Notice of Intent to Appear and Request Oral Argument

a. A notice of intent to appear and request oral argument must be transmitted

to the Court either electronically through the court's website, or via telephone call by 4:00 p.m. on the day the tentative ruling is issued.

b. Electronic requests must be sent directly from the tentative rulings link of the Court's web site by clicking on the "Request for Oral Argument" button on the department's tentative ruling page.

c. Phone requests must be placed to the Western Slope Branch at (530) 621-6551 or the South Lake Tahoe Branch at (530) 573-3042 and must provide all of the information required on the request form found on the Court's web site.

d. Notice to all parties of your intent to appear must be made by telephone or in person pursuant to CRC, rule 3.1308, subdivision (a)(1).

(3) Scheduling of Oral Argument

Matters in which a party requests oral argument will automatically be set for hearing on the law and motion calendar on the court day following the issuance of the tentative ruling unless otherwise notified by the Court.

(4) Appearances

a. Except where the tentative ruling states that "appearances are required" or, having received a request for oral argument, the matter has been automatically scheduled for hearing on the next day's law and motion calendar, no other appearances will be required nor permitted at the law and motion calendar on the day following the issuance of the tentative ruling.

b. Unless otherwise indicated in the tentative ruling, appearances for oral argument may be made either in person or remotely in accordance with Local Rule 7.02.00.

C. NOTIFICATION OF TENTATIVE RULING SYSTEM IN THE NOTICE OF MOTION. All noticed motion proceedings for which a tentative ruling will issue shall contain the following statement in all notices of motion:

(1) For motions heard in the Western Slope Branch:

"Pursuant to Local Rule 7.10.05(A), the Court will issue a tentative ruling for this matter on the court day before the hearing. The complete text of the tentative ruling will be available beginning at 2:00 p.m. on the Court's website, www.eldorado.courts.ca.gov. The tentative ruling providing the disposition of the matter only, without the rationale, can be obtained by calling (530) 621-6551 (Western Slope Branch) beginning at 2:00 p.m. on the court day before the hearing. The tentative ruling shall become the final ruling on the matter and no hearing will be held unless oral argument is

timely requested or the tentative ruling indicates otherwise. Requests for oral argument must be made either through the Court's web site or by calling (530) 621-6551 no later than 4:00 p.m. on the court day before the hearing."

(2) For motions heard in the South Lake Tahoe Branch:

"Pursuant to Local Rule 7.10.05(A), the Court will issue a tentative ruling for this matter on the court day before the hearing. The complete text of the tentative ruling will be available beginning at 2:00 p.m. on the Court's website, www.eldorado.courts.ca.gov. The tentative ruling providing the disposition of the matter only, without the rationale, can be obtained by calling (530) 573-3042 (South Lake Tahoe Branch) beginning at 2:00 p.m. on the court day before the hearing. The tentative ruling shall become the final ruling on the matter and no hearing will be held unless oral argument is timely requested or the tentative ruling indicates otherwise. Requests for oral argument must be made either through the Court's web site or by calling (530) 573-3042 no later than 4:00 p.m. on the court day before the hearing."

(Revised July 1, 2025)

7.10.06 LENGTH OF HEARING

Matters on the law and motion calendar are intended to be set for no more than 15 minutes for argument. When a matter is called on the law and motion calendar and it appears that argument will exceed a total of 15 minutes, the Court, in its discretion, may reschedule the matter to a date and time convenient to the Court.
(Revised July 1, 2025)

7.10.07 DEFAULTS OR UNCONTESTED MATTERS; PROVE-UPS

A. No defaults or uncontested matters shall be set for hearing by the clerk unless and until the judgment and all pleadings and documents necessary for hearing and disposition of the matter are on file in the clerk's office.

(1) In all cases of a request for entry of a default judgment, whether the request is for a clerk's judgment, court judgment, or the matter is set for prove-up, it is this Court's general policy to require evidence in support thereof shall be provided in written form, unless prohibited by law (Code of Civil Procedure section 585(c)). It is the policy of this Court to require an evidentiary declaration from the plaintiff or plaintiff's agent in all cases of default.

(2) Affidavits and declarations presented in support of a prove-up application shall comply with the requirements of Code of Civil Procedure sections 585 and 585.5.

(3) At a default prove-up, allegations in the complaint or cross-complaint, if applicable, are not deemed proved because of the failure of the adverse party to answer. In all cases, proof must be presented by competent evidence on each and all essential elements of the causes of action sought

to be proved; conclusions, whether legal or factual, are insufficient. Affidavits and declarations must affirmatively show that the affiant or declarant is competent to testify to the statements made therein. In general, the Court will use the same standards for assessing the quality and sufficiency of the evidence as would be applied in a contested proceeding. (Code of Civil Proc., § 585, subd. (d); see *Harris v. Cavasso* (1977) 68 Cal.App.3d 723; *Devlin v. Kearny Mesa AMC* (1984) 155 Cal.App.3d 381.)

B. In actions on promissory notes and contracts providing for the payment of attorney's fees, whenever a prevailing party is entitled to the recovery of reasonable attorney's fees, the following schedule shall be considered by the Court, in its discretion, in awarding such fees:

25% of the first $1,000;
20% of the next $4,000;
15% of the next $5,000;
10% of the next $10,000;
5% of the next $30,000; and
2% of the amount over $50,000.

(Revised July 1, 2025)

7.10.08 RESERVED FOR FUTURE USE

(Revised July 1, 2025)

7.10.09 JUDICIAL ARBITRATION

A. Upon stipulation of the parties, or election of the plaintiff(s), if the matter in controversy is less than $50,000, a case may be referred to arbitration. The Arbitration Program shall be administered in accordance with the provisions of the Code of Civil Procedure section 1141.11, et seq., and California Rules of Court, rule 3.810, et seq.

B. When a case has been assigned to arbitration, notice of assignment to arbitration shall be sent to all parties by the Court.

(Revised July 1, 2025)

7.10.10 EX PARTE MOTIONS AND APPLICATIONS; ORDERS SHORTENING TIME

A. The moving papers in support of an ex parte application shall be filed with the Court at the first reasonable opportunity, no later than 2:00 p.m. the court day preceding the ex parte application. The moving papers shall be served by electronic transmission where possible.

B. In accordance with California Rules of Court, rule 3.1201, the applicant for an ex parte order shall submit:

(1) The application;

(2) A declaration, or Local Form M-1, stating that notice has been given to all

parties no later than 10:00 a.m. the court day prior to the ex parte hearing, including the date, time, and to whom notice was given, absent a showing of exceptional circumstances that justify a shorter time for notice (California Rules of Court, rule 3.1203).

(3) A declaration in support of the application, based upon personal knowledge and competent evidence, that makes an affirmative factual showing of irreparable harm, immediate danger, or other good cause for not using the noticed motion procedure. (California Rules of Court, rule 3.1202(c).);

(4) A Memorandum of Points and Authorities in support of the application; and

(5) A proposed order.

C. If an application for an order to shorten time to hear a motion or other request has been granted, the moving papers supporting that motion shall be served on the opposing party at least two court days prior to the hearing, unless otherwise ordered by the Court.

D. Applications for entry of judgment ex parte pursuant to stipulation due to a debtor's default on a conditional settlement agreement, or other applications for entry of judgment or termination of a stay of execution upon failure to perform express conditions, must provide notice pursuant to this rule and California Rules of Court, rule 3.1203, unless there is an express waiver of notice in the stipulation. The application shall be supported by a declaration stating the amount of any payments made by the debtor, or other compliance with the agreement by the defendant, as well as the specific facts supporting the alleged failure to perform.

E. An application for an ex parte stay of execution of a judgment shall only be made to the trial judge who entered the judgment. If there is no trial judge, the application may be presented to the judge assigned to the law and motion calendar.

F. If the applicant has previously made an ex parte application which has been denied or in part denied, and a subsequent application is made for the same or similar order, either to the judge who originally denied the application or to a different judge, whether on the same or a different set of facts, the applicant shall submit a declaration that states that a previous application has been made, the date of the application, the name of the judge who denied the previous application, a copy of the order on the previous application, and the declaration shall set forth facts on competent evidence demonstrating the change of circumstances which warranted the subsequent application.

(Revised July 1, 2025)

7.10.11 RESERVED FOR FUTURE USE

(Revised July 1, 2025)

7.10.12 COMPROMISE OF CLAIM OF MINOR OR INCOMPETENT PERSON

A. A petition for Court approval of a compromise pursuant to Code of Civil Procedure

section 372, Probate Code section 2504, or Probate Code section 3500, shall be verified by the petitioner and, in addition to the matters required by California Rules of Court, rules 7.950 through 7.955, shall contain:

(1) The name and birth date of the minor or incompetent person;

(2) The nature and extent of the injury giving rise to the claim with sufficient particularity to inform the Court whether the injury is permanent or temporary;

(3) The original or a photocopy of all doctor's reports containing a diagnosis or prognosis of the injury, and a current report of the person's present condition;

(4) A copy of any existing accident investigation report of any law enforcement agency;

(5) A full disclosure of all information concerning the reasonableness of the proposed compromise including the amounts, if any, paid or to be paid to any other claimants;

(6) 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 payer;

(7) If the money is to be deposited in an account subject to withdrawal only upon order of the Court, the name and address of the depository; and

(8) The amount of attorney fees requested. Pursuant to Probate Code section 3601, the court will, in its discretion, approve a reasonable attorney fee consistent with California Rules of Court, rule 7.955.

B. When the Court orders the money to be received by the minor or incompetent person to be deposited in a bank, trust company, or savings and loan association, the order approving the compromise shall contain the following language:

(1) A certified or endorsed copy of this order shall be delivered to the manager of said bank (or savings and loan association), together with said sum to be deposited, and that there shall be a receipt of said bank (or savings and loan association) filed with the clerk acknowledging receipt.

(2) If there is a finding in the order approving compromise of a minor's claim that the minor will attain the age of eighteen or majority on a definite date, the order requiring deposit shall provide for withdrawal after that date without further order of the Court.

C. The presence of the petitioner and the minor or incompetent person shall be required unless otherwise ordered by the Court. In considering whether to excuse a personal appearance, the Court shall consider, without limitation, the following

factors:

(1) The amount of the settlement;

(2) Policy limits;

(3) Extent of injury and need for future medical care related to the injury;

(4) Extent of residual conditions, including cosmetic and psychological factors;

(5) Liability;

(6) Travel distance for the minor and guardian including consideration of any disability causing difficulties in traveling; and

(7) Interruption of education: Generally, where petitioner is not represented by counsel, an appearance will be required.

(Revised July 1, 2025)

7.11.00 EXHIBIT STORAGE AND DISPOSITION

(Revised July 1, 2025)

7.11.01 POLICY

It is the policy of the El Dorado County Courts that evidence admitted in any case before the Courts:

A. Shall be only those items required in the case;

B. Shall not pose a security or storage problem nor a risk to health or safety; and

C. Shall not be retained by the court beyond the minimum time required by law, unless good cause is shown.

(Revised July 1, 2025)

7.11.02 RECEIPT OF EXHIBITS

A. No exhibits shall be accepted by the exhibit's custodian unless:

(1) All containers of liquid substances shall be clearly marked as to the type of liquid and the amount;

(2) All containers of controlled substances shall be clearly marked identifying the substance and its weight, and are sealed;

(3) All cash, whether individually or packaged, shall be specifically identified as to the total amount of cash and the number of bills of each denomination;

(4) All firearms shall be secured by means of a nylon tie or trigger guard; and

(5) All hypodermic needles shall be placed in containers that safeguard personnel handling the exhibit from accidental injury.

B. All exhibits must be individually tagged with the appropriate exhibit tag. Each exhibit tag must be properly completed and securely attached to the exhibit.

C. No exhibit shall be received by the Court if it poses a security or storage problem or a risk to health or safety. Unidentified liquids, containers, or suspect substances shall be returned to the party who offered the exhibit. Types of exhibits which will not be received include, but are not limited to, the following:

(1) Any type of explosive powder;

(2) Explosive chemicals, including toluene and ethane;

(3) Explosive devices, including grenades and pipe bombs;

(4) Flammable liquids, including gasoline, kerosene, lighter fluid, paint thinner, and ethyl ether;

(5) Canisters containing teargas, mace, or similar substances;

(6) Rags that have been soaked in flammable liquids;

(7) Liquid drugs, including phencyclidine (PCP); methamphetamine, corrosive liquids, pyrrolidine, morpholine, and piperidine; or

(8) Samples of blood, urine other bodily fluids, and any substance requiring refrigeration or humidity-controlled storage.

D. Exhibits toxic by their nature that pose a health hazard to humans shall be introduced to the Court in the form of a photographic record and a written chemical analysis certified by competent authority. Where the Court finds that good cause exists to depart from this procedure, toxic exhibits may be brought into the courtroom and introduced. Upon conclusion of a trial, exhibits containing toxic or hazardous materials, including but not limited to bodily fluids, controlled substances (including marijuana), weapons, and any other exhibit the Court determines may present a hazard shall be returned to the originating agency for storage pending appeal.

E. Any exhibit that is improperly tagged, marked, weighed, or otherwise improperly identified, will not be accepted by the Court.

F. The Court, in its discretion, may admit any exhibit in the interests of justice.

G. Original photographs shall be substituted for any photographically enlarged exhibits.

H. The Court, in its discretion, may order a photograph substituted for large or bulky

exhibits that pose a storage problem.
(Revised July 1, 2025)

7.11.03 RETENTION, DESTRUCTION, AND RETURN OF EXHIBITS

A. The clerk shall retain custody of any exhibit introduced into evidence in a civil proceeding, until the final determination or dismissal of the action or proceeding.

B. Once a judgment has become final and any appellate proceedings in the matter have been terminated, exhibits retained from a case shall be promptly destroyed or otherwise disposed of by the Court clerk in accordance with current law or rule of court. Parties who wish to retain their exhibits shall sign and file with the clerk a request for return of exhibits prior to the end of the hearing or trial of the matter.

C. The Court, on its own motion, may order exhibits destroyed or otherwise disposed of, or may order that exhibits be returned to the attorney for the party introducing those exhibits, 60 days after the expiration of the time for filing a notice of appeal.

(Revised July 1, 2025)

7.11.04 VIEWING EXHIBITS

A. As long as a case is active, only the attorneys of record and Court personnel may view the exhibits. Any other person interested in viewing an exhibit must first obtain an order of Court permitting a view.

B. Viewing of exhibits shall take place in the presence of the exhibit's custodian. Exhibits may not be altered or taken apart, except upon order of Court. Special viewing equipment shall not be permitted except upon prior order of the Court.

(Revised July 1, 2025)

7.12.00 TRIAL COURT CASE MANAGEMENT RULES

(Revised July 1, 2025)

7.12.01 APPLICATION OF CASE MANAGEMENT RULES

A. APPLICATION. These rules apply to all general civil cases pending in the Superior Court, regardless of when the case was originally filed or whether the case was transferred from another court.

B. EXCLUSIONS. Excluded from the application of these rules are probate, guardianship, conservatorship, family law (including proceedings under the Family Law Act, Uniform Parentage Act, Uniform Child Custody Jurisdiction Act, proceedings for freedom from parental custody and control, and proceedings for adoption), juvenile court proceedings, small claims appeals, and "other civil petitions" including petitions for writs of prohibition or mandate, temporary restraining orders, harassment restraining orders, domestic violence restraining orders, writs of possession, appointment of receiver, release of property from lien, change of name, and collection cases as defined in California Rules of Court, rule 3.740(a). Excluded also are unlawful detainers and cases which are the subject of a petition for coordination.

(Revised July 1, 2025)

7.12.02 RESERVED FOR FUTURE USE
(Revised July 1, 2025)

7.12.03 ASSIGNMENT OF CASES
Upon filing the complaint, the clerk shall assign a subject case to a single judge for all purposes and shall notify the parties of the assignment. Nothing in these rules shall prevent the Court from reassigning a subject case to a different judge, in which case the Court shall notify the parties of the assignment.
(Revised July 1, 2025)

7.12.04 DELEGATION TO TEMPORARY JUDGE AND CHALLENGES
If the judge to whom the case is assigned delegates pretrial management of the case to a temporary judge and the parties do not agree to the delegation, the parties shall object within 30 days after notice of the delegation. If the parties do not object within 30 days, they will be deemed to have agreed to the delegation.
(Effective July 1, 2001)

7.12.05 SETTING THE CASE MANAGEMENT CONFERENCE DATE AND CASE MANAGEMENT DOCUMENTS
Upon filing the complaint, the clerk shall assign a case management conference date as provided in Local Rule 7.12.10 and deliver to the plaintiff an issued summons, a "filed" endorsed copy of the complaint and the following case management documents:

A. Notice of Case Management Conference;

B. Blank Case Management Statement, mandatory Judicial Council form CM-110;

C. Notice to Litigants informational Local Form C-13.

The term "case management documents" also includes any case management order issued in the case.
(Revised July 1, 2013)

7.12.06 RESERVED FOR FUTURE USE
(Revised July 1, 2025)

7.12.07 RESERVED FOR FUTURE USE
(Revised July 1, 2025)

7.12.08 RESERVED FOR FUTURE USE
(Revised July 1, 2025)

7.12.09 UNINSURED MOTORIST CASES

A. Upon determining that an action is to proceed as an uninsured motorist (UM) case, the plaintiff shall promptly, and in no event later than the first case management conference, file a declaration under penalty of perjury setting forth the information upon which the determination was made. The declaration shall include (1) a statement that coverage exists under a UM insurance policy; (2) the name of the UM insurance carrier and the limits of coverage under the policy; and (3) a

statement that plaintiff intends diligently to proceed under the UM policy and, upon completion of the proceeding under the UM policy, dismiss the case.

B. Upon review of the declaration, the Court may designate the action as an UM case, which designation suspends the time requirements of these rules for 180 days from the date of designation. The Court shall review the case by setting a case management conference at the end of the suspension period.

C. If the proceeding under the UM policy is not completed by the review case management conference, the plaintiff may file a supplemental declaration requesting a further suspension and setting forth specific facts showing the necessity thereof. Upon completion of the proceeding under the UM policy, the plaintiff shall dismiss the case.

(Revised July 1, 2025)

7.12.10 CASE MANAGEMENT CONFERENCE

A. ORIGINAL COMPLAINTS. For all cases subject to these rules, upon filing an original complaint, the clerk shall schedule a case management conference within 120 days, but not less than 90 days, after the complaint is filed. On its own motion or at the request of a party or parties, the Court may hold other case management conferences at any time.

B. TRANSFER CASES. If a subject case is transferred from another jurisdiction after a responsive pleading has been filed, the clerk shall schedule the case management conference within 45 days, but not less than 30 days, after the order of transfer. If a responsive pleading has not been filed, the clerk shall set the case management conference within 90 days, but not less than 60 days, after the order of transfer.

C. CASE MANAGEMENT STATEMENT. The plaintiff and each party who has been served or who has appeared in the action shall file and serve a completed case management statement at least 15 calendar days prior to the case management conference.

D. CASE MANAGEMENT CONFERENCE HEARING. The plaintiff and each party who has been served or who has appeared in the action or counsel shall attend the case management conference, shall be familiar with the case, and shall be prepared to discuss all matters enumerated in this subparagraph. The parties or counsel may appear remotely. Parties or counsel failing to attend or to be prepared may be subject to sanctions. At the case management conference, the Court shall make all appropriate pretrial orders to ensure the proper preparation and timely disposition of the case including the following:

(1) Service and Default. The Court may set dates or otherwise address the methods by which service is to be accomplished or default taken.

(2) Mandatory Settlement Conferences, Issues Conferences, and Trial Dates. The Court may schedule a mandatory settlement conference, an issues conference, motion in limine hearings, and the trial date. The Court may

schedule additional settlement conferences at the request of the parties or on its own motion.

(3) Alternative Dispute Resolution. The Court has initiated an Alternative Dispute Resolution (ADR) Program which applies to all civil cases that are subject to these rules; provided, however, that on the joint request of the parties or on its own motion, the Court may order that the program apply to any civil case.

Unless the parties agree to another form of ADR, they will be ordered to participate in a Dispute Resolution Conference (DRC). The DRC shall take place within 60 days of the case management conference, unless the Court otherwise orders for good cause shown. The DRC will be conducted by one attorney temporary judge. The DRC will be conducted as a mandatory settlement conference pursuant to California Rules of Court, rule 3.1380, and the parties and counsel are directed to comply with the terms thereof.

Within 7 to 10 days after the case management conference, the Court will notify the parties of the DRC temporary judge assigned to the case. It is the responsibility of the plaintiff to contact the temporary judge and arrange for a time and place for the DRC convenient to them and all parties.

At least five (5) court days prior to the DRC, each party is to submit to the temporary judge and the other parties a dispute resolution conference statement which meets the requirements of California Rules of Court, rule 3.1380, and any special requirements set forth below.

In addition to the requirements of California Rules of Court, rule 3.1380, each party's dispute resolution conference statement shall also contain a brief summary regarding the status of expert and non-expert discovery.

Prior to the DRC, the parties are to exchange documents and records pertinent to settlement and shall provide copies of these to the DRC temporary judge.

With leave of Court and in lieu of participation in a DRC, the parties may participate in arbitration (binding or non-binding), judicial arbitration, or mediation. The parties may select the neutral from the Court's panel or a private neutral of their choice. The parties will be responsible for any fees associated with arbitration, judicial arbitration, or mediation. The Court's panel of neutrals may be obtained from the Court's website or the clerk's office.

E. RULES FOR SPECIAL DISPUTE RESOLUTION CONFERENCES. This subsection provides special procedures for the following cases:

(1) Personal Injury Actions. At least five (5) court days prior to the DRC in personal injury actions, the parties shall exchange relevant photographs,

accident reports, medical bills and reports, and statements of lost income and shall provide copies of these to the DRC temporary judges.

If there are claims or liens which may affect the settlement, the affected party shall initiate negotiations with claimants or lien holders prior to the DRC. If a claim or lien is not resolved, counsel shall request the holder in writing to attend the DRC. This subsection authorizes counsel to request collateral source providers to attend the DRC on behalf of the Court, pursuant to Government Code section 985(c).

(2) Building and Construction Cases. Within 30 days after the first status conference in building and construction cases, the party complaining of defective construction shall serve on all other parties a statement of damages, including a scope of damages which sets forth with particularity the defects complained of and a cost of repair which itemizes the cost of repairing the defects.

Within 30 days thereafter, the other parties may inspect the premises; provided, however, that any such inspection shall be conducted only after the parties have met and conferred and shall be scheduled to minimize inconvenience for the owner of the premises.

Within 45 days after service of the statement of damages, the other parties shall serve on all parties a response to statement of damages, which responds with particularity to the scope of damages and the cost of repair. The DRC shall be scheduled after the statement of damages and the response have been completed and the parties shall provide copies to the DRC temporary judges.

(3) Business/Partnership Dissolution and Accounting Cases. In any case which requires the taking of accounts, the Court may appoint an accounting officer, whose fees shall be divided equally among the parties. Within 10 days after the appointment, the accounting officer may serve on the parties a request for documents requesting with particularity the documents they believe are necessary for the accounting. Within 10 days thereafter, any party may object to the request, which objection will be heard, together with any response thereto, by the Court within 20 days. The objecting party shall contact the Court's ADR department for a hearing date. Documents requested by the accounting officer shall be produced within 30 days of the request; provided, however, that if there is an objection, documents shall be produced only as the Court may direct. Within 30 days after receipt of the requested documents, or such other time as the Court, for good cause shown, may direct, the accounting officer shall file with the Court and serve on all parties a statement of account.

The DRC shall be scheduled after the statement of account has been filed and served and the parties shall provide copies of the statement of account to the DRC temporary judges. It is the plaintiff's responsibility to schedule

the DRC.
(Revised July 1, 2025)

7.12.11 MANDATORY SETTLEMENT CONFERENCE

A. SETTLEMENT CONFERENCE. Approximately one to two months prior to the trial date, a Mandatory Settlement Conference (MSC) shall be held in all cases.

B. PERSONS ATTENDING AND AUTHORITY. Trial counsel, the parties, and all persons whose consent is necessary for a settlement must attend the MSC in person, unless otherwise ordered by the Court. All persons required to attend must have full authority to settle the case.

C. SETTLEMENT CONFERENCE STATEMENT. Each party shall lodge with the Court no later than five court days before the conference and serve on the other parties a written statement that conforms to Rule 3, et seq., of the California Rules of Court, and in addition sets forth the following:

(1) A statement of the facts;

(2) The contentions of each party to the action regarding liability and damages;

(3) An itemized list of special damages;

(4) Each party shall attach to the statement copies of relevant documents, which may assist the court in settlement including photographs, diagrams, reports, bills, and contracts.

In any case in which a personal injury is claimed:

(1) A description of the nature and extent of any injury claimed, including residuals;

(2) A description of the basis for and method of calculation of any claimed wage loss;

(3) The most recent demand and offer or a description of any other proposed settlement between or among the parties.

D. GOOD FAITH PARTICIPATION AND SANCTIONS. Counsel, the parties, and all persons attending the MSC, shall participate fully and in good faith. The Court may impose sanctions on any person required to attend who fails to attend, or fails to participate fully and in good faith, or fails to file the required documents. In addition to such sanctions, the Court may vacate the trial date.

E. SETTLEMENT OF THE ACTION. If a case is settled, (1) the parties shall place the settlement on the record or reduce it to writing, as the Court may direct; (2) the Court shall vacate all pending court dates; and (3) the plaintiff shall dismiss the action within 45 days; provided, however, that if the conditions for dismissal in the

settlement cannot be completed within 45 days, the plaintiff shall specify the date of dismissal. If the plaintiff does not dismiss the case within 45 days or other date set for dismissal, the Court shall dismiss the case unless good cause is shown why the case should not be dismissed.

(Revised July 1, 2025)

7.12.12 ISSUES CONFERENCE

The Issues Conference will normally be set approximately two weeks before the trial date. Attendance by the attorney who will actually try the case is mandatory.

A. Prior to the Issues Conference, the parties shall meet and confer and prepare the following jointly, which shall be submitted at least three court days before the Issues Conference:

(1) An Issues Conference Statement setting forth the legal and factual issues to be presented in the case, the proposed sequence of trial, any appropriate memoranda of points and authorities, and whether the parties anticipate any hearings pursuant to Evidence Code section 402;

(2) If set for a jury trial, a Statement of the Case to be read to prospective jurors during jury selection. The statement should identify the factual issue(s) to be considered by the jury and should be stated in a neutral and concise manner;

(3) If set for a jury trial, proposed voir dire.

B. Prior to the Issues Conference, the parties shall meet and confer and prepare the following jointly, which shall be submitted at the Issues Conference:

(1) If set for a jury trial, a joint set of jury instructions, including all instructions proposed to be offered by either party, insofar as may be determined prior to taking evidence. Any instructions as to which there is no agreement shall be tabbed or otherwise indicated in an index to the instructions. Proposed general and special verdict forms shall also be submitted at the Issues Conference.

(2) A joint set of exhibits, tabbed and sequentially numbered, in three-ring binders, with a table of contents listing each exhibit by number. All exhibits the parties intend to present at its case-in-chief should be included. Depositions, requests for admission, and interrogatories shall not be included in the exhibit binder.

(3) A joint exhibit list, stating the exhibit number, description of the exhibit, the proponent of the exhibit, and whether the parties are stipulating to its admissibility or merely waiving foundation or hearsay objections.

C. MOTIONS IN LIMINE. Motions in limine shall be heard at the Issues Conference.

(1) Motions in limine declarative of existing law (e.g., to exclude mention of

liability insurance pursuant to Evidence Code section 1152) are unnecessary and should not be made.

(2) Unless otherwise ordered by the Court, all motions must be filed and served no later than three weeks prior to the Issues Conference; oppositions must be filed and served no later than two weeks prior to the Issues Conference; and replies, if any, must be filed and served no later than one week prior to the Issues Conference.

This briefing schedule shall not apply to motions concerning expert witnesses deposed on or before 15 days prior to the date initially set for trial, pursuant to Code of Civil Procedure section 2024.030. Motions in limine concerning such experts must be filed and served no later than 10 days prior to trial; oppositions shall be filed and served no later than 5 days prior to trial; and replies, if any, may be presented at the hearing on the motion. Service of motions in limine concerning expert witnesses and any opposition is to be made in a manner that will ensure same day service (e.g., personal service, electronic service). At the Issues Conference, the Curt may specially set a hearing for motions concerning such experts.

(3) Motions in limine must be separately stated and captioned as "Plaintiff's Motion in Limine No. ___" or "Defendant's Motion in Limine No. __." Each party's motions shall be numbered consecutively.

Motions in limine to admit or exclude evidence must be supported with a declaration or other evidentiary predicate specifying with particularity the evidence sought to be excluded (*Kelly v. New West Federal Savings* (1996) 49 Cal.App.4th 659). A memorandum of points and authorities shall accompany each motion.

If particular testimony is to be excluded, a copy of the statement or the page(s) from the transcript of the proposed testimony must be attached to the motion, along with any necessary declaration.

(4) If either party is requesting a 402 hearing as part of a motion in limine, the request must be clearly identified in the caption of the motion; e.g., "Plaintiff's Motion in Limine No. __; Request for 402 Hearing." The Court retains its discretion whether to conduct a 402 hearing or decide the matter on the papers.

(Revised July 1, 2025)

7.12.13 SANCTIONS

The failure of any person to comply with these rules or any order of the court shall constitute an unlawful interference with the proceedings of the court. For any such interference, the court may impose upon the offending person sanctions which may include, but are not limited to, continuing a conference and requiring the filing of appropriate documents, awarding monetary sanctions, attorney's fees, expenses and costs, striking pleadings and entering the default of any party, dismissing the action, and

contempt.
(Revised January 1, 2012)

7.12.14 RESERVED FOR FUTURE USE
(Revised January 1, 2006)

7.12.15 RESERVED FOR FUTURE USE
(Revised July 1, 2025)

7.12.16 RESERVED FOR FUTURE USE
(Revised July 1, 2014)

7.12.17 RESERVED FOR FUTURE USE
(Revised July 1, 2025)

7.12.18 RESERVED FOR FUTURE USE
(Revised July 1, 2025)

7.12.19 RESERVED FOR FUTURE USE
(Effective July 1, 2025)

7.13.00 ATTORNEY'S FEES IN UNLAWFUL DETAINER ACTIONS
When a plaintiff is entitled to attorney fees in a residential Unlawful Detainer default judgment, the Court will award the sum of $600 as an attorney fee. If a defendant has filed an answer which requires the matter to be set for trial and it is uncontested, the Court will award the sum of $900 as an attorney fee. If the matter is contested at trial, the Court will award $1,000 as an attorney fee. The Court may adjust these amounts upon a showing of sufficient justification. Attorney fees in a commercial Unlawful Detainer shall be determined by the Court upon evidence presented at the hearing or by declaration if no hearing is held.
(Revised July 1, 2025)

7.14.00 RESERVED FOR FUTURE USE
(Effective July 1, 2013)

7.15.00 RESERVED FOR FUTURE USE
(Effective January 1, 2007)

7.16.00 RULES FOR ACTIONS ARISING UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT – PUBLIC RESOURCES CODE SECTION 21000, ET SEQ.

A. GENERAL

(1) WHERE FILED. Actions in the nature of mandate challenging an agency decision under the California Environmental Quality Act (Public Resources Code section 21000, et seq.) shall be filed in the civil section of the clerk's office and the case shall be thereafter assigned for all purposes to a judge designated by the presiding judge.

(2) Record Status Conference:

a. REQUEST FOR STATUS CONFERENCE. At the time that a petition is filed in accordance with these rules, the petitioner shall request the Court set a record status conference before the judge assigned to the case within 30 days of the date of filing of the petition, and serve notice of the date of the record status conference on the respondent.

b. CERTIFICATION OF THE RECORD. The Court will set a tentative hearing date for a hearing to certify the administrative record. The parties shall provide the Court at the record status conference a joint list of documents proposed to be included in the record that the parties consider to be the principal documents defining the issues presented by the petition and the response thereto.

Each party may supplement the joint document list with a list of additional documents the party considers to be of particular importance to its position. Each document shall be designated by both the page number in the record and by the document's title.

The parties shall also give the Court a preliminary indication of any disputes concerning the accuracy or scope of the record, with specific references to document page and title.

c. BRIEFING SCHEDULE AND HEARING ON THE PETITION. The Court will set a tentative briefing schedule and tentative hearing date at the record status conference. The hearing date and the briefing schedule may be reset either on the Court's own motion or on noticed motion by a party, for good cause shown.

Memoranda of Points and Authorities shall be in accordance with the requirements of California Rules of Court, rule 3.1113. Factual references in the brief shall be followed by a citation to the specific portion of the administrative record supporting that reference, by AR page number, as well as by the title of the document and document page number in which that reference occurs. In addition, each party shall file with the Court at the time the party's initial merits brief is filed a separate document containing a photocopy of each page of the administrative record cited in the brief.

B. ORDERING THE ADMINISTRATIVE RECORD

(1) In accordance with Public Resources Code section 21167.6, within 10 business days after the action is filed, petitioners shall personally serve on the appropriate public agency their request for preparation of the administrative record or their notice of election to prepare the administrative record themselves.

C. MEDIATION

(1) In accordance with Government Code section 66031, within five days after the deadline for respondent to file a response to the action, petitioners shall prepare and lodge with the civil clerk a notice form for the Court's signature inviting mediation. The clerk shall then mail the notice of invitation to the parties.

D. PREPARATION OF THE ADMINISTRATIVE RECORD

(1) Preparation of the Record by the Public Agency. Within 20 calendar days after receipt of a request to prepare the administrative record, the public agency responsible for the preparation shall personally serve on petitioners a preliminary notification of the estimated cost of preparation, including the agency's normal cost per page, any other reasonable costs the agency may anticipate, and an estimate of the probable number of pages. The preliminary notification shall also state, to the extent that the information is known to the agency, the location of documents that are anticipated to be incorporated into the administrative record; the contact person(s) responsible for identifying individuals having custody of those documents, whether agency personnel or other persons; and a list of dates and times specifying when, during normal business hours, those documents will be made available to petitioners or other parties for inspection. The agency shall supplement the preliminary notification from time to time as additional documents are located or are determined to be appropriate for inclusion in the record.

(2) Election by Petitioners

a. Upon receipt of the preliminary notification, petitioners may elect to prepare the record themselves provided that they notify the agency within five (5) calendar days of receipt. Within 40 calendar days of service of the notice of the request to prepare the administrative record, petitioners shall prepare and serve on all parties a detailed index listing the documents proposed by petitioners to constitute the record. Within seven (7) calendar days of service of petitioners' proposed document index, the agency and any other party shall prepare and serve on petitioners a notice specifying any documents or items that the agency or party contends should be added to or deleted from the record as proposed by petitioners.

The agency shall promptly notify petitioners of any required photocopying procedures or other conditions with which petitioners must comply to prepare the record.

b. If petitioners do not elect to prepare the record themselves, then within 40 calendar days after service of the request to prepare the administrative record, the agency shall prepare and serve on all parties a detailed index listing the documents proposed by the agency to constitute the record together with a supplemental estimated cost of preparation. Within seven

(7) calendar days after service of the agency's proposed document index, petitioners and any other parties shall prepare and serve the agency and all parties with a notice specifying any documents or items that a party contends should be added to or deleted from the record.

(3) Preparation of the Record by Petitioners. Within 20 calendar days after receipt of petitioners' notice of election to prepare the record themselves, the public agency responsible for certification of the record shall personally serve on petitioners a preliminary notification designating the location of documents that are anticipated to be incorporated into the administrative record; the contact person(s) responsible for identifying individuals having custody of those documents, whether agency personnel or other persons; and a list of dates and times specifying when, during normal business hours, those documents will be made available to petitioners or other parties for inspection and copying. The preliminary notification from the agency shall also notify petitioners of any required photocopying procedure or other conditions with which petitioners must comply to prepare the record. The agency shall supplement the preliminary notification from time to time as additional documents are located or are determined to be appropriate for inclusion in the record.

Within 40 calendar days after service of petitioners' notice of election to prepare the administrative record, petitioners shall prepare and serve on all parties a detailed index listing the documents proposed by petitioners to constitute the record. Within seven (7) calendar days of service of petitioners' proposed document index, the agency and any other party shall prepare and serve on petitioners a notice specifying any documents or items that the agency or party contends should be added to or deleted from the record as proposed by petitioners.

E. FORMAT OF ADMINISTRATIVE RECORD

(1) Type of Paper. The administrative record shall be prepared on white or unbleached paper, preferably recycled, of standard quality not less than 20 pound weight, 8½ by 11 inches in size, using a photocopying process that will produce clear and permanent copies legible to printing. Only one side of the paper shall be used and the margin shall not be less than 1¼ inches on the left side of the page. The original of an environmental document may be lodged as part of the administrative record provided that exact copies of the original are provided to all parties in the action. The pages of the administrative record shall be numbered consecutively and three-hole punched in the left margin.

(2) Volume Designation. The administrative record shall be lodged in one or more volumes of loose leaf binder, tabbed by document number, and prominently titled "ADMINISTRATIVE RECORD VOL. 1," etc. Each volume shall consist of not more than 300 pages and shall be numerically tabbed by the document number in the volume. Each volume shall have a cover page listing each document in the volume by the number of the tab which it

appears, the full title of the document, and the page number of the record of the first page of the document.

(3) Organization. Prior to certification and lodging, the administrative record shall be organized with the documents in the following order:

a. The Notice of Determination;

b. The resolution(s) or ordinance(s) adopted by the lead agency approving the project, including any resolution(s) or ordinance(s) adopted in compliance with Public Resources Code sections 21081 and 21081.6;

c. The Draft or revised Draft Environmental Impact Report and initial study;

d. The comments received on and the responses to those comments prepared for the Draft Environmental Impact Report or Negative Declaration, including any modifications to the environmental documents and project made after the comment period;

e. The remainder of the Final Environmental Impact Report (e.g., the Technical Appendices and other technical materials);

f. The staff reports prepared for the approval bodies of the lead agency;

g. Transcripts and/or minutes of hearings; and

h. The remainder of the administrative record, in chronological order if possible.

NOTE: The above table of organization if not intended to dictate the content of the record but rather to describe a uniform order for those documents typically contained in an administrative record. Documents to be included in the record are specified in Public Resources Code section 21167.6(e).

F. CERTIFYING AND LODGING THE RECORD. Upon completion and preparation of the record, it must be certified by the agency before being filed with the Court. If the agency has prepared the record, it shall make the required certification and shall personally serve the record and lodge it with the Court no later than 60 days after the request. If the petitioners have elected to prepare the record, the petitioners must transmit it to the agency for certification. After certification, petitioners shall then personally serve the record and lodge it with the Court no later than 60 days after service of the notice of election to prepare the record. Any extension of the 60-day period may be requested by filing a stipulation signed by all parties and obtaining Court approval of the extension(s) prior to the expiration of the 60-day period. Alternatively, an extension may be requested on noticed motion prior to the expiration of the 60-day period.

If the agency refuses to make a complete certification, it shall make a partial

certification, specifying the alleged defects in the record and stating reasons for refusing to certify portions of it.

G. DISPUTES REGARDING THE CONTENTS OF THE ADMINISTRATIVE RECORD. Once the administrative record has been lodged with the Court, any disputes about its accuracy or scope shall be resolved on noticed motion. For example, if the agency has prepared the administrative record, petitioners may contend that the record as prepared omits relevant documents or contains inappropriate documents; if petitioners have prepared the record, the agency may have similar contentions. Objections to documents contained within the record shall be specific as to document number, full title, record page number, and the portion(s) to which the objection pertains.

A motion to supplement the administrative record with additional documents and/or to object to certain documents may be noticed by any party after obtaining a hearing date from the clerk of the Court. The hearing to supplement the record or to object to documents shall be separate from and heard on a date prior to the hearing on the writ. Notice shall be given in accordance with Code of Civil Procedure section 1005.

H. HEARING TO CERTIFY THE ADMINISTRATIVE RECORD. The date of the hearing to certify the administrative record will normally be set by the Court at the record status conference and may be advanced or continued by the Court or on noticed motion of a party for good cause shown.

At the hearing to certify the record, the parties shall provide the Court with an agreed statement of the issues that will be presented to the Court at the hearing on the petition. Each party may supplement the agreed statement of issues with additional issues that a party intends to raise. The Court will confirm or revise the tentative briefing schedule and hearing date that were set at the record status conference.

I. SETTLEMENT MEETING. The notice of settlement meeting required by Public Resources Code section 21167.8(a) shall provide that, if the parties agree, the first settlement meeting shall be continued so as to take place no later than 35 days after the administrative record has been served. If the parties do not so agree, the first settlement meeting shall take place in conformity Public Resources Code section 21167.8. In the event there is no agreement for a continuance of the first settlement meeting, a second settlement meeting shall take place within five (5) days after the administrative record is served. The parties shall agree to the time and place of any settlement meeting(s); failure to agree may result in the imposition of sanctions pursuant to Public Resources Code section 21167.8(e). Other settlement meetings may be scheduled by the parties.

The statement of issues required by Public Resources Code section 21167.8(f) shall identify, by document number, full document title, and record page number, those portions of the administrative record that are directly related the contentions and issues remaining in the controversy. While the statement of issues will be utilized by the Court in focusing on the legal and factual contentions and issues

raised by the parties, those contentions and issues must be consistent with the pleadings to be properly resolved by the Court.

J. TRIAL NOTEBOOK. Petitioners shall prepare a trial notebook in a three-ring binder that shall be filed with the Court no later than 15 days prior to the date of the hearing. The trial notebook shall contain the petition, the answer(s), the memoranda of points and authorities, any motions set to be heard at the trial of the action, the statement of issues, and any other document(s) agreed upon by the parties. Each document in the trial notebook shall be separately tabbed with a table of contents at the front of the notebook. The notebook shall also contain an index to evidence cited in the briefs by document title, record page number, the volume and tab number in the administrative record, and a copy of the specifically cited page(s) in the administrative record.

(Revised July 1, 2025)

8.00.00 FAMILY LAW PROCEEDINGS

(Effective January 1, 1994)

8.00.01 DEFINITION OF FAMILY LAW MATTERS

As used in this Rule, the term "family law matters" includes all matters under the Family Law Act, Uniform Parentage Act, emergency protective orders, the Domestic Violence Prevention Act, the Uniform Child Custody Jurisdiction Act, the Revised Uniform Reciprocal Enforcement of Support Act, petitions for writ of habeas corpus or warrant in lieu thereof, (involving child custody), non-business orders prohibiting harassment, and guardianships, and any other matter involving child support, spousal support, or child custody and visitation.

(Revised January 1, 1994)

8.00.02 APPLICATION OF RULES

Except as inconsistent with the family law rules, family law matters shall be subject to the rules governing civil cases generally, including but not limited to the California Rules of Court, the Code of Civil Procedure, and the Local Rules of the El Dorado County Superior Court, rules 7.00.00, et seq., concerning civil proceedings.

(Revised July 1, 2022)

8.00.03 FAMILY AND JUVENILE COURT MANAGEMENT OF CHILD ABUSE CASES

It is the policy of the Superior Court to identify and coordinate custody proceedings involving the same child which may appear in multiple legal settings. It is further the policy of the Superior Court to coordinate the efforts of the different court systems so that the child's needs are served, and the resources of the family and the court are not wasted. To these ends, the Superior Court and the agencies serving the court shall cooperate to increase the exchange of information and to determine the most appropriate forum for resolution of the issues related to the child.

A. REPORT PURSUANT TO PENAL CODE SECTION 11166. If during the pendency of a family law proceeding a child abuse allegation against one or more of the child's parents comes to the attention of a family court judge, commissioner, or other child

custody recommending counselor or evaluator, any of these persons shall first determine whether the allegation must be reported to a child protection agency, pursuant to Penal Code section 11166. If that person determines the allegation does not fall within the description of section 11166, he/she need not make a report.

B. CHILD ABUSE INVESTIGATION. When the El Dorado County Social Services Department, Child Protective Services (CPS), receives a report of suspected child abuse during the pendency of a family law proceeding, it shall investigate the matter immediately or within 3 or 10 days pursuant to DSS Regulations 30-132. CPS shall coordinate its investigation with the reporting policy agency. CPS shall inform the family court judge or commissioner of any decisions it makes concerning the child abuse investigation. It shall contact the investigating agency immediately so that all investigative efforts can be coordinated.

C. WELFARE AND INSTITUTIONS CODE SECTION 329 APPLICATION. If CPS decides not to intervene or fails to report to the reporting party within 10 days, any person may apply to the social worker to commence proceedings in the Juvenile Court, pursuant to Welfare and Institutions Code section 329. In that application, the affiant shall give notice and identifying information of any pending family law proceeding. A copy of the application shall be sent to the family court judge or commissioner by the moving party. The social worker shall respond in writing to the application as soon as possible or within three (3) weeks after submission of the application (Welfare and Institutions Code section 329). The social worker shall send a copy of the written response to the family court.

D. SUSPENSION OF FAMILY COURT PROCEEDINGS

(1) CPS Report
After a report of suspected child abuse has been made to a child protection agency, custody and visitation proceedings in the family court are suspended, except that the Family court shall have the power to make temporary protective orders to ensure the safety of the child. The suspension shall remain for eighteen calendar days from the report or until CPS indicates in writing that it will take no action in the matter, whichever occurs first.

(2) Welfare and Institutions Code section 300 Petition – Juvenile Court
If a petition pursuant to Welfare and Institutions Code section 300 is filed in the Juvenile Court, all custody and visitation proceedings in the Family court are suspended. Thereafter, custody and visitation issues shall be determined by the Juvenile Court. The family court shall resume custody or visitation litigation only after written authorization is received from the Juvenile Court.

E. REVIEW OF THE DECISION OF THE CPS SOCIAL WORKER NOT TO INITIATE DEPENDENCY PROCEEDINGS. If the probation officer or CPS social worker decides not to initiate dependency proceedings, any person who has applied for the commencement of

dependency proceedings pursuant to Welfare and Institutions Code section 329 within 1 month of that application, may apply to the juvenile court to review that decision pursuant to Welfare and Institutions Code section 331. The application shall include a copy of any application made to pursuant to Welfare and Institutions Code section 329. The juvenile court shall rule on the application as soon as possible and in no event later than 30 days after receipt of the application.

F. INFORMAL SUPERVISION AGREEMENT. If, during the probation officer's or CPS social worker's investigation, one or both parents reach an informal supervision agreement pursuant to Welfare and Institutions Code section 301, a copy of that agreement shall be sent immediately to CPS, to family court services and to each parent or their counsel.

G. FAMILY CODE SECTION 3150 APPOINTMENT OF COUNSEL. During family law proceedings in which allegations of child abuse have been made, the family court judge or commissioner may appoint counsel for the child (Family Code section 3150.) to protect the child's interests and/or expedite the policy stated herein and carry out the terms of this protocol.

H. COORDINATION OF CASES. At any time during the process described herein, the judges, commissioners, and referees assigned to hear family court and juvenile court matters are encouraged to discuss problems relating to the coordination of cases involving child abuse allegations.

(Revised January 1, 2012)

8.00.04 FAMILY COURT ORDERS ISSUED IN JUVENILE COURT

A. PETITION FOR DISMISSAL OF A DEPENDENCY PROCEEDING IN THE JUVENILE COURT. Whenever any interested party believes that juvenile court intervention on behalf of a child is no longer necessary, application may be made to the juvenile court pursuant to Welfare and Institutions Code section 388 or at any regularly scheduled hearing to have the case dismissed. If dismissed, any future litigation relating to custody, visitation and control of the child shall be heard in the family court or other appropriate Superior Court civil department.

B. JUVENILE COURT CUSTODIAL ORDER. If the juvenile court determines that jurisdiction of the juvenile court is no longer necessary for the protection of the child, the court may create a custodial order consistent with the needs of the child and thereafter dismiss the juvenile petition and case (Welfare and Institutions Code sections 361.2 and 362.4).

C. MAINTENANCE OF ORDERS IN COURT FILES

(1) Juvenile Court. The original court order shall be filed in the family court or civil file and endorsed copies shall be filed in the juvenile court file. A copy of the endorsed, filed order shall be mailed to all attorneys and parties.

(2) Superior Court. If no court file exists in the family court or other Superior Court division or in any other jurisdiction, the Clerk of the Superior Court

shall create a file under the names of the child's parents. The file shall contain a copy of the juvenile court order. There shall be no filing fee. (Welfare and Institutions Code section 362.4).

(Revised January 1, 2012)

8.00.05 RESERVED FOR FUTURE USE

(Revised January 1, 2024)

8.01.00 MEET AND CONFER REQUIREMENT

(Effective January 1, 1994)

8.01.01 REQUIREMENT

Counsel with their respective clients, either physically present or immediately available, shall meet and confer in good faith and attempt to resolve all issues before any motion, order to show cause, or trial is heard by the court. The requirement to meet and confer does not apply to cases involving domestic violence.

(Revised January 1, 2019)

8.02.00 CONTINUANCES

(Effective January 1, 1994)

8.02.01 CONTINUANCE DISFAVORED

Continuances of motions or orders to show cause in family law matters are disfavored.

(Effective January 1, 1994)

8.02.02 ONE CONTINUANCE LIMITATION

No more than one continuance at the request of either party shall be allowed except for good cause.

(Revised January 1, 2012)

8.02.03 CONTINUANCE FOR CHILD CUSTODY RECOMMENDING COUNSELING

A continuance necessary to allow for child custody recommending counseling or for receipt of the child custody recommended counselor's report, shall not be counted as a continuance requested by either party.

(Revised January 1, 2012)

8.02.04 CONTINUANCE BY STIPULATION OR LETTER REQUEST

If both parties and their attorneys agree to a continuance, neither party need appear in court provided at least one party contacts the calendar clerk not less than three (3) court days prior to the hearing to advise the court and further confirm the continuance in writing by stipulation or letter request signed by both parties or attorneys, or signed by one attorney with confirmation that the request for continuance is agreed to by all parties and counsel. Said stipulation or letter request shall confirm that the attorneys are authorized by their clients to continue said matters and the reason for the request. The attorney(s) shall contact the court calendar clerk for available dates prior to submitting the written request.

For hearings in which a client/party must appear, a request for continuance must be signed by each party and by each attorney. Filings within three (3) calendar days of the

scheduled hearing are acceptable. If a continuance is required because of the absence of a report from a child custody recommending counselor, the court may grant one continuance without the required signatures.
(Revised January 1, 2024)

8.03.00 INCOME AND EXPENSE DECLARATIONS
(Effective January 1, 1994)

8.03.01 WHEN REQUIRED
A current income and expense declaration is required in all family law matters where support or attorney's fees are requested. Said income and expense declaration shall be filed and served with the initial moving papers. A party responding to a notice of motion or order to show cause involving financial matters, including but not limited to support and/or attorney's fees, must file and serve a completed current income and expense declaration with the responsive papers. If responsive papers are not filed, then the completed current income and expense declaration shall be filed at least ten (10) calendar days prior to the hearing date on the motion.
(Revised January 1, 2026)

8.03.02 PREPARATION INSTRUCTIONS
The income and expense declaration shall be filled out completely.

A. All applicable questions shall be answered with relevant information and the income and expense declaration shall be dated and signed.

    (1) A declaration that is not dated and signed or is not filled out with all applicable questions answered, shall not be considered in evidence by the court, except in so far as it may constitute an admission against the interest of the party.
    (2) If a party is present at the hearing and has not dated or signed the declaration, the party shall be permitted to amend the declaration by entering an admission of the date of signing or to sign same.

B. Documents supporting each party's wages, income, and other matters set forth in the income and expense declaration, such as a copy of the most recent pay stub(s) representing at least two (2) full months' wages and deductions and a copy of the most recent W-2 form, shall be attached to the income and expense declaration. A self-employed party must attach a properly and accurately completed profit and loss statement for the prior 12 months of the operation of the business.

(Revised July 1, 2013)

8.03.03 ADDITIONAL INFORMATION TO BE PROVIDED
Either party may demand the other provide any of the following documentation provided the service of the demand is made at least 30 (thirty) calendar days prior to any scheduled hearing involving support or attorney's fees and/or costs:

A. Copies of the demanded party's 2 (two) most recent paychecks or stubs.

B. Complete Federal and State income tax returns for the demanded party for the

last 2 (two) years; including all schedules.

C. Copies of all W-2 and/or 1099 forms from the demanded party for the most recent year available.

D. Business entity's filed Federal and State income tax returns and profit and loss statements for the past 2 (two) years for any business entity of the demanded party. A business entity is defined as any business, including but not limited to, a sole proprietorship, partnership, joint venture, or corporation in which a party has any right of management and/or control.

E. Any other documentation requested by the opposing party reasonably related to the income or earning capacity of the demanded party. "Income" and "earning capacity" shall be as defined by California Family Code § 4058. The party requested to produce such additional documentation, however, may raise any objection to the production of said documentation, provided that such objection is conveyed to the requesting party in writing at least 20(twenty) calendar days prior to the date of the scheduled hearing and provided, further, that the objecting party brings the subject documentation to the scheduled hearing or makes the documentation electronically available to court and counsel in pdf format at the scheduled hearing. The court shall resolve any objection at the hearing or as part of the court's Tentative Ruling. Failure to object as provided herein shall be deemed a waiver of any objection to the production of the requested documentation. Written notice may be by facsimile or electronic transmission.

(Revised July 1, 2025)

8.03.04 SANCTIONS

If a party fails to comply with this rule, upon request of a party or upon the court's own motion, the court may take any of the following actions at the scheduled hearing.

A. Continue the hearing.

B. Set a hearing for imposition of sanctions pursuant to Code of Civil Procedure section 128.5 and/or Family Code section 271.

C. Assess reasonable attorney fees against the non-complying party.

D. Strike all or part of the non-complying party's motion or response.

E. Make other orders as the court may deem appropriate.

(Revised July 1, 2025)

8.03.05 INFORMATION PRIVILEGED

No documentation identified in rule 8.03.03, which is received by a party and/or their attorney of record, shall be disclosed to any non-litigation related third party. Disclosure in violation of this Rule shall result in the imposition of sanctions against the disclosing party pursuant to Code of Civil Procedure section 128.5 and/or Family Code section 271.

(Revised July 1, 2025)

8.04.00 CHILDREN IN COURTROOM

While children who are the subject of litigation may appear in the courthouse, it is the policy of the court not to have any subject child in the courtroom without the court's prior knowledge and consent. Children shall remain in the hallway or elsewhere in the care of a responsible person.
(Revised January 1, 2012)

8.05.00 ORDERS TO SHOW CAUSE/REQUEST FOR ORDER AND NOTICES OF MOTION

(Revised January 1, 2024)

8.05.01 DATE, TIME, AND PLACE OF HEARING

The date, time, and place of hearing on any family law motion or order to show cause shall be scheduled through the calendar clerk.
(Revised January 1, 2012)

8.05.02 RESERVED FOR FUTURE USE

(Revised January 1, 2024)

8.05.03 FORMAT OF REQUEST FOR ORDER, NOTICES OF MOTION AND ORDERS TO SHOW CAUSE AFFIDAVIT OF CONTEMPT

The provisions of rule 4.00.02 shall apply.

If a hearing is set on a request for order regarding child support or temporary spousal support, both the moving party and the responding party shall at the time of filing the moving papers or responsive declaration provide the court with the appropriate proposed court approved guideline support calculation printout.
(Revised January 1, 2026)

8.05.04 FILING AND SERVICE OF SUPPLEMENTAL DECLARATIONS

In any matter heard on the Court's Law and Motion calendar, where a review hearing is scheduled or a hearing is otherwise continued to a new hearing date, the parties shall file and serve Supplemental Declarations no later than 10 calendar days prior to the next hearing date. Supplemental Declarations filed or served later than 10 calendar days prior to the next hearing date shall not be considered by the Court absent good cause.

The served "Supplemental Declaration" shall be a copy of the papers filed or to be filed with the court. If the Supplemental Declaration is served by mail, the required 10-day period of notice before the hearing shall be increased by five calendar days if the place of mailing and the place of address are within the State of California, 10 calendar days if either the place of mailing or the place of address is outside the State of California but within the United States, 12 calendar days if the place of address is the Secretary of State's address confidentiality program (Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code), and 20 calendar days if either the place of mailing or the place of address is outside the United States. If the Supplemental Declaration is served by electronic means, facsimile transmission, express mail, or another method of delivery providing for overnight delivery, the required 10-day period of notice before the hearing shall be increased by two calendar days.

If a Supplemental Declaration is ordered by the court to be filed prior to the next hearing date, and both parties or counsel fail to do so, the court may drop the hearing from its calendar.
(Effective July 1, 2025)

8.05.05 APPLICATION FOR EX PARTE TEMPORARY CUSTODY ORDER

An application for ex parte orders of temporary custody shall include, among other things, existing custody order(s) which party has physical custody, details as to how, when, where, and under what circumstances the party obtained physical possession, and other facts (not conclusions) showing the best interest of the child.
(Effective January 1, 2012)

8.05.06 APPLICATION FOR EX PARTE ORDER FOR IMMEDIATE CHANGE OF PRIOR ORDER FOR CUSTODY OF MINOR

Ex parte applications are governed by California Rules of Court, rule 5.151. A judge will only grant ex parte relief if the party requesting it shows a risk of irreparable harm or immediate danger. This is explained further in Family Code section 3064 and California Rules of Court, rule 5.151(d). An application for an ex parte order to change an existing order for the custody of any minor child must be supported by an affidavit or declaration showing clear, specific allegations that the health and welfare of the child require the immediate change of custody. It must also include a statement setting forth why an order shortening time would not be practicable. The affidavit or declaration shall also set forth, in brief, the circumstances under which the child will be placed pending hearing.
(Revised January 1, 2024)

8.05.07 TENTATIVE RULING SYSTEM

A. GENERAL. The Superior Court for El Dorado County adopts the following tentative ruling system pursuant to California Rules of Court, rule 3.1308(a)(1) for all matters set on the regularly scheduled law and motion calendars of both the Western Slope and South Lake Tahoe Branches. The tentative rulings can be obtained in two ways:

(1) Online: The tentative rulings and complete written rationale for each tentative ruling will be posted on the El Dorado County Superior Court web site at www.eldorado.courts.ca.gov by no later than 2:00 p.m. on the court day preceding the date the matter is set on the law and motion calendar. The tentative ruling and the rationale can be viewed on the web site by clicking on the “Tentative Rulings” link. The tentative rulings are listed by department and calendar date. Simply click on the tentative rulings for the assigned department and then click on the date you wish to view.

(2) By Telephone: The tentative rulings providing the disposition of the matter only, without the rationale, can also be obtained by calling the Western Slope Branch at (530) 621-6726 or the South Lake Tahoe Branch at (530) 573-3075 beginning at 2:00 p.m. on the court day preceding the date the matter is set on the law and motion calendar.

B. TENTATIVE RULING PROCEDURE

(1) Acceptance or Rejection of Tentative Ruling

a. If you wish to accept the tentative ruling which has been issued, or do not wish to oppose it, you do not need to do anything. If no notice of intent to appear and request oral argument is received from any party to the matter by 4:00 p.m. on the day the tentative ruling is issued, the tentative ruling will automatically become the final order of the court pursuant to California Rules of Court, rule 3.1308(a)(1).

b. If you do not wish to accept the tentative ruling in its entirety, you must give notice of your intent to appear and request oral argument as to the specific aspects of the tentative ruling you wish to challenge to both the court and all parties to the action through the procedures listed below by 4:00 p.m. on the day the tentative ruling is issued. If you do not give such notice and request oral argument by 4:00 p.m., the tentative ruling will become the final order of the court as provided in California Rules of Court, rule 3.1308(a)(1).

(2) Notice of Intent to Appear and Request Oral Argument

a. A notice of intent to appear and request oral argument must be transmitted to the court either electronically through the court's website, or via telephone call by 4:00 p.m. on the day the tentative ruling is issued.
b. Electronic requests must be sent directly from the tentative rulings link of the court's web site by clicking on the "Request for Oral Argument" button on the department's tentative ruling page.
c. Phone requests must be placed to the Western Slope Branch at (530) 621-6725 or the South Lake Tahoe Branch at (530) 573-3042 and must provide all the information required on the request form found on the court's website.

d. Notice to all parties of your intent to appear must be made by telephone or in person pursuant to California Rules of Court, rule 3.1308(a)(1).

(3) Scheduling of Oral Argument

a. Matters in which the parties' total time estimate for argument is 15 minutes or less will automatically be set for hearing on the law and motion calendar on the court day following the issuance of the tentative ruling unless otherwise notified by the court. The 15-minute time limit for argument heard on the law and motion calendar will be strictly enforced. For matters in which the parties' total time estimate for argument is more than 15 minutes, the court will endeavor to set long cause oral argument requests for hearing within 10 court days of the issuance of the tentative ruling, or as soon thereafter as the matter can be heard.

b. Notification of the selected hearing date for matters not automatically set for oral argument on the next day's law and motion calendar will be provided to the requesting party by 5:00 p.m. on the date the tentative ruling is issued.

c. Notification to all other parties of the hearing date for matters not automatically set for oral argument on the next day's law and motion calendar is the sole responsibility of the requesting party.

(4) Appearances

a. Except where the tentative ruling states that "appearances are required" or, having received a request for oral argument of 15 minutes or less, the matter has been automatically scheduled for hearing on the next day's law and motion calendar, no other appearances will be required nor permitted at the law and motion calendar on the day following the issuance of the tentative ruling.

b. Unless otherwise indicated in the tentative ruling, appearances for oral argument may be made either in person or remotely per the Presiding Judge's orders.

(Revised July 1, 2024)

8.06.00 CONDUCT OF HEARING
(Effective January 1, 1994)

8.06.01 TIME LIMITATIONS
A short cause hearing shall have a maximum duration of 15 minutes, unless extended or further limited by leave of court. In the event either party in good faith believes that the matter cannot be completed in 15 minutes, they are to inform the court at the time the matter is called.

The court may then set the matter for a long cause hearing or make such other order as may be appropriate under the circumstances.
(Revised January 1, 2024)

8.06.02 LACK OF APPEARANCE
Any matter in which there is no appearance by either party or their attorneys at the time of calendar call shall be ordered off calendar unless the courtroom clerk has been notified that there will be a late appearance or that the matter has been continued.
(Revised January 1, 2012)

8.06.03 MATTERS TAKEN OFF CALENDAR
If a matter is to be taken off calendar, the moving party shall, as soon as is reasonably possible, notify the calendar clerk and all parties who were served with the moving papers as soon as possible.
(Revised January 1, 2012)

8.06.04 PREPARATION OF ORDER AFTER HEARING
Unless otherwise ordered by the court, the moving party shall prepare and serve a written order following an appearance on the law and motion calendar under the legend "approved as conforming to court order." The moving party shall have 10 calendar days

to prepare and serve the proposed order after hearing on opposing counsel or in the case of an unrepresented litigant, the opposing party. Opposing counsel, or in the case of a litigant representing themselves, the opposing party, shall have 10 calendar days from the date of service, in which to approve the order and return the signed order to the preparer. The written objection shall state with specificity the nature of the objection and the proposed revisions. The parties shall meet and confer to resolve the disputes. If no written objection is served upon the preparing party within the 10 calendar days after service of the proposed order, then the preparing party shall submit the prepared order to the trial judge with a cover letter explaining why it is submitted without the approval and showing that a copy of said correspondence has been sent to the opposing counsel, or the opposing party in the case of a litigant representing themselves.

The court may in its discretion and in appropriate circumstances, shorten the time for approval by the opposing counsel or by the opposing self-represented litigant, or dispense with the approval time altogether.

The written proposed order and any written objections thereto may be served by facsimile transmission.

If a written objection is served on the preparer, the objector shall give written notice to the court of the objection and the court shall set a hearing to resolve and determine the proper content of the order after hearing.
All orders made by the court at a noticed motion or order to show cause hearing are effective immediately without the preparation of a formal order after hearing.
(Revised January 1, 2012)

8.06.05 REMOTE APPEARANCES
Remote appearances may be authorized at the discretion of the court in accordance with California Rules of Court, rule 3.672 and Local Rule 7.02.00.
(Revised January 1, 2024)

8.07.00 EX PARTE ORDERS AND ORDERS SHORTENING TIME
(Effective January 1, 1994)

8.07.01 DECLARATIONS REQUIRED
Specific declarations must support requests for ex parte orders.
(Effective January 1, 1994)

8.07.02 NOTICE
Before submitting an ex parte order for a judge's signature, parties must comply with all applicable Family Code, Code of Civil Procedure provisions, and California Rules of Court, rule 3.1203, including all requirements for declarations explaining that notice to the other party or attorney has been given, or the reason notice has not been given.
(Revised January 1, 2012)

8.07.03 OPPONENT REPRESENTATION
The party requesting ex parte orders must inform the judge in a declaration re: notice of ex parte application if the opposing party is represented by an attorney or is non-

represented stating the name, address, and telephone number of the attorney or non-represented party, and the date and time notice has been given so the attorney or non-represented party may have an opportunity to oppose the application within 4 hours.
(Effective January 1, 1994)

8.07.04 NOTICE EXCUSED
Notice may be excused if, following a good faith attempt, the giving of notice is not possible or if the opposing attorney, or non-represented party, does not object to the ex parte orders sought.
(Effective January 1, 1994)

8.07.05 SERVICE OF PAPERS
Unless a declaration stating reasons why notice should not be required has been filed with the court, and absent a showing of exceptional circumstances; notice shall be given to the opposing side by 10:00 a.m. the court day preceding the ex parte application. The moving papers in support of an ex parte application shall be filed with the court at the first reasonable opportunity, no later than 2:00 p.m. the court day preceding the ex parte application in accordance with California Rules of Court, rule 3.1206. The moving papers shall be served by facsimile transmission where possible.
(Revised July 1, 2012)

8.07.06 NOTICE WAIVED
Notice may be waived if the giving of such notice would frustrate the very purpose of the order and lead the applicant to suffer immediate and irreparable injury. The declaration re: notice of ex parte application shall set forth detailed facts to show the grounds for waiver. The application and declaration for the orders requested might be considered by the court in determining whether a waiver should be granted.

If a responding party requests an ex parte order be set aside prior to the date set for hearing, notice shall be given to the moving party. The court may order an earlier hearing date or modify the orders on a proper showing in lieu of setting aside the orders.
(Effective January 1, 1994)

8.08.00 CONDITIONS FOR ISSUANCE OF ORDERS SHORTENING TIME
(Effective January 1, 1994)

8.08.01 AFFIDAVIT
If an order shortening time is requested, the supporting affidavit or declaration shall state, pursuant to California Rules of Court, rule 3.1201 whether the opposing party is represented by counsel and whether that party has been contacted and has agreed to the requested order shortening time.
(Revised January 1, 2012)

8.08.02 NOTICE
Notice shall be given to the opposing party in accordance with the requirements of California Rules of Court, rule 3.1203.
(Revised January 1, 2012)

8.08.03 REASON TO BE STATED

If the opposing party has not been contacted or agreed to the order shortening time, the supporting affidavit or declaration shall demonstrate why the hearing should be set on the proposed date without the consent of the opposing party.

Generally, an affidavit or declaration in support of an order shortening time must show emergency circumstances unless it is solely to enable a responding party to obtain affirmative relief on a hearing date previously set by the opposing party.
(Effective January 1, 1994)

8.09.00 CHILD AND SPOUSAL SUPPORT

(Effective January 1, 1994)

8.09.01 RESERVED FOR FUTURE USE

(Revised January 1, 2024)

8.09.02 SPOUSAL SUPPORT

(Revised January 1, 2012)

8.09.03 TEMPORARY SPOUSAL SUPPORT

In the typical case, spousal support for temporary awards is calculated at 40% of the supporting spouse's net income and subject to reduction by 50% of the supported spouse's net income.

If child support is paid by one supporting parent for children of the relationship, the spousal support for temporary awards shall be calculated according to the formula adopted by Alameda County, as amended. These guidelines will be applied only to determine temporary spousal support awards.
(Revised January 1, 2001)

8.09.04 NO LIMITATION ON COURT DISCRETION

These guidelines are not intended to limit the court's discretion except as otherwise provided by the Family Law Act or other applicable law. The court will take all circumstances into consideration to the extent permitted by law.
(Revised January 1, 2001)

8.09.05 RESERVED FOR FUTURE USE

(Revised January 1, 2024)

8.10.00 CHILD CUSTODY, VISITATION AND CHILD CUSTODY RECOMMENDING COUNSELING – GENERAL PROVISIONS

(Revised January 1, 2012)

8.10.01 REFERRAL TO CHILD CUSTODY RECOMMENDING COUNSELING

All contested custody and visitation matters including the legal terms used to define the parties' relationship with the child or children must be scheduled for child custody recommending counseling (CCRC). However, if a child custody recommending counseling report has been issued within the past 6 months, a new child custody recommending counseling date shall not be set. The parties will be directed to appear in

court on the scheduled hearing date.
(Revised January 1, 2012)

8.10.02 CHILD CUSTODY RECOMMENDING COUNSELING SCHEDULING; SANCTIONS FOR FAILURE TO ATTEND OR LATE CANCELLATION OF APPOINTMENT

The date and time for child custody recommending counseling will be set by the court. When your CCRC appointment is scheduled, you will be given a questionnaire requesting information about you, your children, your concerns, your proposals, and other pertinent information. You must fill out this questionnaire and turn it in prior to the CCRC appointment.

If you want to meet separately with the Child Custody Recommending Counselor ("Recommending Counselor"), you may request this at the Clerk's Office or from the Recommending Counselor.

If you live more than 120 miles away from the courthouse where you are ordered to appear or have a documented medical condition that prohibits you from traveling, you may request Telephonic Appearance at child custody recommending counseling by filling out Local form F-102 at least five (5) days before your child custody recommending counseling appointment.

The child custody recommending counseling appointment shall be considered a court date at which the parties shall appear. Failure to attend child custody recommending counseling or late cancellation (less than 48 hours' notice) may result in sanctions.
(Revised January 1, 2022)

8.10.03 APPOINTMENT OF CHILD CUSTODY RECOMMENDING COUNSELOR/EVALUATOR; STANDARDS; QUALIFICATIONS

Whenever possible, the court shall appoint for each child custody recommending counseling, evaluation, assessment, investigation, or family study ordered under Family Code section 3110 or Evidence Code section 730 a child custody recommending counselor /evaluator whose skills, training and background are best suited to the particular needs of the family.
(Revised January 1, 2012)

8.10.04 MINIMUM STANDARDS

The minimum standards of qualification for performing child custody recommending counseling/evaluations are those possessed by:

A. Person(s) to whom the parties stipulate in writing, subject to approval by the court;

B. Court child custody recommending counselors or other county employees who meet statutory minimum requirements for child custody recommending counselors; or

C. Mental health professionals who possess at least the statutory minimum requirements for family court child custody recommending counselors.

(Revised January 1, 2012)

8.10.05 EX PARTE CONTACT PROHIBITED

No party or attorney for a party shall initiate contact with a child custody recommending counselor/evaluator, orally or in writing, to discuss the merits of the case without notice to the other party and an opportunity to be present or to receive a copy of a written communication.

A. The court shall advise all child custody recommending counselors/evaluators, attorneys, and parties of this prohibition at the time the order for child custody recommending counseling/evaluation is made.

B. Nothing in this rule shall prohibit the child custody recommending counselor or evaluator from contacting either party or attorney provided that the other party or attorney is advised of such communication. Ex parte questions regarding the completed report (child custody recommending counseling recommendation and evaluation) will be allowed; however, the child custody recommending counselor/evaluator has the discretion to request concurrent contact.

(Revised January 1, 2012)

8.10.06 PARTICIPATION OF CHILDREN

The child custody recommending counselor/evaluator shall have discretion as to whether the lack of confidentiality shall be disclosed to the child(ren). The child custody recommending counselor/evaluator need only address this question after a specific inquiry by the child(ren).

A. Children are not to be present for child custody recommending counseling sessions unless ordered by the court. The court and/or the child custody recommending counselor will determine whether and under what conditions a minor may be interviewed.

B. Interviews with siblings can be separate at the discretion of the child custody recommending counselor/evaluator.

(Revised January 1, 2015)

8.10.07 BOTH PARENTS TO BE INTERVIEWED

If one party fails to appear for the child custody recommending counseling appointment, the child custody recommending counselor shall inform the court of the failure to appear by one party. The child custody recommending counselor may make professional collateral contacts, if appropriate, and report the collateral contact statements to the court. The child custody recommending counselor will not make any recommendation pursuant to California Rules of Court, rule 5.210(h)(4).

(Revised January 1, 2015)

8.10.08 SUPERVISED VISITATION PROVIDERS

A. APPLICABLE RULES. Standards and procedures for both professional and non-professional visitation providers are governed by the Family Code sections 3200 and 3200.5 and the California Rules of Court, Standards of Judicial Administration,

Standard 5.20.

B. LIST OF PROFESSIONAL VISITATION PROVIDERS. The Custody and Parenting Resource List (Local Form F-101) lists professional visitation providers and is available through the court's website at www.eldorado.courts.ca.gov. The listed individuals/entities have identified themselves as professional supervised visitation providers and have submitted to the court a supervised visitation provider declaration and proof of the required training. Each provider's declaration and proof of required training will be on file and maintained by court administration.

C. PROFESSIONAL PROVIDERS NOT AFFILIATED WITH COURT. The professional visitation providers are not affiliated with the court and each visitation provider is independently responsible for compliance with any and all applicable legal requirements. The court does not endorse, evaluate, supervise, or otherwise monitor the visitation providers.

D. PARTIES' OBLIGATION. It is the obligation of each party to investigate and know that a professional or non-professional visitation provider meets the statutory qualifications, training and continuing education requirements.

E. DECLARATION OF QUALIFICATIONS. All professional and nonprofessional supervised visitation providers must file with the court the Declaration of Supervised Visitation Provider (Professional) [Judicial Council form FL-324(P)] or Declaration of Supervised Visitation Provider (NonProfessional) [Judicial Council form FL-324(NP)], or a declaration containing the same qualifications information, before the first supervised visit. In addition, each time a professional provider submits a report to the court, the professional provider must also file and serve on all parties, their attorneys, and the attorney for the child a new and current declaration.

F. CURRENT DECLARATION OF VISITATION PROVIDER. "Current" means the Declaration of Supervised Visitation Provider (form FL-324(P) or FL-324(NP)) has been completed and signed within 10 days prior to filing the form with the court. In the event any information contained in the declaration has changed, an updated version must be filed and served by the provider on all parties, their attorneys, and the child's attorney within five (5) days of the change in information.

G. INELIGIBILITY OF VISITATION PROVIDER. In the event a visitation provider becomes ineligible to provide services for any reason (including, but not limited to, failure to meet the qualifications and training set forth in California Rules of Court, Standards of Judicial Administration, Standard 5.20, or Family Code section 3200.5) the provider must immediately contact all parties, their attorneys, and the child's attorney, and must state, in writing, the reasons the provider is no longer eligible. Within five (5) days of receipt of the provider's written notice of ineligibility, the parties must file with the court a declaration containing all pertinent information related to the provider's ineligibility.

(Effective July 1, 2022)

8.11.00 CHALLENGES TO CHILD CUSTODY RECOMMENDING COUNSELORS OR EVALUATORS

(Revised January 1, 2012)

8.11.01 ONE CHALLENGE PER PARTY

Each party is allowed one peremptory challenge at the time of initiation of child custody recommending counseling or evaluation.
(Revised January 1, 2012)

8.11.02 NO FURTHER CHALLENGES

After an initial peremptory challenge, parties will be required to accept the next child custody recommending counselor/evaluator available. A child custody recommending counselor/evaluator will not be replaced after an initial challenge unless a written document is submitted proving, to the satisfaction of the court, a clear conflict of interest (inability to be objective).
(Revised January 1, 2012)

8.11.03 SUBSEQUENT CHILD CUSTODY RECOMMENDING COUNSELING SESSIONS

Cases returning to child custody recommending counseling within 6 months of a report being completed, or the last court date—whichever is the latest—will be reassigned to the same individual that completed the most recent report.
(Revised August 1, 2016)

8.11.04 NO PEREMPTORY CHALLENGE AFTER FIRST INTERVIEW

A child custody recommending counselor/evaluator will not be replaced after the initial interview with the parties, except for good cause. The request for replacement shall be heard on the regular court calendar by notice of motion.
(Revised January 1, 2012)

8.12.00 PAYMENT OF CHILD CUSTODY RECOMMENDING COUNSELOR'S OR EVALUATOR'S FEES

If the court orders a child custody recommending counseling/evaluation, and if any fees or costs will be charged for child custody recommending counseling and/or evaluation, the cost shall be apportioned equally among the parties. Either party can file a notice of motion to have the fees reallocated.
(Revised January 1, 2012)

8.13.00 COMPLAINT PROCEDURE ABOUT CHILD CUSTODY RECOMMENDING COUNSELOR

All complaints raised in connection with the evaluation procedure shall be submitted in writing to the court.

A complaint about a child custody recommending counselor may be submitted by letter to the Court Executive Officer with proof of service of a copy to all other counsel and self-represented parties. The complaint must be submitted within 30 days of the child custody recommending counseling session. The Court Executive Officer, or his/her designee, will conduct an investigation of the matter, which may include consultation with the child custody recommending counselor, and shall respond to the complaint in writing to all parties within 30 days. The Child Custody Recommending Counseling Client Complaint Form is available at the court's website or in the clerk's office.
(Revised January 1, 2015)

8.14.00 CHILD CUSTODY RECOMMENDING COUNSELING PROCESS
(Revised January 1, 2012)

8.14.01 SUPPORT PERSONS
A child custody recommending counselor may exclude a support person from, including a domestic violence support person pursuant to Family Code section 6303, from a child custody recommending counseling session if the support person participates in the child custody recommending counseling session, acts as an advocate, or the presence of a particular support person is disruptive or disrupts the process of child custody recommending counseling.
(Revised January 1, 2012)

8.14.02 CONDUCT OF CHILD CUSTODY RECOMMENDING COUNSELOR
In order to facilitate an agreement of the parties, the child custody recommending counselor may meet with the parties together or separately. The child custody recommending counselor may contact, meet with, or interview such other persons as the child custody recommending counselor deems appropriate, including, but not limited to, the children, relatives, friends, or employers.
(Revised July 1, 2017)

8.14.03 CHILD CUSTODY RECOMMENDING COUNSELING AGREEMENT
If the child custody recommending counselor reports an agreement to the court, the clerk shall direct the child custody recommending counselor's agreement, stipulation, and order to a judge or commissioner.
(Revised January 1, 2015)

8.14.04 CHILD CUSTODY RECOMMENDING COUNSELOR RECOMMENDATIONS
If the parties do not reach a complete agreement, the child custody recommending counselor is required to submit recommendations regarding custody and visitation to the court.

If the child custody recommending counselor reports a recommendation to the clerk, the clerk shall file the recommendation in the action. The child custody recommending counselor shall issue a report of the child custody recommending counseling outcome no later than 10 calendar days prior to the scheduled hearing date.
(Revised January 1, 2012)

8.14.05 COPY TO BE PROVIDED

A copy of the agreement or recommendation shall be provided to the court, to all counsel, and to non-represented adult parties. The report shall not be shown to or distributed to any non-litigation related persons.
(Revised January 1, 2012)

8.14.06 RECOMMENDATION OF CHILD CUSTODY RECOMMENDING COUNSELOR

If the parties cannot reach an agreement and the child custody recommending counselor reports a recommendation to the court, the recommendation shall be reviewed at the next calendared hearing date.
(Revised January 1, 2012)

8.14.07 RESERVED FOR FUTURE USE

(Revised January 1, 2019)

8.14.08 PRIVATE CHILD CUSTODY RECOMMENDING COUNSELING

The parties may stipulate to have a private child custody recommending counselor attempt to resolve their disputes regarding custody and visitation. The parties must fill out an order for private child custody recommending counseling and submit that form to the court.
(Revised January 1, 2012)

8.14.09 CONFIDENTIALITY OF CHILD CUSTODY RECOMMENDING COUNSELOR REPORTS AND EVALUATION REPORTS

A. In any proceeding involving minor children and the issues of parentage, custody, visitation, or parenting time with such minor children, any written report, including, but not limited to, the following documents shall be deemed to be confidential:

   (1) Any Child Custody Recommending Counselor Report issued by a Family Court Services Child Custody Recommending Counselor or Family Court Services Investigator employed by the El Dorado County Superior Court, or any person or agency appointed by the court to conduct a mediation or evaluation involving minor children.

   (2) Any Child Custody and Investigation Report prepared and/or issued pursuant to Family Code section 3110, et seq.

   (3) Any report or recommendations prepared and/or issued pursuant to Evidence Code section 730.

B. In any case in which any of the foregoing reports exist, those reports shall be maintained as confidential and shall be unavailable to any entities or persons except:

   (1) The court and its personnel.

   (2) Attorneys of record for the parties, or the parties themselves. In the event

that a party to a proceeding obtains a copy of one of the foregoing reports, either directly or through its inclusion in a file that they receive from the court or their former legal counsel, they shall be subject to the rules regarding confidentiality, dissemination, and copying of the reports, and the penalties proscribed for the violation of those rules.

(3) Private mediators, Family Code section 3111 or Evidence Code section 730 custody evaluators, psychologists or psychiatrists engaged in psychological profiling or evaluation of one or both of the parties.

(4) Any other person or entity to whom the court expressly grants access by written order made with prior notice to all parties.

C. All persons and/or entities having access to a report issued by a Family Court Services Child Custody Recommending Counselor, Family Court Services Investigator, or an evaluator appointed pursuant to Family Code section 3110, et seq., or Evidence Code section 730, are prohibited from making copies of the report, disseminating the report, or disclosing the contents, agreements, or recommendations contained in that report to any child who is the subject to the report, family members or relatives of the parties, or to any other person or entity not expressly authorized to receive the report under subsection (B), except in the following circumstances:

(1) If the agreements and/or recommendations contained in any such report are adopted by the court as orders, then those agreements and recommendations may be quoted or incorporated verbatim in subsequent orders prepared for the court's execution and filing.

(2) If the agreements and/or recommendations contained in any such report are adopted by the court as orders, only that portion of the report containing those specific agreements and recommendations adopted by the court may be attached to subsequent court orders, if attachment of that portion of the report would lend itself to the brevity and/or clarity of the court's orders.

(3) Upon the issuance of a prior court order permitting the copying, dissemination, or disclosure of the report and its contents to a person or entity previously prohibited from receiving this information.

a. In the event of a police, Child Protective Services, or related investigation in which the welfare or safety of a minor child is at issue, and there is not sufficient time to obtain a court order permitting the disclosure of the information.

D. In the event that any person, entity, or attorney fails to maintain the confidentiality of a report, they shall be subject to the imposition of sanctions by the court in the form of monetary fines or penalties, and/or restriction of their access to any existing or future confidential reports.

(Revised January 1, 2015)

8.15.00 EVALUATION
(Effective January 1, 1994)

8.15.01 EVALUATION UNDER FAMILY CODE SECTION 3110

A. Any case in which custody or visitation remains in dispute after completion of child custody recommending counseling, may, in the discretion of the court, be referred for evaluation.

B. The case shall not be referred to the person who conducted the child custody recommending counseling for evaluation unless the parties so stipulate.

C. As an alternative to a court evaluation and subject to the court's approval, the parties by stipulation may nominate a private evaluator to perform an evaluation of the pending matter and to render a written report and recommendation to the court under Family Code section 3110.

(Revised July 1, 2013)

8.15.02 EVALUATION REPORT

If an evaluation is ordered, the court shall establish a specific return date to court, and the order shall state the date the evaluator shall return the report. The date may be extended by order of the court or written agreement of the parties. The report shall be in writing and shall be distributed to the court, to all counsel, and to non-represented adult parties. The report, and information contained in the report, shall only be used in a legal proceeding and for no other purpose and shall not be shown or distributed to any non-litigation related third persons.
(Revised January 1, 2012)

8.15.03 TESTIMONY OF EVALUATOR

As employees of the superior court, witness subpoenas for child custody recommending counselors are governed by Government Code sections 68097.1 and 68097.2, including the subpoenaing party's obligation for all statutory fees and salary reimbursements.

A. COUNSELOR'S AVAILABILITY AND SERVICE OF PROCESS. Before serving the subpoena, the party must first contact the family law clerk's office to confirm the counselor's availability on the scheduled hearing date and time. After confirmation of the counselor's availability, the subpoena must be served at least 10 calendar days before the hearing along with the required fee deposit.

B. APPEARANCE. If the counselor's appearance will no longer be required, the subpoenaing party must notify the family law clerk's office at the earliest opportunity.

   If the hearing date has been continued and the counselor's appearance is still required, a new subpoena will not be necessary if the subpoenaing party does both of the following: (1) contacts the family law clerk's office at the earliest opportunity to determine the counselor's availability on the continued hearing date, and (2) immediately provides the family law clerk's office written notice that the counselor's appearance is required on the new date and time.

If, at the time of the hearing, the counselor is no longer an employee of the superior court, is on leave, or other circumstances prevent the court from producing the counselor as a witness in response to the subpoena, the court will assign the case for another child custody recommending counseling session with a different counselor.

C. DEPOSITIONS. The court will not order depositions of counselors absent a showing of extraordinary good cause.

(Revised July 1, 2015)

8.15.04 STIPULATIONS FOR USE OF SPECIAL MASTER IN CHILD CUSTODY CASES

A. "Special Master" designates the person appointed pursuant to Code of Civil Procedure section 638 in family law custody cases to make decisions about custody related issues other than decisions involving the substantial modification of legal or physical custody. Use of a Special Master is intended as an alternative to frequent, continuing custody litigation. The Special Master may be a mental health professional or attorney. The family law courtrooms will publish a list of individuals who possess the minimum qualifications deemed appropriate by the court to serve as a Special Master and will provide a packet of materials with more specific information about appointment of a Special Master.

B. Parties may use a Special Master by agreement and written stipulation and order only. The court will not order parties to use a Special Master. Upon execution of a stipulation appointing a Special Master which stipulation includes a specific time period during which parties agree to participate with the Special Master, the court will enforce such a stipulation for the time period designated by the parties.

C. Upon appointment of a Special Master by stipulation of the parties, the Special Master may make decisions which, in the absence of an objection raised by a party by timely filing a motion with the court as more specifically set forth in the stipulation appointing the Special Master, will have the effect of a court order.

D. A sample Special Master stipulation will be available in the family law courtrooms. Although parties may develop individual stipulations appointing a Special Master, any stipulation, to be enforced by the court, must include the following specific provisions:

(1) A grievance procedure which conforms to the procedure set forth in the sample Special Master stipulation;

(2) A term of appointment;

(3) A definition of the scope of authority of the Special Master;

(4) A statement of quasi-judicial immunity;

(5) A hearing process;

(6) A decision process; and

(7) An agreement for payment of fees charged by the Special Master.
(Revised January 1, 2016)

8.16.00 AWARD OF ATTORNEY'S FEES, COSTS, AND SANCTIONS
(Revised July 1, 2014)

8.16.01 GOVERNING LAW
Attorney's fees and costs shall be awarded as authorized by statute or case law.
(Effective January 1, 1994)

8.16.02 FACTORS TO BE CONSIDERED IN SETTING FEES AND COSTS
The party requesting fees and costs should expect to present evidence in his or her moving papers on the following issues:

A. The nature of the litigation;

B. Its complexity;

C. The amounts involved;

D. The financial circumstances of the parties ("need" and "ability to pay");

E. The skill required; and

F. The professional standing and reputation of the attorneys.

The conscientious efforts of counsel to resolve as many areas of disagreement as possible without judicial intervention is entitled to serious consideration in awarding attorney's fees pursuant to Family Code section 271.
(Revised January 1, 2016)

8.16.03 DOCUMENTATION IN SUPPORT OF AWARD OF FEES OR COSTS
Rules 8.16.04 and 8.16.05 apply whether the request for an award is noticed or without notice.
(Effective January 1, 1994)

8.16.04 INCOME AND EXPENSE DECLARATION
Fees and costs will not be awarded unless an Income and Expense Declaration (Judicial Council form FL-150) is submitted with each item fully and accurately completed.

If a party intends to rely on a previously filed income and expense declaration, this must be stated in a declaration under penalty of perjury, stating that there are no changes from the declaration filed by the party, giving the date the previously filed declaration was filed.
(Revised July 1, 2013)

8.16.05 DECLARATION TESTIMONY AND BILLINGS

Declaration testimony of experts in support of prospective cost awards will be allowed. Where an expert submits a report that has been attached to a statement of issues, a billing based on that service may be admitted at any hearing where the report itself may be received.
(Effective January 1, 1994)

8.17.00 SANCTIONS

(Effective January 1, 1994)

8.17.01 ATTORNEY'S FEES

In addition to the foregoing factors, the various factors of Code of Civil Procedure section 128.5 and Family Code section 271 may bear on the award of attorney's fees to either side, including the resistance of a request for an award on the basis that the services were not "reasonably necessary" to the prosecution of the proceeding.
(Revised January 1, 2012)

8.17.02 OTHER SANCTIONS

If any party or attorney fails at any stage of the proceedings to substantially comply with the requirements of the current guidelines, Local Rules, or California Rules of Court, the court may order the case off calendar, proceed to hear the matter on a default basis, proceed under any condition the court finds proper, award attorney's fees, or impose other appropriate sanctions.
(Effective January 1, 1994)

8.18.00 TRIAL SETTING CONFERENCE

(Effective July 1, 2025)

8.18.01 DATE, TIME, AND PLACE OF CONFERENCE

Upon the filing of a Request for Trial Setting Conference pursuant to Rule 8.20.01, the court shall set the time, date, and place of the conference.
To the extent possible, such Trial Setting Conference shall be held within 30 days of filing of the request.
(Revised July 1, 2025)

8.18.02 CONTINUANCES BECAUSE OF CONFLICT

In the event any counsel has a conflict with a date specified for status/trial setting conference, said counsel must notify the court in writing within 15 calendar days of the date of mailing of notice of Status/Trial Setting Conference by the clerk.

In the event any counsel fails to do so and thereafter request a continuance because of calendar conflict, said counsel must file a noticed motion, unless otherwise ordered by the court.
(Revised July 1, 2013)

8.18.03 ATTENDANCE

Each attorney attending the Trial Setting Conference shall have a thorough knowledge of the evidence and shall be prepared to discuss the facts and law pertaining to all issues

then pending and to be resolved at trial.
(Revised July 1, 2025)

8.18.04 RESOLUTION OF ISSUES

The parties are expected to resolve all or as many issues as possible prior to the Trial Setting Conference. Bifurcation of issues is to be recognized as an expedient manner in which to accomplish this goal.
(Revised July 1, 2025)

8.18.05 COUNSEL/PARTIES' ATTENDANCE

Parties, or counsel if represented, are expected to attend the Trial Setting Conference unless specifically directed not to do so by the court. Parties, or counsel if represented, are authorized to appear remotely, without the need to submit the Remote Appearance Request form.
(Revised July 1, 2025)

8.18.06 SANCTIONS

Sanctions for failure of attorneys or parties to attend the Trial Setting Conference shall be pursuant to Rule 7.12.11.
(Revised July 1, 2025)

8.19.00 STATEMENT OF ISSUES, CONTENTIONS, AND PROPOSED DISPOSITION OF THE CASE

(Revised July 1, 2025)

8.19.01 FILING DATE

Except in Domestic Violence Restraining Order proceedings, where a family law matter is set for contested trial or long-cause evidentiary hearing, both parties shall file and serve a "Statement of Issues, Contentions and Proposed Disposition of the Case" no later than 10 calendar days prior to the settlement conference or 10 calendar days prior to the trial date or long-cause evidentiary hearing, whichever is greater. In no event should the "Statement of Issues, Contentions and Proposed Disposition of the Case" be served and filed less than 10 calendar days before the trial or long-cause evidentiary hearing. The served "Statement of Issues, Contentions and Proposed Disposition of the Case" shall be a copy of the papers filed or to be filed with the court. However, if the notice is served by mail, the required 10-day period of notice before the trial or long-cause evidentiary hearing shall be increased by five calendar days if the place of mailing and the place of address are within the State of California, 10 calendar days if either the place of mailing or the place of address is outside the State of California but within the United States, 12 calendar days if the place of address is the Secretary of State's address confidentiality program (Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code), and 20 calendar days if either the place of mailing or the place of address is outside the United States, and if the notice is served by facsimile transmission, express mail, or another method of delivery providing for overnight delivery, the required 10-day period of notice before the trial or long-cause evidentiary hearing shall be increased by two calendar days. If both parties fail to file a statement pursuant to this part, the matter shall be dropped from the trial calendar. Failure by one party will allow the complying party to continue the cause and may result in the imposition of sanctions. The

purpose of the statement is to assist the trial judge, and the time for filing of a statement may not be extended by stipulation.
(Revised July 1, 2025)

8.19.02 CONTENTS

Statements under this rule shall include a full and complete statement of property, income, and expenses. Information contained in a filed final disclosure statement as required by Family Code section 2105 may be incorporated by reference, with a copy of the statement to be attached. The statement shall set forth the following information in the following order, as it applies to the party filing, except as hereafter provided:

A. CAPTION. The caption shall contain the date time and department of the trial.

B. STATISTICAL INFORMATION. The length of the marriage, the names and dates of birth of the minor children and any unusual facts shall be stated.

C. AGREEMENTS, STIPULATIONS AND ORDERS. Each party shall set out the terms of all pretrial agreements and stipulations entered into by the parties, and all orders currently in effect.

D. CUSTODY AND VISITATION. Each party shall set forth specific proposals for custody and visitation of the minor children.

E. SEPARATE PROPERTY. List each item of separate property, the date it was acquired, the basis upon which it is claimed as separate rather than community property, the current market value, the nature e, extent, and terms of payment of any encumbrance against the property, the manner in which title thereto is presently vested, and the record title data.

F. COMMUNITY PROPERTY. List each item of community property, the date it was acquired, the basis upon which it is claimed as community rather than separate property, the current market value, the nature, extent, and terms of payment of any encumbrance against the property, the manner in which title thereto is presently vested, and the record title data. Each party shall propose disposition of community assets in the following format:

ASSET	FMV	ENCUM	NET	H	W

The values shall be totaled and copies of any appraisals shall be attached. The appraisal shall be admitted into evidence subject to cross-examination and motions to strike, unless an objection is filed with the court prior to the trial date. The proposal for the division of community property shall contain a statement of the party's position and the facts supporting it.

G. DEBTS. Separately list all debts and obligations of the parties which are liabilities of the community and, so far as known, debts and obligations which are alleged to be the separate liabilities of the respective spouses.

Specify the identity of the creditor, the purpose for which the debt was incurred,

the date upon which the debt was incurred, the balance currently due thereon, the terms of payment, and the security, if any, held by the creditor. The obligations shall be listed in the following format:

CREDITOR	DATE OF SEPARATION. BALANCE	CURRENT BALANCE	DATE/AND CURRENT PAID BY W	DATE/AND CURRENT PAID BY H

H. FUNDS HELD BY OTHERS. To the extent that either separate property or community property consists of funds held by others, such as insurance policies, pensions, profit sharing, or other trust or retirement funds, the statement shall fully identify the policy or fund, including policy, serial or account numbers, the present values and basis for calculation, and all terms or conditions imposed upon withdrawal of such funds. If any loans exist against any of these funds, the details regarding those loans should be set forth.

I. TRACING. If a segregation of community property and separate property interests in a single asset is to be an issue in the case, the statement shall set forth in detail, with dates, values, and dollar amounts, the transactions relevant to the tracing issue, as well as the basis for computation or proration.

J. PROPOSAL FOR PROPERTY DIVISION. Set forth a proposed equal division of community property of the parties, giving due consideration to the liabilities, costs, and attorney's fees.

K. REIMBURSEMENT CREDITS. All issues of reimbursement shall include a discussion of the applicable law.

L. CURRENT INCOME AND EXPENSES. Specify and set forth current income and expenses by completing and filing an income and expense declaration in the form prescribed by the California Rules of Court.

Previously filed income and expense declarations shall not be considered as compliance with this requirement.

M. CHILD SUPPORT. Each party shall set forth a proposal for child support in conformity with Family Code sections 4051 – 4068 and local guidelines along with the computations upon which the party relies.

N. SPOUSAL SUPPORT. Any proposal for spousal support shall include a statement of the appropriate tax consequences, if any, to be considered; a proposal for the duration of support; and a statement of the factors under Civil Code sections 3651, 3653, 3654, 4320, 4330 – 4339 upon which the party relies to support his or her request.

O. ATTORNEY FEES. The party requesting an award of attorney fees shall submit a statement of the time spent, amount charged, amount already paid, and the source

of funds.

P. SANCTIONS. A party requesting attorney fees and sanctions pursuant to Code of Civil Procedure section 128.5 and/or Family Code section 271 shall indicate the extent to which that conduct frustrates the policy to promote settlement and reduce the cost of litigation by encouraging cooperation.

(Revised January 1, 2012)

8.19.03 MANDATORY SETTLEMENT CONFERENCES IN FAMILY LAW CASES

A. Prior to the date set for trial or long-cause evidentiary hearing, a mandatory settlement conference shall be held.

B. Counsel, the parties, and all persons with full authority to settle the case shall personally attend the conference, unless excused by the Court for good cause. If any consent to settle is required for any reason, the person with that consensual authority must be personally present at the conference, unless excused by the Court for good cause.

C. No later than 10 calendar days before the date set for the settlement conference, each party shall file an original and two (2) copies of a Statement of Issues, Contentions, and Proposed Disposition of the Case with the court as required by Local Rule 8.19.02. The opposing party shall also be served no later than 10 calendar days prior to the settlement conference. Counsel/parties must comply with Local Rule 8.19.01 regarding service of documents. The statement shall set forth a good faith proposal for the disposition of the case.

D. Counsel and the parties must be fully prepared to participate in the conference and must do so in good faith. The court may impose sanctions for the failure to comply with this rule as provided by statute and the rules of court.
(Revised July 1, 2025)

8.20.00 CONTESTED TRIALS AND EVIDENTIARY HEARINGS

A Trial in a family law matter shall be defined as a final hearing wherein the parties are provided the opportunity to present evidence, call witnesses, and give testimony, with the presiding judicial officer ruling on all remaining family law issues. An evidentiary hearing in a family law matter shall be defined as a hearing wherein the parties are provided the opportunity to present evidence, call witnesses, and give testimony, with the presiding judicial officer ruling on a bifurcated issue, or issues, arising from the case, but not all remaining family law issues. In accordance with the California Rules of Court, the term “trial day” is defined as a period of no less than two and a half hours of a single court day and a “long-cause hearing” is defined as a hearing on a request for order that extends more than a single court day. The term “short-cause” shall refer to any evidentiary hearing or trial lasting two and a half hours or less.
(Revised July 1, 2025)

8.20.01 TRIAL/EVIDENTIARY HEARING SETTING

Local Form F-5 Request for Trial Setting Conference – Family Law West Slope shall be filed in the West Slope or Local Form F-6 Request for Trial Setting Conference – Family Law SLT shall be filed in South Lake Tahoe with the court along with a proof of service

to the opposing counsel/party before any contested case may be set for trial or evidentiary hearing.

The Court, on its own motion, or at the request of a party during a law and motion proceeding, may set a contested case for trial or evidentiary hearing.
(Revised January 1, 2026)

8.20.02 POST-TRIAL JUDGMENT

After a contested trial of one day or less, at which no statement of decision is requested, the party directed by the court shall prepare the judgment in accordance with the court's decision and shall submit it to opposing counsel for signature under the legend, "Approved as conforming to court Order." Opposing counsel shall have 10 calendar days from receipt in which to approve the judgment. If not so approved, the preparing party may submit the prepared judgment to the trial judge with a cover letter explaining why it was submitted without such approval and showing that a copy of said correspondence has been sent to opposing counsel.

After a status-only judgment ordered in open court, the party directed by the court shall prepare the judgment in accordance with the court's decision and shall submit it directly to the court for its approval.
(Revised January 1, 2015)

8.20.03 TRIAL AND LONG-CAUSE EVIDENTIARY HEARING EXHIBITS

A. Counsel or self-represented parties shall meet and confer[1] at least 10 calendar days prior to the start of any trial or long-cause evidentiary hearing and shall exchange all intended exhibits to be introduced at the trial or evidentiary hearing. Parties or counsel are encouraged to exchange exhibits by electronic transmission where possible. Parties or counsel in Domestic Violence Restraining Order (DVRO) proceedings shall comply with the local rules regarding exhibits. Parties in DVRO matters shall exchange exhibits consistent with this rule.

B. Exhibits shall be listed, with petitioner's exhibits to be listed serially by number, and respondent's exhibits listed alphabetically.

   (1) Exhibits shall be marked with appropriate stickers.

   (2) On the Exhibit Lists, the opposing party shall indicate by their initials in the appropriate box if they stipulate to the admission of the exhibit or if they stipulate that the exhibit does not need a foundation established.
   (3) The original of the Exhibit List, and a copy for the judge, shall be delivered to the clerk before the trial or evidentiary hearing begins.

C. Copies of all exhibits shall be presented to the other party.

[1] Self-represented parties in Domestic Violence Restraining Order Cases are not required to meet and confer with the other party or counsel pursuant to Local Rule 8.01.00 and California Rule of Court 5.98.

D. The originals shall be placed in a standard binder and given to the judge for their use during trial. A duplicate copy of this binder shall be provided for the use of witnesses during trial. Exhibits shall be separated by tabbed separators, numbered for petitioner's exhibits and lettered for respondent's exhibits. A party desiring to refer to an exhibit shall refer the witness to the tab number or letter of that exhibit. If there are 10 or fewer exhibits, the marked exhibits shall be delivered to the clerk, together with copies for the judge along with an exhibit list.

E. Counsel is advised that if exhibits are tendered at trial that were not pre-marked and otherwise handled as set forth above, they must be prepared to show good reason why this was not done. Sanctions may be imposed by the court for failure to comply with this procedure.

F. At the discretion of the Court, it may, on its own motion at the time of setting a short-cause evidentiary hearing, order the parties/counsel to exchange trial exhibits by a specific date before the short-cause evidentiary hearing.

G. For purposes of the retention, destruction, and return of exhibits, exhibits in family law cases shall be treated as exhibits in all civil cases. Please refer to Local Rule 7.11.03.
(Revised July 1, 2025)

8.20.04 LONG CAUSE CONTESTED EVIDENTIARY HEARINGS AND TRIAL BRIEFS

In any cases where a Mandatory Settlement Conference is not set, any long cause contested evidentiary hearing brief or trial brief by either party shall be filed and served at least 10 calendar days before the scheduled long cause contested evidentiary hearing or trial date. No briefs will be accepted on the day of the long cause contested evidentiary hearing or trial.
(Revised July 1, 2025)

8.20.05 MOTIONS IN LIMINE

All motions in limine shall be filed and served at least five (5) calendar days prior to the trial or evidentiary hearing date.
(Revised July 1, 2025)

8.20.06 COURT REPORTER FEES

In Superior Court, there shall be a court reporter fee as set in the court's Uniform Civil Fee Schedule. All parties shall provide, and post, court reporter fees pursuant to Government Code section 68086. Fees for proceedings lasting less than one hour shall be posted by the moving party as directed by the court. Fees for proceedings lasting more than one hour, including trials, shall be posted as directed by the court or at the beginning of any long cause hearing or trial. Failure to provide and post court reporter fees pursuant to statute and these rules shall be cause for the hearing or trial to be postponed or continued at the discretion of the court. The court may award attorney's fees and/or sanctions against the non-complying party.
(Revised January 1, 2024)

8.20.07 WITNESS LISTS

A. No later than 10 calendar days prior to the mandatory settlement conference, trial, or long-cause evidentiary hearing date, whichever is earliest, each party shall file and serve on the other parties an initial list identifying all lay witnesses and expert witnesses the party intends to call at trial.

B. 10 days prior to trial or long cause evidentiary hearing, parties may file and serve an amended witness list identifying all persons intended to call at trial.

C. In its discretion and on its own motion, the Court, may, at the time of setting a short-cause evidentiary hearing, order the parties/counsel to file and serve witness lists by a specific date before the short-cause evidentiary hearing.

D. Parties or counsel in Domestic Violence Restraining Order (DVRO) proceedings shall comply with the local rules regarding witness lists. Parties in DVRO matters shall exchange witness lists consistent with this rule.

(Revised July 1, 2025)

8.21.00 DEFAULT OR UNCONTESTED JUDGMENT

(Effective January 1, 1994)

8.21.01 HEARING

Where a judgment of dissolution is to be obtained by written agreement of the parties after a response has been filed (uncontested) or by default, judgments should be obtained by declaration without the necessity of a hearing. However, a hearing may be set upon request of a party or by court order.

(Effective January 1, 1994)

8.21.02 FORMAT OF JUDGMENT

The judgment shall be prepared on Judicial Council form FL-180, and shall comply with the following provisions:

A. The original of the proposed judgment, including any marital settlement agreement, shall be submitted to the court clerk.

B. All orders concerning child custody, visitation, child support, spousal support, attorney's fees, the division of community property and confirmation of separate property may be set forth either in the body of the judgment, or in an attached agreement incorporated in the judgment by reference.

C. No award of child support, spousal support or attorney's fees shall be granted unless there is either an attached written agreement between the parties settling those issues, or there is sufficient information on which a court may base such an award, including an executed and fully completed income and expense declaration (with information concerning both parties where available) attached to and served with the Request to Enter Default.

D. The signature of the judge shall not follow any attached agreement of the parties,

but shall be set forth on the judgment following the orders of the court.

E. All parties and their attorneys of record must sign the Martial Settlement Agreement.

All respondents upon whom default has been taken must have his or her signature acknowledged by a notary, if not represented by counsel. If only one party is represented by counsel, the attorney for that party must sign the agreement and the other party must sign a statement in agreement or a declaration or affidavit that the party has been advised to consult an attorney regarding the agreement but declined to do so.

The requirement of acknowledgment by parties not represented by counsel does not apply to stipulated judgments prepared and submitted by the Department of Child Support Services.

(Revised January 1, 2015)

8.21.03 UNCONTESTED JUDGMENTS GRANTED IN OPEN COURT

After an uncontested judgment to which the parties stipulate in open court, provided the court states on the record the orders to be included in the judgment, the party directed by the court shall prepare the judgment in accordance with the court's orders, and shall submit it to opposing counsel for signature under the legend, "Approved as conforming to court order." Opposing counsel shall have 10 days from receipt in which to approve the judgment. If not so approved by opposing counsel, the preparing party may submit the proposed judgment to the trial judge with a cover letter explaining why it was submitted without such approval and showing that a copy of said correspondence has been sent to opposing counsel.

(Effective January 1, 2015)

8.22.00 CONTENTS OF JUDGMENT

(Effective January 1, 1994)

8.22.01 CUSTODY AND VISITATION

Where the judgment is taken by default, and there is no attached written agreement of the parties concerning custody and visitation, an attached factual declaration shall set forth the following:

A. Where the party is seeking joint custody, what contact with the child the defaulting party shall have.

B. Where the party is seeking to deny visitation between the child and the defaulting party, the reasons why visitation should not be ordered.

C. In preparing the declaration, the party shall inform the court when the parties were separated, who has been the primary caretaker of the child during the immediate past 6 months, and the extent of contact between the child and the non-caretaker parent during that time.

(Effective January 1, 1994)

8.22.02 CHILD SUPPORT

Where judgment is obtained by default, and there is no attached written agreement concerning child support:

A. An attached declaration shall state the effective date of the order sought, the amount of support sought per child and in total, the net incomes of each party, the name and birth date of each child, the percentage of time each party has physical custody of the child(ren), the amount of support as determined in the case of each child by Family Code sections 4051 – 4068.

B. Where a support order is sought and the party to whom support is to be paid is receiving public assistance, that fact shall be set out in the judgment and support shall be ordered payable to the Department of Child Support Services.

C. Any written agreement regarding child support shall comply with the provisions of Family Code section 4063.

(Revised January 1, 2012)

8.22.03 SPOUSAL SUPPORT

The issue of spousal support for each party must be addressed. A support amount may be requested, support may be terminated, or the issue of support may be reserved. If a request for support is by default, the party shall attach a declaration stating the effective date of the order, the amount of support sought, and the net incomes of each party.
(Effective January 1, 1994)

8.22.04 RESTRAINING ORDERS

All restraining orders in a judgment issued pursuant to Family Code section 2045 must be followed by the date of expiration of such order; good cause for granting such order(s) shall be set forth in attached declaration(s).
(Revised July 1, 2001)

8.22.05 DIVISION OF COMMUNITY PROPERTY

No division of community property (assets or obligations), or confirmation of separate property, will be ordered unless there is one of the following:

A. An attached written agreement between the parties settling those issues; or
B. An order of the court at a hearing or trial dividing the community property and confirming any separate property; or

C. When the judgment is obtained by default without agreement, proof provided to the satisfaction of the court that the respondent was given notice of the proposed division of community property and confirmation of any separate property at least 30 days in advance of the submission of the proposed default judgment. Such proof shall be satisfied by one of the following:

(1) A proposed property division, including proposed values of assets and debts, contained within or attached to the initial petition or an amended petition, along with proof of service indicating the documents were properly served on the

respondent; or

(2) A completed and filed property declaration, with a proposed division of property and proposed values of assets and debts, along with proof of service indicating the documents were properly served on the respondent.

(Revised January 1, 2016)

8.23.00 APPOINTMENT OF COUNSEL FOR CHILD(REN)

(Effective January 1, 1994)

8.23.01 EDUCATION AND EXPERIENCE REQUIREMENTS

A. PURPOSE. This rule is established to ensure that attorneys appointed to represent the best interests of a child in a family law custody and visitation proceeding meet the appointment requirements of California Rules of Court, rule 5.242.

B. EDUCATION REQUIREMENTS. Prior to being appointed as counsel to represent the best interests of a child in a custody or visitation proceeding under Family Code section 3150, counsel must demonstrate that he or she is an active member of the State Bar of California, has professional liability insurance or demonstrate to the court that he or she is adequately self-insured, and complete at least 12 hours of education and training, including all of the following:

(1) Statutes, case law and court rules relating to child custody and visitation;

(2) Representation of a child in custody and visitation proceedings;

(3) Special issues in representing a child, including stages of child development; communication with a child at different stages of development and presenting the child's view; recognizing, evaluating, and understanding evidence of child abuse and neglect, family violence and substance abuse, cultural and ethnic diversity, and gender specific issues; the effects of domestic violence and child abuse and neglect on children; and working effectively with multidisciplinary experts.

C. ANNUAL RECERTIFICATION. To remain eligible for appointment, counsel must annually complete a minimum of eight (8) hours of training in the subjects listed above.

D. DEMONSTRATION OF COMPLIANCE WITH REQUIREMENTS. No later than 10 days after being appointed and prior to beginning work on a case counsel shall file a declaration with the court demonstrating compliance with the requirements set forth in California Rules of Court, rule 5.242 and this rule. Counsel may use form FL-322, Declaration of Counsel for a Child Regarding Qualifications. This form may also be used to demonstrate eligibility for annual reappointment.

If any disciplinary action is taken by the State Bar of California against an attorney who has been appointed to represent a child under this rule and California Rules of Court, rule 5.242, he or she must advise the court within five (5) days of the

action stating the basis of the complaint, result, and notice of any reproval, probation, or suspension.

E. EXPERIENCE REQUIREMENTS:

(1) Initial Experience Requirements. To be appointed counsel in a family law proceeding, counsel must have represented a party or a child in at least 6 proceedings involving child custody within the previous five (5) years. At least 2 of the 6 must have involved contested custody and visitation issues, and no more than 3 of the 6 may be dependency or guardianship proceedings.

(2) Alternative Experience Requirements. If an attorney does not meet the initial experience requirements set forth above, he or she must meet one of the following alternatives:

a. Be employed by a legal services organization or government agency, or employed by a private law firm that has previously been approved by the court as qualified to represent children in family law proceedings and be supervised by an attorney who has met the initial experience requirements; or

b. Be an attorney working in consultation with a qualified attorney; or

c. Demonstrate substantial equivalent experience to the satisfaction of the court.

(Revised July 1, 2014)

8.23.02 RIGHTS AND RESPONSIBILITIES OF APPOINTED COUNSEL FOR A CHILD

Counsel appointed to represent the best interests of a child in a custody or visitation proceeding shall have the rights and responsibilities enumerated in California Rules of Court, rule 5.242(i), (j) and (k), in addition to the statutory rights and duties conferred by California law.

(Revised July 1, 2009)

8.24.00 TITLE IV-D CASES (DEPARTMENT OF CHILD SUPPORT)

(Revised January 1, 2015)

8.24.01 DEFINITIONS

As used in this section 8.24.00, the following terms have the following meanings:

A. “Title IV-D” cases are those cases described by Family Code section 4251.
B. “Commissioner” means a person appointed as a Superior Court commissioner.

C. “IV-D Time” means the time spent by a commissioner on Title IV-D cases.

(Effective July 1, 1997)

8.24.02 COMMISSIONER AND TITLE IV-D CASES

A commissioner of this court may sit on Title IV-D cases. The commissioner shall keep track of his or her IV-D Time.
(Revised July 1, 2013)

8.24.03 POWERS OF COMMISSIONER IN TITLE IV-D CASES

A commissioner shall have all the powers enumerated in Family Code section 4251(d).
(Effective July 1, 1997)

8.24.04 CONTESTED CUSTODY AND/OR VISITATION ISSUES RAISED IN TITLE IV-D CASES

A commissioner of this court may hear contested custody and visitation issues in his or her capacity as a commissioner or temporary judge. Said issues shall be severed from the Title IV-D case in which raised and tried separately. The time spent on such severed issues shall not be changed as IV-D Time. This rule is intended to comply with the provisions of Family Code section 4251(e)(3).
(Revised July 1, 2013)

8.25.00 FAMILY LAW FACILITATORS

(Effective January 1, 1998)

8.25.01 OFFICE OF FAMILY LAW FACILITATOR

Each division of the Superior Court shall maintain an office of family law facilitator pursuant to the provisions of the Family Law Facilitator Act (Family Code Division 14).
(Effective January 1, 1998)

8.25.02 FACILITATOR SERVICES

The family law facilitator shall provide the services as set forth in Family Code section 10004 and shall act in all types of cases described in Family Code section 10003.
(Effective January 1, 1998)

8.25.03 ADDITIONAL DUTIES OF THE FAMILY LAW FACILITATOR

The Bench Officer presiding over any case described in Family Code section 10003 may designate any of the following duties to be performed by the Family law Facilitator:

A. Meeting with litigants to mediate issues of child support, spousal support, and maintenance of health insurance, subject to Family Code section 10012. Actions in which one or both of the parties are non-represented by counsel shall have priority.

B. Drafting stipulations to include all issues agreed to by the parties, which may include issues other than specified in Family Code section 10003.

C. If the parties are unable to resolve issues with the assistance of the family law facilitator, prior to or at the hearing and at the request of the court, the family law facilitator shall review the paperwork, examine documents, prepare support schedules, and advise the judge whether or not the matter is ready to proceed.

D. Assisting the clerk in maintaining records.

E. Preparing formal orders consistent with the court's announced order in cases where both parties are non-represented.

F. Serving as a special master in proceedings and making findings to the court unless he or she has served as a child custody recommending counselor in that case.

G. Providing the services specified in Division 15 (commencing with Family Code section 10100). Except for the funding specifically designated for visitation programs pursuant to section 669B of Title 42 of the United States Code, Title IV-D child support funds shall not be used to fund the services specified in Division 15 (commencing with Family Code section 10100).

H. Providing the services specified in Family Code section 10004 concerning the issues of child custody and visitation as they relate to calculating child support if funding is provided for that purpose.

I. In addition to the above duties, the Bench Officer may designate any of the following additional duties to the family law facilitator:

(1) Assisting the court with research and any other responsibilities which will enable the court to be responsive to the litigants' needs.

(2) Developing programs for bar and community outreach through day and evening programs, videotapes, and other innovative means that will assist non-represented and financially disadvantaged litigants in gaining meaningful access to family court. These programs shall specifically include information concerning underutilized legislation, such as expedited child support orders (Chapter 5 commencing with section 3620 of Part 1 of Division 9), and preexisting, court sponsored programs, such as supervised visitation and appointment of attorneys for children.

(Revised July 1, 2013)

8.25.04 COMPLAINT PROCEDURE FOR FAMILY LAW FACILITATOR

A person wishing to register a complaint against a family law facilitator may do so either verbally or in writing to the family law commissioner for the session of court (Western Slope or South Lake Tahoe) in which the services were provided. The family law commissioner will conduct an investigation, which may include consultation with the staff, the other party, or with the attorneys. Within 30 days, the family law commissioner will respond to the complainant acknowledging receipt of the complaint. To the extent possible, the court will complete an investigation of the complaint within ninety (90) days of receipt.

The complaining party may appeal the family law commissioner's action to the presiding judge of the El Dorado Superior Court. The presiding judge may request that the complaint be put in writing. Within 30 days, the presiding judge will respond to the complainant acknowledging receipt of the complaint. To the extent possible, the court will

complete all appeal investigations of the complaint within ninety (90) days of receipt.
(Effective July 1, 2003)

8.26.00 ACCESS TO COURT HEARINGS

All litigants, both non-represented by counsel and represented by counsel, shall have ultimate access to a hearing before the court.
(Revised July 1, 2000)

8.26.01 ACCESS TO CERTAIN FAMILY LAW FILES

Paternity Files and Complaints to Establish Paternity. Only the parties to the action or their attorneys of record may inspect the file. Copies of documents in the file may be released to the party or the attorney upon the presentation of proof of identification.

The final judgment is a public record. All other documents are confidential. A person, other than a party or the attorney of record for a party, seeking copies of other documents in the file must file a noticed motion setting forth a detailed factual showing constituting good cause.
(Effective January 1, 2012)

8.27.00 FAMILY CENTERED CASE RESOLUTION PROCESS

(Effective July 1, 2013)

8.27.01 AUTHORITY

This rule is intended to implement a family centered case resolution process in conformance with Family Code sections 2450 – 2451 and California Rules of Court, rule 5.83.
(Effective July 1, 2013)

8.27.02 APPLICABILITY

This rule applies to all dissolution, legal separation, nullity, and parentage cases filed after July 1, 2013.
(Effective July 1, 2013)

8.27.03 STATUS CONFERENCE

A. Upon the filing of any case listed in Local Rule 8.27.02, the court will issue a notice of status conference and calendar three (3) status conferences: one within six (6) months of the filing of the petition, one within one (1) year of filing of the petition, and one within 18 months of the filing of the petition. The court also will calendar two (2) dismissal hearings: one after two (2) years of the date of the filing of the petition, and one after five (5) years of the filing of the petition, at which point the court shall consider the dismissal of the case for failure to serve the respondent or for failure to obtain a final judgment, pursuant to California Code of Civil Procedure sections 583.310 and 583.420(a)(1). The petitioner shall serve the notice of status conference on the respondent with the summons and petition and any other initial papers to be served with the summons and petition.

B. The purpose of the Status Conference is to assess the case early and assist the litigants with creating a case management plan for resolution of all the issues

presented in their cases. The design of the case management plan will depend on the complexity of the case.

C. On request of either party or on the court's own motion, the court may set any matter for a Status Conference.

D. The parties are not required to attend the Status Conferences, unless required to attend by order of the court, but the parties may attend to discuss the status of their case. The parties may submit a Case Management Conference Statement prior to the Status Conference.

(Revised July 1, 2017)

8.27.04 RESERVED FOR FUTURE USE

(Revised January 26, 2016)

8.27.05 STATUS CONFERENCE AND COURT'S ROLE

A. At the Status Conference, the judicial officer, or his or her designee, which could include court staff or a temporary judge, will review the case to determine whether it is progressing towards disposition in a timely and effective manner in accordance with the milestones, disposition standards, and additional factors set forth in California Rules of Court, rule 5.83.

B. Any party in attendance at a Status Conference must inform the court of the following matters:

(1) The attendance of both parties at family court services mediation;

(2) The service by both parties of a complete preliminary declaration of disclosure;

(3) The filing with the court of a declaration regarding service of declaration of disclosure and income and expense declaration;

(4) The readiness of the parties to participate in mediation;

(5) The appropriateness of referral to arbitration;

(6) The willingness of the parties to limit, schedule, or expedite discovery, including the willingness to provide the opposing party, without a discovery request:

a. The name, address, and telephone number of each individual likely to have desirable information that supports the party's disclosures, and
b. A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that supports the party's disclosures.

(7) The appropriateness of implementation of a family centered case resolution

plan pursuant to Family Code section 2451; and

(8) The willingness of the parties to stipulate to the appointment of court experts, and allocate the expert's expense, or to schedule a hearing for the appointment and expense allocation of court experts.

C. At any Status Conference the court may:

(1) Schedule disclosure of expert witnesses, by stipulation;

(2) Inquire whether issues can be narrowed by stipulation and set dates for the filing of stipulations;

(3) Set dates for further Status Conferences, as needed, and no less often than every 6 months;

(4) Set dates for other events that must take place before the next Status Conference;

(5) Set the date for trial and/or settlement conferences; and

(6) Take such other action, as permitted by law, which could promote the just and efficient disposition of the case.

(Revised January 1, 2026)

9.00.00 ADOPTION PROCEEDINGS

(Effective January 1, 1994)

9.00.01 ADOPTION HEARINGS

Adoption hearings will be scheduled at the request of petitioner, on the day and time set by the court for the hearing of such matters. Petitioner should contact the calendar clerk for scheduling purposes. All proposed orders, accountings, agreements, consents, and other pleadings required by law shall be on file prior to scheduling a hearing.

(Revised July 1, 2014)

9.00.02 ACCESS TO ADOPTION FILES

A. Adoption and Related Files (Civil Code sections 232, 7017, Probate Code section 1500).

(1) The attorney of record may have access to the file and may request copies of documents therein without a court order.

(2) A party to an adoption may, on written request, receive a "Certificate of Adoption" from the court clerk. There is no fee for this service. A party to an adoption may obtain information from the file other than a certificate of adoption, but must first obtain a court order authorizing release of the information.

(3) A party desiring to access the original birth certificate must petition the Superior Court of the county in which the petitioner resides pursuant to Health and Safety Code section 10439. The clerk will send a copy of the petition to the Department of Social Services, which will provide such information as it may possess. Upon receipt of the information from DSS, the petition will be set for hearing and the petitioner will be notified of the date and time set for hearing.

(4) Any person, other than a party, requesting information from a sealed adoption file must petition the court, setting forth a detailed factual showing sufficient to establish good cause. For the purposes of this rule, the "good cause" required to be shown shall be tantamount to necessity. After the petition has been filed, the matter shall be set for hearing.

(Effective January 1, 2025)

10.00.00 PROBATE PROCEEDINGS

(Revised January 1, 2016)

10.00.01 PROBATE CALENDAR AND TENTATIVE RULING SYSTEM

A. PROBATE CALENDAR. The probate calendar shall be heard pursuant to the scheduling established by the Superior Court in the department assigned by the presiding judge.

B. TENTATIVE RULING SYSTEM – DEPARTMENT NINE

(1) The Superior Court will operate a tentative ruling system for matters set on the regularly scheduled probate calendar. Most matters on this calendar will not be heard on the probate calendar date. Only those maters where the tentative rulings mandate appearances will there be oral argument. These will generally be limited to the matters specified in Local Rule 10.0.04. Oral argument in all other matters will not be permitted, unless hearing is requested at the time the matter is scheduled on the probate calendar.

(2) Uncontested matters seeking approval of petitions, reports and accounts will have a ruling granting, denying, or a qualified grant or denial. No appearances will be required on these matters and no hearing will be held, if a proposed order is submitted prior to hearing, unless the court mandates the appearances are required in the ruling.

(3) Nothing in this rule is to be construed as prohibiting counsel from attending the hearing of the probate calendar for any reason, even if their appearance is not required.

(4) The tentative ruling and written rationale can be obtained via the Internet on the El Dorado County Superior Court web page at www.eldorado.courts.ca.gov on the court day preceding the date the matter is set on the probate calendar. The written rationale, if appropriate, can be viewed on the web page by clicking on the "Tentative Rulings" link and you will find the tentative rulings listed by department and calendar date. Simply

click on the tentative rulings for the assigned department and then click on the date you wish to view.

(5) The tentative ruling and written rationale, if appropriate, will also be posted outside the assigned department for viewing on the court day preceding the date the matter is set on the probate calendar.

(6) In matters where no appearances are required, the tentative ruling will become the order of the court at the time and date the matter is set on the probate calendar, unless oral argument is requested.

(Revised January 1, 2022)

10.00.02 FILING OBJECTIONS OR CONTINUANCES

Objections to a matter on the probate calendar shall be asserted at the hearing or filed and served by mail on the attorney for the petitioner five (5) days prior to the hearing. If the petitioning party has not been timely served with the objections and is not present at the hearing or requests a continuance, the matter will be continued for one (1) week only. Written objections, if not already filed and served, shall then be filed and served 2 days prior to the continued hearing date.

(Effective January 1, 1994)

10.00.03 CONTINUANCES

Unless formal objections have been filed, the petitioning party may request a continuance by contacting the court, in writing, no later than 1:00 p.m. the day before the hearing. The continuance shall be to a date certain and shall be confirmed promptly by the clerk.

(Revised January 1, 2015)

10.00.04 MATTERS REQUIRING APPEARANCES

The following probate matters require appearance of counsel or parties at the hearing, unless notified by the court.

A. Application for appointment of guardian or conservator.

B. Termination of guardianship or conservatorship, other than by death of the minor or conservatee, or the minor attaining the age of majority.

C. Confirmation of sale of real or personal property.

D. Contested matters.

E. Other matters at the request of the court.

(Effective January 1, 1994)

10.00.05 PREPARATION OF ORDERS

An order or judgment not presented for signature at the time of the hearing should be presented within five (5) court days thereafter and shall include in the first paragraph a recitation of the date of the hearing. Such order or judgment shall be dated as of the date heard with an additional blank for the date of the signature.

(Revised January 1, 2016)

10.00.06 REMOTE APPEARANCES
Remote appearances may be authorized at the discretion of the court in accordance with Local Rule 7.02.00.
(Revised July 1, 2022)

10.00.07 RESERVED FOR FUTURE USE
(Revised January 1, 2016)

10.00.08 WAIVER OF RULE
For good cause shown, the court in probate proceedings may waive the application of any Local Rule in a particular case.
(Revised January 1, 2016)

10.01.00 NOTICES
(Effective January 1, 1994)

10.01.01 RESERVED FOR FUTURE USE
(Revised January 1, 2016)

10.01.02 RESERVED FOR FUTURE USE
(Revised January 1, 2016)

10.01.03 RESERVED FOR FUTURE USE
(Revised January 1, 2016)

10.01.04 ADDITIONAL NOTICE IN COURT'S DISCRETION
Under the provisions of Probate Code section 1202, the court may require additional notice in any matter. Ordinarily, such notice will be required whenever it appears that the interest of any person may be adversely affected by the determination of the issue raised by the pleading.
(Revised January 1, 2012)

10.02.00 APPOINTMENT OF EXECUTORS AND ADMINISTRATORS
(Effective January 1, 1994)

10.02.01 SPECIAL LETTERS, NOTICE, AND APPOINTMENT

A. An ex parte petition for special letters of administration ordinarily will not be granted without notice to the surviving spouse, the person nominated as executor, any other person having priority, and any other person the court determines to be equitably entitled to notice.

B. When appointing a special administrator, preference will be given to the person entitled to letters testamentary or of administration. If it appears that a bona fide contest exists between these persons, the court will consider the appointment of a neutral party as special administrator.

(Effective January 1, 1994)

10.02.02 CORPORATE AND INDIVIDUAL CO-REPRESENTATIVES

A corporate representative cannot assume responsibility for the acts of its individual co-representative who must provide bond as required by law. Any deposit made under the provisions of the Financial Code for the purpose of reducing bond must be made jointly by the corporate and individual co-representatives.
(Effective January 1, 1994)

10.02.03 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.02.04 DEPOSIT OF PERSONAL PROPERTY FOR REDUCTION OF BOND

A. When the personal representative, under Probate Code section 8483, seeks to reduce the amount of bond (whether at the time of appointment of subsequently) by restricting the withdrawal of money or other personal property that has not already been deposited under Probate Code sections 9700 or 9701, the Order to Deposit Money Into Blocked Account (Judicial Council form MC-355) shall either provide:

(1) The money or other personal property shall remain on deposit at the financial institution or trust company then in possession of the money or other personal property, subject to withdrawal only upon authorization of the court; or

(2) The money of other personal property shall be transferred directly from the financial institution or trust company then in possession of the money or other personal property to another financial institution or trust company, without the money or other personal property coming into the possession of the personal representative, subject to withdrawal only upon authorization of the court.

The personal representative and the personal representative's attorney, if any, shall deliver a copy of the Order to Deposit Money Into Blocked Account (Judicial Council form MC-355) to each financial institution or trust company then in possession of the money or other personal property and, if applicable, to the financial institution or trust company to which the money or other personal property is to be transferred. The depository's Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account (Judicial Council form MC-356) shall be filed with the court within 15 days of the issuance of the order. Additionally, a status conference shall be set for three (3) weeks after the court issues the order to confirm filing of the Receipt and Acknowledgment. If the Receipt and Acknowledgment is timely filed, the matter will be removed from the calendar and no appearances will be required.

B. When the personal representative, under Probate Code section 8483, seeks to reduce a bond that has already been given by restricting the withdrawal of money or other personal property that has already been deposited under Probate Code sections 9700 or 9701, the personal representative and the personal representative's attorney, if any, shall deliver a copy of the Order to Deposit Money

Into Blocked Account (Judicial Council form MC-355) to each depository in which the money or other personal property is deposited. The depository's Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account (Judicial Council form MC-356) shall be filed with the court within 15 days of the issuance of the order. Additionally, a status conference shall be set for three (3) weeks after the court issues the order to confirm filing of the Receipt and Acknowledgment. If the Receipt and Acknowledgment is timely filed, the matter will be removed from the calendar and no appearances will be required.

(Revised January 1, 2016)

10.02.05 MULTIPLE REPRESENTATIVES

When multiple representatives are appointed by an order, which directs that "letters shall issue to them," the clerk will not allow less than all to qualify.

(Effective January 1, 1994)

10.02.06 PROOF OF WILLS BY AFFIDAVIT OR DECLARATION

A. The court prefers that both formal witnessed wills and holographic wills be proven by affidavit or declaration rather than by testimony.

B. Proof as to the admissibility of each testamentary document must be submitted; except that in the event there is a codicil, which expressly republishes the will, proof of the execution of the codicil may be deemed sufficient.

C. The copy of the will attached to the proof of subscribing witness must be certified by the attorney of record or by endorsement of the clerk of the court.

D. Self-proving wills need no additional proof unless requested by the court.

(Effective January 1, 1994)

10.02.07 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.02.08 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.02.09 AGE, ADDRESS, AND RELATIONSHIP

The petition shall also include the following with respect to persons required to be named in the petition by the Probate Code:

A. The address, including the residence number, street, city, state, and zip code, or post office box number customarily used for residence mailing purposes;

B. The relationship of the person to the decedent;

C. The age of the person; except that a person over the age of 18 may simply be designated as an adult unless the person's age is relevant to the person's interest in the estate.

(Revised January 1, 2016)

10.02.10 INFORMATION REQUIRED OF PERSONAL REPRESENTATIVES UPON ACKNOWLEDGEMENT OF DUTIES

The driver's license numbers of personal representatives (other than public officers or trust companies) shall be provided in the receipt of the acknowledgement of duties and liabilities required by Probate Code section 8404. These numbers shall be kept confidential and shall not be made available for public inspection without a court order.
(Revised January 1, 2012)

10.03.00 MOTIONS, PETITIONS, AND ORDERS

(Effective January 1, 1994)

10.03.01 CAPTIONS

The caption in each petition or motion filed in a probate matter shall identify each matter requiring action by the court.
(Effective January 1, 1994)

10.03.02 PETITION TO SUPPORT EX PARTE ORDER

An ex parte order will not be granted unless accompanied by a petition, affidavit, or declaration (where applicable) in support thereof.
(Effective January 1, 1994)

10.03.03 ORDERS TO BE COMPLETE IN THEMSELVES

All orders and judgments in probate matters must be complete in themselves. All matters actually passed on by the court, including the relief granted, the names of persons and descriptions of property (including assessor's parcel number and specific legal description), amounts of money affected, the terms of trusts, and the provisions of leases or other agreements must be set forth with the same particularity that is required in judgments in civil matters.
(Effective January 1, 1994)

10.03.04 NUNC PRO TUNC ORDERS CORRECTING CLERICAL ERRORS

A. If, through inadvertence, the minute order or the signed decree fails to state the order actually made by the court, the court will, on motion, make a nunc pro tunc order correcting the mistake. Such a motion must normally be supported by an affidavit or declaration.

B. If the nunc pro tunc order does not take the form of a completely amended order reflecting its nunc pro tunc character, it should be substantially in the following form:

   "On motion to correct a clerical error, the (identify the order to be corrected, giving the title and date thereof) is corrected by striking the following: (here set out the matter to be eliminated) and by inserting in lieu thereof the following: (here set out the correct matter)."

C. To prevent errors, not less than a complete clause or sentence should be stricken, even if it is intended only to correct one word or a figure.

(Effective January 1, 1994)

10.03.05 RESERVED FOR FUTURE USE
(Revised January 1, 2016)

10.03.06 ESCHEAT PETITIONS

A. A genealogy chart must be attached to the petition showing the relationship of the claimant to the decedent and all heirs of the decedent, including deceased heirs who have or would have had standing to inherit equal to or greater than that of the claimant.

B. A copy of the decree of distribution must be attached to the petition.

C. All documentary evidence in support of the petition must be on file at the time the matter is calendared for hearing.

D. In the absence of satisfactory proof that the petitioner(s) has (have) sole entitlement to the escheated property, payment of all of the property shall not be ordered until after expiration of the time to file claims.

(Effective January 1, 1994)

10.03.07 RESERVED FOR FUTURE USE
(Revised January 1, 2016)

10.04.00 CREDITORS' CLAIMS
(Effective January 1, 1994)

10.04.01 RESERVED FOR FUTURE USE
(Revised January 1, 2016)

10.04.02 APPROVAL OF FUNERAL CLAIMS

A. Funeral expenses (including the cost of interment, interment plot, endowment care, and a suitable monument) proportionate to value of decedent's assets, and in keeping with the standard of living adopted by the decedent prior to his or her death, or as provided in the will, will be approved by the court. The burden of proof as to the reasonableness of the claim for funeral expenses is on the personal representative.

B. When interest has been paid in connection with the delayed payment of a claim for funeral expenses, a specific reason for the delay must be made in the report accompanying the account in which credit for such payment has been taken.

(Effective January 1, 1994)

10.04.03 PROOF OF SERVICE ON REJECTED CLAIMS
Proof of service of the rejection of any claim under Probate Code section 9250 must also be filed with a copy of the notice of rejection.
(Effective January 1, 1994)

10.05.00 SALES
(Effective January 1, 1994)

10.05.01 BROKER'S COMMISSION ON SALE OF REAL PROPERTY

Upon the confirmation of the sale of real property, a broker's commission in excess of the amounts set forth in the following schedule will not be allowed:

Improved property	6%
Unimproved property	10%

(Effective January 1, 1994)

10.05.02 LISTING AGREEMENT

Statutory provisions concerning listing agreements for the sale of real property are set forth at Probate Code section 10150, et seq. A petition for authorization to enter into a listing agreement submitted for court approval must be accompanied by a copy of the proposed agreement. Personal representatives with authority under the Independent Administration of Estates Act need not submit proposed listing agreements to the court for approval.

(Revised January 1, 2012)

10.05.03 NOTICE AND HEARING ON CONFIRMATION OF SALE OF REAL PROPERTY

A 10% deposit in the form of cash or certified check must be submitted at the hearing in order for a person to bid on real property.

(Revised January 1, 2012)

10.06.00 – 10.06.99 RESERVED FOR FUTURE USE

(Effective January 1, 1994)

10.07.00 ACCOUNTS, FEES, AND DISTRIBUTION

(Revised July 1, 2014)

10.07.01 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.07.02 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.07.03 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.07.04 ALLOWANCE ON ACCOUNT OF COMPENSATION

Except for good cause shown, the last 25 percent of the statutory compensation will not be allowed prior to the approval of the final account and the judgment of distribution.

(Revised January 1, 2016)

10.07.05 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.07.06 COSTS

The cost of long distance telephone calls and unusual amounts of photocopies and postage, if properly itemized, shall be allowed as costs of administration.

(Effective January 1, 1994)

10.07.07 DESCRIPTION OF PROPERTY DISTRIBUTED

A. The petition for distribution, as well as the judgment of distribution, shall list and describe all property, including the assessor's parcel number and specific legal description of real property to be distributed. In case of intestacy: (1) where the decedent leaves a surviving spouse, the petition shall allege whether the property is community or separate; and (2) where distribution is to be made pursuant to Probate Code section 6402.5, the source of the property shall be alleged.

B. A supplemental account must be presented if assets in excess of $1,000 or more are withheld from initial final distribution, unless the account has been waived.

(Revised January 1, 2012)

10.07.08 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.07.09 AGREEMENTS FOR DISTRIBUTION

A. If the distributees seek a distribution in a manner other than that provided by the will or by the laws of intestate succession, a written agreement between the affected distributees must be filed in the probate proceeding or consent thereto endorsed on the petition. The order of distribution shall include reference to the assignment, agreement or disclaimer, which is the basis for the distribution.

B. A minor distributee or other distributee under disability must be represented by his or her legal representative; and prior court approval of the agreement, assignment, or disclaimer must be obtained if the distributee is subject to a guardianship or conservatorship.

(Revised January 1, 2016)

10.07.10 DISTRIBUTION TO MINORS

If a minor is to receive a distribution, the decree shall indicate the Probate Code section providing the method for distribution on behalf of the minor.

(Revised January 1, 2016)

10.07.11 DOCUMENTS TO BE ON FILE BEFORE HEARING FOR DISTRIBUTION

Where a guardian of a minor must be appointed, or affidavits or declarations are required under Probate Code sections 3401 or 13101, or proceedings are had under Probate Code section 3410, et seq., the guardian must be appointed or such affidavits or declarations, or a certified copy of the order made under Probate Code section 3410, et seq., shall be filed prior to the hearing on the petition for distribution. When distribution is to be made to a testamentary trustee, the consent of the trustee to act must be filed prior to the hearing on the petition for distribution.

(Revised January 1, 2012)

10.07.12 PETITION FOR FINAL DISTRIBUTION

A. Petitions for final distribution must include a report of the following:

(1) That no federal or California estate taxes are payable or that they have been paid;

(2) That income taxes and all other taxes (e.g., supplemental real property or personal property taxes, if any) have been paid or otherwise provided for.

B. If estate taxes are payable or paid: (1) the petition shall set forth whether said taxes were prorated pursuant to Probate Code section 20100, et seq., or the provisions of the will; and (2) the petition must reflect whether or not there are non-probate assets includable in the gross estate for estate tax purposes.

(Revised January 1, 2016)

10.07.13 SPOUSAL PROPERTY ELECTION

Formal probate of community, quasi community, or separate property passing or confirmed to a surviving spouse in a decedent's estate pursuant to Probate Code section 13502 must be supported by a written election expressly indicating a consideration of the alternative procedures available pursuant to Probate Code section 13650. Written elections pursuant to Probate Code section 13502 shall contain an express acknowledgement that the inclusion of property passing to or belonging to the surviving spouse in the probate estate could result in additional appraisal fees, commissions, and attorney fees.

(Revised January 1, 2012)

10.08.00 JOINT TENANCIES AND LIFE ESTATES

(Effective January 1, 1994)

10.08.01 PROCEEDINGS MUST BE IN NAME OF DECEDENT

A petition to establish the fact of death must be filed in the name of the deceased person whose interest is to be terminated.

(Revised January 1, 2016)

10.08.02 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.09.00 GUARDIANSHIPS AND CONSERVATORSHIPS – GENERAL PROVISIONS

(Effective January 1, 1994)

10.09.01 APPOINTMENT OF TEMPORARY GUARDIAN OR CONSERVATOR

A. On or after filing a petition for appointment of a guardian or conservator, any person entitled to be a guardian or conservator may be appointed as temporary guardian or conservator of the person or estate or both. An endorsed copy of the petition for appointment of a general guardian or conservator shall be submitted with the application for a temporary guardian or conservator.

B. An endorsed copy of the Petition for Temporary Guardian or Conservator (Judicial Council forms GC-110 or GC-111) shall be served upon the court investigator along with a citation appointing the court investigator to conduct an investigation

regarding guardianship (local form available) or conservatorship (Judicial Council form GC-330).

C. Requests to dispense with notice of a temporary guardianship or conservatorship petition under Probate Code section 2250 shall be supported by a written declaration setting forth with specificity all facts showing good cause therefore. If a noticed hearing is required, the court will set the matter for hearing.

D. The Notice of Hearing (Judicial Council form GC-020) and a copy of the petition shall be personally served at least five (5) days before the date of hearing on the conservatee or on the minor, if the minor is 12 or older. If the petition is by a person other than a parent, and if a parent or parents of the minor is or are living, notice of hearing and a copy of the petition should be served personally on such parent or parents at least five (5) days before the date of hearing. The court may require notice to other persons or may waive notice for good cause.

(Revised July 1, 2013)

10.09.02 GUARDIAN'S AND CONSERVATOR'S BONDS

A. Except when the provisions of Probate Code section 2323 apply, the policies of the court with reference to bonds in decedents' estates set forth in Local Rule 10.02.04 shall be followed in guardianship and conservatorship proceedings. Under Probate Code section 2323, the court may dispense with the requirement of a bond.

B. If assets are ordered blocked, a written receipt shall be obtained from the depository acknowledging that principal and earnings shall not be withdrawn without prior court order. The receipt will be filed within 10 days of deposit. The court shall set a hearing to determine that the deposit has been made and the receipt filed.

(Revised August 1, 2016)

10.09.03 ALLOWANCE OF FEES IN GUARDIANSHIPS OR CONSERVATORSHIPS

A. The guardian or conservator or the attorney for the guardian or conservator may petition the court to determine fees in the manner authorized by Probate Code section 2640, et seq. The petition shall specify the services rendered and the fees requested. The title of the petition embodying such application and the notice of hearing shall include a reference to the request.

B. The petition shall include a description of the service, time expended, and requested compensation for each service. The court may require additional detailed documentation showing for each date the services performed and the time expended.

(Revised January 1, 2012)

10.09.04 INVESTMENT BY GUARDIAN OR CONSERVATOR

A. The standard set out in Probate Code section 16040 (providing for investments by trustees) will be the standard applied by the court in authorizing proposed investments by guardians or conservators. The court does not act as an

investment counselor but suggests that investments should be prudent and in keeping with the size and character of the ward's or conservatee's estate. Investments in existence at the time of the creation of the guardianship or conservatorship usually may be maintained.

B. The court will not ordinarily authorize the investment of the ward's or conservatee's funds in unsecured loans, secured loans to a near relative, bonds, or obligations of foreign governments or corporations, or debenture bonds except those which are part of a large issue, well-seasoned, and readily marketable.

C. Investments in real estate, either by purchase or encumbrance, will not be authorized unless supported by an appraisement by the probate referee regularly appointed in the guardianship or conservatorship estate. It is preferred that the guardian or conservator be authorized to purchase real estate for cash only.

D. Purchase of life insurance on the minor ward's life will not ordinarily be authorized.
(Revised January 1, 2012)

10.09.05 INVESTMENT PERFORMANCE REPORT
Each accounting of a guardian or a conservator shall be accompanied by a report containing the guardian's or conservator's investment objectives and results with reference to the needs of the ward or conservatee and shall explain why the estate suffered any loss or held unproductive property. (See Local Rule 10.07.01.)
(Revised January 1, 2012)

10.09.06 WAIVER OF ACCOUNT
A. If Probate Code section 2628 (public benefit payments) is applicable, the guardian or conservator may petition the court for an order dispensing with accounts. Ex parte petitions pursuant to Probate Code section 2628 will not be granted.

B. A final report setting forth the assets on hand shall be filed upon termination of a guardianship or conservatorship even when accounts have been waived.
(Revised January 1, 2012)

10.09.07 ADDITIONAL POWERS
On the petition of the guardian or conservator at the time of appointment or later, the court may grant additional powers to the guardian or conservator as authorized by Probate Code sections 2590 and 2591. Such powers are not automatically granted; and, when requested, sufficient reasons must be shown for their necessity. The court will grant only those additional powers necessary or proper under the specific circumstances of each case. Any powers so granted must be set forth at length in the order and in the Letters of Guardianship or Conservatorship.
(Revised January 1, 2012)

10.09.08 ACCOUNTS
A. The first account shall be filed on or before the anniversary date of the order appointing the guardian or conservator; and subsequent accounts shall be filed at least biennially thereafter. The first account shall be for a minimum period of nine

(9) months from date of appointment.

B. Where there are multiple wards joined in a single guardianship proceeding, an account shall reflect a separate accounting for each of the respective wards.

C. Along with each account, the current address of the conservatee and conservator, or guardian and ward shall be filed with the court.

D. Pursuant to Probate Code section 2620(c)(8), the court shall retain all documents lodged with it until the court's determination of the guardian's or conservator's account has become final, at which time the supporting documents shall be returned to the depositing guardian or conservator, or delivered to any successor appointed by the court.

(Revised January 1, 2014)

10.09.09 IDENTIFYING NUMBERS

Driver's license number of the conservator, conservatee, guardian, or ward shall be presented to the probate investigator's office on request. Social security number may be requested provided the individual is informed that disclosure is voluntary. These numbers are to be used by the investigator's office for the performance of investigatory duties only and will not be disclosed to third persons without prior court authorization.
(Effective January 1, 1994)

10.09.10 VERIFIED DUTIES OF CONSERVATOR AND ACKNOWLEDGEMENT

Prior to the hearing on a conservatorship petition, the proposed conservator shall execute and file the verified Duties of Conservator and Acknowledgement of Receipt of Handbook for Conservators form (Judicial Council Form GC-348).
(Revised January 1, 2012)

10.10.00 GUARDIANSHIPS OF MINORS

(Effective January 1, 1994)

10.10.01 APPOINTMENT OF GUARDIAN OF MINOR

A. The attorney for the petitioner shall be responsible for the mailing of all required notices. If there are no relatives within the second degree, the petition shall so allege. A copy of the petition shall accompany each notice of hearing.

B. At the time of filing the petition for appointment, the attorney for the petitioner shall file a notification to the court of address on conservatorship or guardianship.

C. All petitions for appointment shall be set for hearing no sooner than 30 days after filing.

D. There shall be no ex parte appointment of a permanent guardian.

E. Petitions for guardianships shall contain an allegation as to whether or not the minor(s) has been or is a party to a civil action in which monetary damages are claimed. If the minor(s) is such a party, the file number of the action must be

indicated, as well as the name of the county in which the case is pending.
(Effective January 1, 1994)

10.10.02 HEARING ON PETITION FOR APPOINTMENT OF GUARDIAN OF NON-RELATIVE MINOR

A petition for appointment of guardian of a minor shall be set for hearing, and notice of hearing thereon shall be given as provided in Probate Code section 1511, subject to the exceptions stated therein.
(Revised January 1, 2012)

10.10.03 EFFECT OF OTHER PROCEEDINGS

A guardianship of the person will not be granted by the probate court under any of the following circumstances: (a) family law court has jurisdiction over custody of the proposed ward; (b) adoption proceedings are pending; or (c) the minor is subject to the jurisdiction of the juvenile court.
(Effective January 1, 1994)

10.10.04 DUTIES OF GUARDIAN – SUPPORT BY PARENTS

Guardianship funds shall not be used for a minor's support, except upon a showing of the parents' financial inability or other circumstances which would justify the same. If there is a claim that the parents lack financial ability to provide support, the parents shall file Family Law Income and Expense Declaration (Judicial Council form FL-150) and Property Declaration (Judicial Council form FL-160).
(Revised July 1, 2013)

10.10.05 FINAL ACCOUNT AND REPORT

A. Waiver of guardian's final account will be permitted for good cause. The final account shall be set for hearing no sooner than 20 days after filing.

B. Waiver of a guardian's account by a ward who has attained the age of majority will not be accepted unless the ward personally appears and confirms the waiver or a written waiver by the ward is filed which includes a complete list of the assets to be distributed to the ward.

C. The final report and/or account shall include a description of the remaining assets on hand to be distributed to the ward.

(Effective January 1, 1994)

10.10.06 PROCEEDINGS UNDER PROBATE CODE SECTION 3410, ET SEQ.

A. Petitions filed under Probate Code section 3410, et seq., must be filed in a separate proceeding under the name of the minor, and must set forth jurisdictional facts and state the amount to be paid, by whom, and what reimbursement for costs and fees is requested, and request the deposit of the balance of the proceeds in a specific bank or savings and loan association in the manner provided by law.

B. If the petition merely seeks the deposit of funds subject to reimbursement for costs expended for the filing of the petition, the petition may be granted by the court without notice. If, however, attorney's fees are sought, the matter must be noticed

for hearing on the court's regular calendar.

C. The order shall provide for the persons holding funds to make one check payable to the persons entitled to costs and fees, and shall provide for the issuance of a second check for the amount to be deposited, payable to the proposed trustee and the specific bank or savings and loan association.

(Revised January 1, 2012)

10.10.07 COSTS OF INVESTIGATIONS

Court investigations will be conducted upon filing of the guardianship petition and at the time of each accounting. Charges will be assessed for each investigation and review pursuant to Probate Code section 1513.1.

(Revised January 1, 2012)

10.11.00 CONSERVATORSHIPS

(Effective January 1, 1994)

10.11.01 APPOINTMENT OF CONSERVATOR

A. The attorney for the petitioner shall be responsible for the mailing of all required notices. If there are no relatives within the second degree, the petition shall so allege. Notice of hearing of a petition for the appointment of a conservator shall be given pursuant to Probate Code section 1822. A copy of the petition shall accompany each notice of hearing. There shall be a separate proceeding for each person for whom the appointment of a conservator is sought.

B. At the time of filing the petition for appointment, the attorney for the petitioner shall set forth the address of the conservator and proposed conservatee. All petitions for appointment shall be set for hearing no sooner than 30 days after filing.

C. Proposed conservators, except public officers and corporate fiduciaries, shall appear personally for the hearing on the petition for appointment as conservator.

D. Upon approval of a petition for appointment of a conservator, the court will order the conservator to file a "general plan" detailing how the personal and financial needs of the conservatee will be met. A copy of the plan shall be provided to the court investigator, and notice of the filing of the general plan shall be given to those persons who have been given notice of the petition.

   The general plan may be reviewed by those persons who have been given notice of the petition and who request to review the general plan. A hearing date will usually then be set at least 120 days from the date of appointment for a hearing on the general plan.

(Revised January 1, 2012)

10.11.02 PLACING PETITION ON CALENDAR

When a petition is filed, the Hearing shall be set within 30 days and a citation shall issue accordingly. If service of the citation is incomplete on the return date, it cannot be perfected by continuance and completion of service, except by issuance of an amended

citation. In such circumstances, the original citation shall be filed showing no service.
(Effective January 1, 1994)

10.11.03 TERMINATION OF CONSERVATORSHIP

A. A conservatorship may be terminated pursuant to Probate Code section 1860, et seq. Except in cases where the conservatee is deceased, a petition for termination shall be set for hearing no sooner than 30 days after filing; the petition shall set forth the current address of conservatee. The court investigator shall be noticed of the petition for termination of conservatorship.

B. A petition for termination of conservatorship of a living person will not be granted unless the conservatee personally appears in court or is excused after the filing of a physician's affidavit or declaration setting forth the reasons why the conservatorship is no longer required.

(Revised January 1, 2012)

10.11.04 FINAL ACCOUNT OR REPORT

A. When a final account or report is filed, notice of the hearing and a copy of the final account and/or report shall be given. If the conservatee is deceased, notice of the hearing and a copy of the account and/or report shall be given to the personal representative of the deceased conservatee's estate and the court investigator. If the conservator is also the personal representative of the deceased conservatee's estate or there is no personal representative, notice of the hearing and copies of the final account and/or report shall be given to the deceased conservatee's heirs and devisees. The names, relationships, and addresses of the heirs and devisees shall be set forth in the final account and/or report.

B. A final account shall be required on termination of the conservatorship of an estate except under the following circumstances: (1) the former conservatee who has been restored to full capacity waives the accounting; (2) if the conservatee is deceased, when an account is waived by those persons entitled to receive distribution of the estate as provided in Probate Code section 10954; except that if conservator is also the personal representative of the conservatee's estate, waivers shall be required by all heirs or devisees; or (3) when the court has ordered that accounts are not required pursuant to Probate Code section 2628 and the conditions of that Probate Code section are otherwise met.

C. The report shall include a statement of the specific assets on hand.

(Revised January 1, 2012)

10.11.05 SALE OF CONSERVATEE'S RESIDENCE

Sale of a conservatee's residence requires prior authorization in compliance with Probate Code section 2540(b). Petitions for authorization of sale of the conservatee's residence and/or authorization to execute a listing agreement for sale of the conservatee's residence will be considered only upon a calendared motion with notice given pursuant to Probate Code section 1460 (general mailed notice) and Probate Code section 2702 (special notice).
(Revised January 1, 2012)

10.11.06 CONFIDENTIAL REPORTS, SUPPLEMENTS, OR PLANS

Any confidential report, supplement or plan filed in conservatorship proceedings pursuant to Probate Code section 2620 (accounts) or 1821 (establishment) shall be filed as a separate document, shall contain the word "CONFIDENTIAL" in the caption, and shall be verified by the party presenting it.
(Revised January 1, 2012)

10.12.00 – 10.12.01 RESERVED FOR FUTURE USE

(Effective January 1, 1994)

10.13.00 TRUSTS SUBJECT TO CONTINUING COURT JURISDICTION

(Effective January 1, 1994)

10.13.01 IN GENERAL

Accounts filed by trustees shall be in the form and otherwise conform to the requirements for accounts by personal representatives in decedents' estates.
(Revised January 1, 2016)

10.13.02 PERIOD OF ACCOUNT

The first account of a trustee subject to continuing court jurisdiction shall be rendered one (1) year after the judgment of distribution of the estate or other court order or judgment from which the trust was funded. Thereafter, accounts shall be rendered at intervals prescribed by the court as the nature of the trust property and the interests of the beneficiaries require.
(Revised January 1, 2016)

10.13.03 RESERVED FOR FUTURE USE

(Revised January 1, 2016)

10.13.04 REPORT OF TRUSTEE

A report shall accompany each account of a trustee. The report shall contain concise reference to the purposes of the trust and how they have been satisfied by the trustee during the period of the account. The report shall identify the beneficiaries (both present and future) and give a brief summary of distributions made to or for their benefit, as reflected in the account. Investment objectives, and results with reference to the purpose of the trust, are to set forth with a brief summary of the account measured in terms of the specific trust objectives and requirements.

The report shall not merely recite what has been done but shall relate the activities reflected in the account to the purposes and persons for which the trust was created.
(Revised January 1, 2012)

10.14.00 COURT APPOINTED COUNSEL IN GUARDIANSHIPS AND CONSERVATORSHIPS

A. PURPOSE. The purpose of this rule is to ensure that counsel appointed for minors in guardianship proceedings or for appointment to represent conservatees or proposed conservatees in probate proceedings meet the professional qualifications imposed by California Rules of Court, rule 7.1101.

B. GENERAL CRITERIA. To be eligible for appointment as counsel under Probate Code section 1470 or 1471 for a minor in a guardianship proceeding or to represent conservatees of proposed conservatees, an attorney must be an active member of the State Bar of California for at least three (3) years immediately before the date of appointment and have no discipline imposed within a 12-month period prior to appointment. In addition, he or she must have professional liability insurance in the amount of $100,000.00 per occurrence and $300,000.00 per year.

Appointed counsel must meet the minimum appointment qualifications prescribed by California Rules of Court, rule 7.1101 and annually complete 3 hours of MCLE credit for State Bar certified specialists in estate planning, trust and probate law.

C. CERTIFICATION OF QUALIFICATIONS. Prior to initial appointment, counsel must certify to the court, in writing, that he or she has met the qualifications for appointment by submission of a fully executed Certification of Attorney Concerning Qualifications for Court Appointment in Guardianships or Conservatorships (Judicial Council form GC-010).

Thereafter, before the end of March of each following year, counsel must file the mandatory Annual Certification of Court Appointed Attorney (Judicial Council form GC-011.)

Counsel are required to immediately advise the court of the imposition of any State Bar discipline.

D. REQUIRED QUALIFICATIONS FOR PRIVATE COUNSEL

(1) Appointments to Represent Minors in Guardianship Proceedings. In addition to satisfying the general criteria and the annual continuing education requirement, counsel must either:

a. Within the previous five (5) years, have represented three wards or proposed wards in probate guardianships, three children in juvenile court dependency proceedings, or three children in custody proceedings under the Family Code; or

b. Have been certified by the court as eligible for appointment under California Rules of Court, rule 5.242 and Local Rule 8.23.00, et seq., to represent minors in family law child custody and visitation proceedings or has been certified as eligible for appointment under California Rules of Court, rule 5.660 and Local Rule 11.00.17 to represent parties in juvenile dependency proceedings.

(2) Appointments to Represent Conservatees or Proposed Conservatees. For an appointment to represent a conservatee or a proposed conservatee, counsel must have represented at least three conservatees or proposed conservatees in either probate or LPS conservatorships or complete three

of the following five:

a. Represented petitioners for the appointment of a conservator at commencement of three probate conservatorship proceedings, from initial contact with the petitioner through the hearing and issuance of Letters of Conservatorship;

b. Represented a petitioner, a conservatee or a proposed conservatee, or an interested third party in two contested probate or LPS conservatorship matters.

A contested matter that qualifies under this item and also qualifies under (a) may be applied toward satisfaction or both items;

c. Represented a party for whom the court could appoint legal counsel in a total of three matters described in Probate Code sections 1470, 1471, 1954, 2356.5, 2357, 2620.2, 3140, or 3205;

d. Represented fiduciaries in three separate cases for settlement of a court filed account and report, through filing, hearing, and settlement, in any combination of probate conservatorships or guardianships, decedent's estates, or trust proceedings under Division 9 of the Probate Code; or

e. Prepared five wills or trusts, five durable powers of attorney for health care, and five durable powers of attorney for asset management.

E. REQUIRED QUALIFICATIONS FOR DEPUTY PUBLIC DEFENDERS. To be eligible for appointment, a deputy public defender must either satisfy the same requirements as private counsel for appointment to represent a minor in a guardianship proceeding or a conservatee or proposed conservatee in probate proceeding or have a minimum of three (3) years' experience representing minors in juvenile dependency or delinquency proceedings or patients in post certification judicial proceedings or conservatorships under the LPS Act.

(Revised July 1, 2013)

10.14.01 INVESTIGATIVE AND EXPERT FEES AND EXPENSES; COMPENSATION

A. APPLICATION FOR FEES AND EXPENSES. Application for investigative and/or expert fees and expenses shall be made in writing to the judge of the department to which the case has been assigned.

B. AMOUNT OF FEES. In no event shall the court grant fees or expenses not reasonably justified by the nature of the case, as supported by written application. The written application shall specify the nature, purpose, and materiality of the proposed investigator/expert services and shall contain an estimate of the fees and expenses involved including the proposed investigator's/expert's hourly fees for out of court work and for courtroom testimony. The name of the investigator/expert to be retained and a brief statement of qualification shall also be included or attached. Unusual or extraordinary requests shall be justified in detail.

C. ORDER FOR FEES AND EXPENSES. The order for investigator/expert fees and expenses shall be on a form approved by the court.

D. MAXIMUM RATES FOR INVESTIGATOR/EXPERT SERVICES AND TESTIMONY. Claims for investigator/expert services authorized pursuant to this rule shall not exceed the amounts approved by the court.

E. SUBMISSION OF CLAIMS. Claims for investigator/expert fees and expenses shall be made on a form approved by the court, to which must be attached a copy of the court order awarding fees and a detailed accounting of all claimed fees and expenses. The claim shall be submitted for approval to the department of the Superior Court that authorized the expenditure specified in subsection (A) of this rule.

(Effective July 1, 2012)

10.15.00 ACCESS TO CERTAIN PROBATE FILES

Lanterman-Petris-Short (LPS) Act Conservatorship File (Welfare and Institutions Code section 5540). A qualified professional, the attorney for the patient, a county patient's rights advocate, or a person designated by the patient may inspect and copy confidential client information and records when specifically authorized by the client or the guardian ad litem. The authorization shall be in writing and shall be kept with the file.
(Revised January 1, 2012)

11.00.00 JUVENILE PROCEEDINGS

(Effective January 1, 1994)

11.00.01 SESSIONS

Juvenile court matters shall be scheduled to be heard before the assigned judicial officer on days and times as directed by the court and within the provisions of the Welfare and Institutions Code and the California Rules of Court. Contested matters will be scheduled for hearing during times allocated for juvenile matters on the calendar, but in no event shall any contested matter be scheduled for hearing more than 30 days from the date of trial setting, where time is waived, or within the statutory time limits otherwise, even if it requires transferring the case to a different judicial officer to hear the case.
(Revised July 1, 2012)

11.00.02 RULES OF PROCEDURE

Juvenile proceedings and hearings shall be governed by the provisions of the Welfare and Institutions Code and the California Rules of Court. Procedurally, juvenile 300 proceedings and hearings shall be governed by Welfare and Institutions Code and California Rules of Court, beginning at section 5.667, et seq.; and juvenile 601 or 602 proceedings and hearings shall be governed by Welfare and Institutions Code and California Rules of Court, beginning at section 5.752, et seq., except as specifically noted in these Local Rules.
(Revised July 1, 2012)

11.00.03 DISCLOSURE OF RECORDS IN JUVENILE CASE FILE

Access to juvenile case file records, including documents and information maintained by the Department of Health and Human Services and the Probation Department, even

where nothing is filed with the court, is governed by Welfare and Institutions Code sections 827 and 828, California Rules of Court, rules 5.552 and 5.553, and El Dorado County Juvenile Court Standing Order dated March 22, 2017. The juvenile court's standing order regarding procedures for disclosing juvenile case file records is available on the court's website at http://www.eldorado.courts.ca.gov/divisions/juvenile-division.
(Revised January 1, 2022)

11.00.04 AGENCY REPRESENTATION

The district attorney shall be present to represent the probation department in all proceedings conducted pursuant to Welfare and Institutions Code section 602. County counsel shall be present to represent the Department of Social Services in all proceedings conducted pursuant to Welfare and Institutions Code section 300, et seq.
(Revised July 1, 2012)

11.00.05 PREHEARING DISCOVERY IN WELFARE AND INSTITUTIONS CODE SECTIONS 300, 601, AND 602 PROCEEDINGS

For contested matters in Welfare and Institution Code section 300 proceedings, all requests for prehearing discovery shall be made either orally or in writing at the hearing, but in no case later than 5 court days after setting a contested hearing or learning of the need to request discovery. The contested hearing shall be scheduled to allow reasonable time to accommodate the discovery request. The discovery request shall be specific and shall seek information that is reasonably likely to lead to admissible evidence. When discovery is sought from the agency, discovery may be completed either by (1) allowing inspection of the juvenile file at a location approved by the agency no later than 3 court days from the date the agency receives notice of the discovery request; or (2) by production of copies in a manner agreed upon by the parties, but no later than 10 court days from the date the agency receives notice of the discovery request. When the circumstances warrant, the court may shorten the time for production of discovery.

Notwithstanding anything to the contrary contained in this rule, California Rules of Court, rule 5.546 governs all prehearing discovery in Welfare and Institution Code sections 601 or 602 proceedings.

All disputes regarding discovery shall be brought pursuant to California Rules of Court, rule 5.546(f), and shall be filed no later than 10 calendar days prior to the contested hearing. For hearings that are scheduled within 30 court days of the trial setting date, the motion shall be filed no later than five (5) court days prior to the contested hearing, and may be heard according to local ex parte procedures.

Nothing in this provision is intended to limit a party's right to otherwise inspect the juvenile case file. Requests for inspection of the juvenile file may be made at any time, but shall be made three (3) business days in advance of inspection.
(Revised July 1, 2012)

11.00.06 THE COURT APPOINTED SPECIAL ADVOCATE PROGRAM

A. REQUEST FOR APPOINTMENT. A request for appointment of a child advocate in dependency proceedings, wardship proceedings, or other appropriate proceedings as determined by the judicial officer before whom the case is pending,

may be made orally or by written application in open court, or ex parte by any interested person, or by the court on its own motion. After approval by the court, the referral shall be forwarded to the Court Appointed Special Advocate (CASA) program's office for screening and assignment. CASA will select an appropriate advocate for review and approval by the court.

B. OFFICER OF THE COURT. An advocate is an officer of the court and is bound by the California Rules of Court and the El Dorado Superior Court Local Rules. The duties and responsibilities of a child advocate are set forth in Welfare and Institutions Code sections 102, 104, and 356.5.

C. ADVOCATE'S FUNCTIONS. Advocates serve at the pleasure of the court having jurisdiction over the proceeding in which the advocate has been appointed. In general, an advocate's functions are as follows:

(1) To support the child throughout the court proceedings;

(2) To establish a relationship with the child to better understand his or her particular needs and desires;

(3) To communicate the child's needs and desires to the court in written reports and recommendations;

(4) To identify and explore potential resources which will facilitate early family reunification or alternative permanency planning;

(5) To provide continuous attention to the child's situation to ensure the court's plans for the child are being implemented;

(6) To the fullest extent possible, to communicate and coordinate efforts with the case manager, social worker, and/or probation officer;

(7) To the fullest extent possible, to communicate and coordinate efforts with the child's attorneys; and

(8) To investigate the interests of the child in other judicial or administrative proceedings outside the juvenile court, report to the juvenile court concerning same, and, with the approval of the court, offer his or her services on behalf of the child to such other courts or tribunals.

D. SPECIFIC DUTIES. The court will, in its initial order of appointment and/or in subsequent orders, specifically state the advocate's duties in each case. Such duties may include conducting an independent investigation of the circumstances of the case; interviewing and observing the child as well as other individuals where appropriate; reviewing appropriate records and reports; and recommending visitation rights for the child's grandparents, siblings, and other relatives and reporting back directly to the court as indicated. If no specific duties are outlined by court order, the advocate shall discharge his or her obligations to the child and the court as set forth in Welfare and Institutions Code sections 102, 104, and 356.5.

E. REQUIRED REPORTING OF CHILD ABUSE. A CASA advocate is a mandated child abuse reporter with respect to the case to which he or she has been assigned (Penal Code section 11164, et seq.]

F. ADVOCATE'S RIGHT TO APPEAR AND BE REPRESENTED. An advocate has the same right to be present and to be heard at all court proceedings involving the child, and to accompany the child into chambers for conferences. At the court's discretion, the advocate will not be subject to exclusion by virtue of the fact that he or she may be called to testify at some point in the proceedings. An advocate is not a "party" but, in the court's discretion, may be given amicus curiae status which shall include the right to appear with counsel and to request court appointed counsel if the need arises.

G. VISITATION THROUGHOUT DEPENDENCY. The advocate must visit the child regularly until the child is secure in a permanent placement. Thereafter, the advocate must monitor the case as appropriate until dependency is dismissed or the advocate is relieved from appointment.

H. ADVOCATE'S RIGHT TO TIMELY NOTICE. CASA shall be given timely notice, by the moving party, or any motion concerning a child for whom a CASA advocate has been appointed.

(Revised July 1, 2013)

11.00.07 SERVICE OF CASA REPORTS

Absent good cause, not later than five (5) calendar days prior to any hearing at which a CASA report will first be considered or, in the case of a report for a status review, 10 calendar days prior to the hearing, copies of the report shall be filed with the court and served on all counsel of record, on the Department of Social Services, and on any party to the proceeding not represented by counsel. It shall be the responsibility of CASA to copy and distribute the report. A proof of service must accompany any document filed by a CASA advocate, including CASA Reports.

(Revised July 1, 2012)

11.00.08 RELEASE OF INFORMATION TO CASA ADVOCATES

A. ACCOMPLISH APPOINTMENT. Unless the court orders otherwise, the advocate has the authority to review specific relevant documents and to interview parties involved in the case, as well as other persons having significant information relating to the child, to the same extent as any other officer appointed to investigate proceedings on behalf of the court.

B. ACCESS TO RECORDS. As an officer of the court, an advocate shall have the same legal rights to records relating to the child as those named in Welfare and Institutions Code section 827(a). The advocate shall present his or her identification as a court appointed advocate to any such record holder in support of his or her request for access to specific records. No consent from the parent or guardian is necessary for the advocate to have access to any records relating to the child.

C. COMMUNICATION. There shall be ongoing, regular communication concerning the child's best interests, current status, and significant case developments maintained among the advocate, case manager, social worker, or probation officer, the child's attorney, attorneys for parents, relatives, foster parents, and any therapist for the child.

(Revised July 1, 2012)

11.00.09 FAMILY LAW ADVOCACY

Should the juvenile court dismiss dependency and create family law orders pursuant to Welfare and Institutions Code section 362.4, the advocate's appointment may be continued in the family law proceeding, in which case the juvenile court order shall set forth the nature, extent and duration of the advocate's duties in the family law proceeding.
(Effective January 1, 2003)

11.00.10 CALENDAR PRIORITY

Because advocates are rendering a volunteer service to children and the court, matters on which they appear should be granted priority on the court's calendar, whenever possible.
(Effective January 1, 2003)

11.00.11 CASE SELECTION PROCEDURE

Recognizing that a CASA volunteer cannot be assigned to each case, the following procedure will be followed by the juvenile court judge with regard to assignment of CASA volunteers:

A. PROCEDURE UPON COMMENCEMENT OF PROGRAM.

(1) Cases previously adjudicated will be reviewed as they are calendared for regular reviews.

(2) Special cases known to be in progress will be reviewed.

B. After start up, each case will be reviewed at the time of jurisdiction hearing or, if especially unique, at detention hearing.

C. The review of each case shall consider the following factors:

(1) Age of the child.

(2) Number of children in the family subject of court proceedings.

(3) Specific areas where a CASA volunteer would be of assistance which are out of the normal situation.

(4) The court shall consider all factors stated in the CASA Policies and Procedures for Court Appointed Special Advocate Programs, as set forth in Welfare and Institutions Code section 100, et seq.

(5) Areas where Child Protective Services would have limited or no ability to provide specific information or assistance which the court believes essential.

(6) Recommendations from any agency or parent that a CASA volunteer be appointed.

(7) Any other factor the juvenile court judge believes important.

D. The final decision shall be exercised in the sound discretion of the appointing juvenile court judge.

(Revised January 1, 2019)

11.00.12 FINANCIAL DECLARATION

In all juvenile proceedings where the court has appointed counsel, the parents or responsible party of the minor in Welfare and Institutions Code sections 602 or 300, shall execute a financial declaration as to their ability to pay attorney's fees for the minor in section 602 and for the minor and themselves in section 300 proceedings when the court appoints such an attorney.

(Revised July 1, 2012)

11.00.13 APPOINTMENT OF PRIVATE ATTORNEYS

A. PURPOSE. This rule is established to comply with California Rules of Court, rule 5.660.

B. GENERAL COMPETENCY REQUIREMENT. All attorneys appearing in juvenile dependency proceedings must meet minimum standards of competence as set forth in California Rules of Court, rule 5.660.

C. SCREENING FOR COMPETENCY

(1) Any attorney appearing in a dependency matter for the first time shall complete and submit a certification of competency to the Court within 10 days of his or her first appearance in a dependency matter.

(2) Attorneys must meet the minimum standards of training and/or experience as set forth in California Rules of Court, rule 5.660(d) and must submit a certification of competency to the court.

(3) Upon submission of a certification of competency, the court may determine a particular court appointed attorney does not meet minimum competency standards based on query of the attorney's knowledge of the minimum requirements of competency, the attorney's overall competency based on the court's observations of the attorney's abilities in other proceedings before the court, or based on conduct or performance of counsel before the court in a dependency case within the six (6) month period prior to, or after the submission of the certification to the court.

(4) In instances where the court determines an attorney is not competent to represent persons in dependency matters, the court will inform the attorney. The attorney has the right to request a hearing on the matter within ten days of being informed. After the hearing on the matter, the decision is final and not subject to appeal. If the attorney does not request a hearing, the decision will become final after 10 days of informing the attorney.

(5) In the case of an attorney who maintains his or her principal office outside of this county, proof of certification by the juvenile court of the California county in which the attorney maintains an office shall be sufficient evidence of competence to appear in a juvenile proceeding in this county subject to (3) above.

D. MINIMUM STANDARDS OF EDUCATION AND TRAINING

(1) Prior to certification, the attorney shall have either:

a. Participated in at least eight (8) hours of training or education on juvenile dependency law, which training or education shall have included information on the applicable case law and statutes, the Rules of Court, Judicial Council forms, motions, trial techniques and skills, writs and appeals, child development, child abuse and neglect, family reunification and preservation of reasonable efforts;
b. At least six (6) months of experience during which the attorney has demonstrated competence in representing clients in juvenile dependency proceedings. In determining whether competence has been demonstrated, the court shall consider whether the attorney's performance has substantially complied with the requirements of these rules.

(2) In order to retain certification to practice before the juvenile court, each attorney who has been previously certified shall submit a new certificate of competency to the court on or before January 31 of the third year after the year in which the attorney was first certified and then every third year thereafter. The attorney shall attach to the renewal certification of competency evidence that he or she has completed at least eight (8) hours of continuing education or training directly related to dependency hearings since the attorney was last certified.

a. Evidence of completion of the required number of hours of education or training may include a copy of a certificate of attendance issued by a California MCLE provider; a certificate of attendance issued by a professional organization which provides training and/or education for its members, whether or not it is a MCLE provider; a copy of the training or educational program schedule together with evidence of attendance at the program; or such other documentation as may be reasonably considered to demonstrate the attorney's attendance at the program. Attendance at a court sponsored or approved program will also fulfill this requirement.

(3) The attorney's continuing education or training shall be in the areas set forth in subsection 11.00.13.D(1)(a), or in other areas relating to juvenile dependency practice, including, but not limited to, special education; mental health; health care; immigration issues; the rules of evidence; adoption practice and parentage issues; the Uniform Child Custody Jurisdiction Act; the Parental Kidnapping Prevention Act; state and federal public assistance programs; the Indian Child Welfare Act; client interviewing and counseling techniques; case investigation and settlement negotiations; child custody recommending counseling ; basic motion practice; and the rules of civil procedure.

(4) When a certified attorney fails to submit evidence that he or she has completed at least the minimum required education and training to the court by the due date, the court shall notify the attorney that he or she will be decertified. The attorney shall have 20 days from the date of the mailing of notice to submit evidence that he or she has completed the required education or training. If the attorney fails to submit the required evidence or fails to complete the minimum number of required hours of continuing education or training, the court shall order that certified counsel be substituted for the attorney who failed to complete the required continuing education, except in the case of retained counsel.

(5) In the case of retained counsel, the court shall notify the party that his or her attorney has failed to meet the minimum standards required by these rules. The determination whether to retain substitute counsel shall be solely within the discretion of the party so notified.

E. STANDARDS OF REPRESENTATION. All attorneys appearing in dependency proceedings shall meet the following minimum standards of representation:

(1) The attorney shall thoroughly and completely investigate the accuracy of the allegations of the petition or other moving papers and the filed court reports supporting those allegations. The attorney shall conduct a comprehensive interview with the client to ascertain the client's knowledge or involvement in the matters alleged or reported; shall contact social workers and other professionals associated with the case to ascertain whether the allegations and reports are supported by accurate facts and reliable information; shall consult with experts, and, if necessary, seek to have the expert(s) appointed by the court, in order to advise the attorney or the court on matters which are beyond the expertise of the attorney or the court; and shall obtain any other facts, evidence, or information necessary to effectively present the client's position to the court.

(2) The attorney shall determine the client's interests and the position the client wishes to take in the proceeding. Except in those cases in which the whereabouts of the client is unknown, this shall include a comprehensive interview with the client. If the client is a minor child who is placed outside

of the home, in addition to interviewing the child the attorney shall interview the child's caretaker. The attorney or the attorney's agent shall make at least one visit to the child at the child's placement prior to the jurisdiction hearing. Thereafter, the attorney or the attorney's agent should make at least one visit to the child at the child's placement prior to each review hearing.

(3) The attorney shall advise the client of the possible courses of action and of the risks and benefits of each. This shall include advising the client of the risks and benefits of resolving disputed matters without the necessity for adhering to court mandated time limits.

(4) The attorney shall vigorously represent the child within applicable legal and ethical boundaries. Representation shall include the duty to work cooperatively with other counsel and the court; to explore alternative methods of resolving disputes without the necessity for a hearing if possible to do so consistent with the client's interests; and to comply with Local Rules and procedures as well as with statutorily mandated timelines.

F. PROCEDURES FOR REVIEWING AND RESOLVING COMPLAINTS

(1) Any party to a juvenile court proceeding may lodge a written complaint with the court concerning the performance of the client's appointed counsel in the proceeding. Where the complaint concerns the performance of counsel appointed to represent a minor, the complaint may be lodged on behalf of the child by the social worker, a caretaker relative, or a foster parent.

(2) Promptly after appointment, each appointed attorney shall have an affirmative obligation to advise his or her client of the right to lodge a written complaint with the court concerning the performance of the appointed attorney. If the client is a minor, the caretaker of the child shall be advised of the right to lodge a written complaint; if the minor is 12 years of age or older, the minor shall be so advised as well.

(3) The court shall review a complaint within 10 days of receipt. If the court determines that the complaint presents reasonable cause to believe that the attorney may have failed to act competently or may have violated Local Rules, the court shall notify the attorney of the complaint, shall provide a copy of the complaint to him or her, and shall give the attorney 20 days from the date of the notice to respond to the complaint in writing.

(4) After a response has been filed by the attorney or the time for submission of a response has passed, the court shall review the complaint and any response thereto and determine whether the attorney has acted incompetently or has violated Local Rules. The court may seek additional information from the complainant or the attorney prior to making its determination.

(5) If the court determines that the attorney has violated Local Rules of Court, the attorney may be sanctioned as provided in Local Rule 7.12.11.

If the court determines that the attorney has acted incompetently, the court may order that the attorney practice under the supervision of a mentor attorney for a period to be determined by the court in its discretion; that the attorney complete a specified number of hours of continuing education or training in the area in which the attorney was found to be incompetent; or a combination of the two.

If the court finds that the attorney's incompetence has resulted in actual harm to the client, the court shall remove the attorney and substitute other counsel. The matter may be referred to the State Bar of California in the court's discretion.

(6) The court shall notify the attorney and the complaining party in writing of its determination. If the court makes a finding pursuant to Local Rule 11.00.13.F(5), the attorney shall have 10 days from the date of the notice to request a hearing before the court concerning the court's proposed action. If the attorney does not request a hearing within that period of time, the court's determination shall become final.

(7) If the attorney requests a hearing, the attorney shall serve a copy of the request on the complaining party. The hearing shall be held as soon as practicable after the request has been made, but in no case shall it be held more than 30 days after the date of the request, except upon stipulation of the attorney and the complainant.

The attorney and the complainant shall be given at least 10 days' notice of the hearing. The hearing may be held in chambers and shall not be open to the public. The court may designate a commissioner, referee, judge pro tempore, or any qualified member of the bar to act as hearing officer.

(8) At the hearing, each party shall have the right to present arguments to the hearing officer concerning the court's determination. The arguments shall be based on the evidence before the court at the time the determination was made. No new evidence may be presented unless the proponent of that evidence can demonstrate to the hearing officer that it was not reasonably available to the party at the time that the court made its determination.

Within 10 days after the hearing, the court or the hearing officer shall issue a written determination upholding, reversing, or modifying the original determination. This written determination shall be the final determination of the court on the matter. A copy of the determination shall be provided to both the complainant and the attorney.

G. PROCEDURES FOR INFORMING THE COURT OF THE INTERESTS OF A DEPENDENT CHILD

(1) At any time during the pendency of a juvenile dependency proceeding, any interested person may notify the court that the minor who is the subject of the proceeding may have an interest or right which needs to be protected or pursued in another judicial or administrative forum. If the attorney for the minor becomes aware that the minor may have a right or interest which needs to be protected or pursued in another judicial or administrative forum, he or she shall promptly notify the court of that right or interest.

(2) Notice of the minor's right or interest may be given by filing Judicial Council form JV-180 or by filing a declaration. In either case, the person giving notice shall set forth the nature of the right or interest to be protected or pursued, the name and address, if known, of the judicial or administrative forum in which the right or interest may be affected, and the nature of the proceedings being contemplated or conducted there.

(3) If the person filing the notice is the attorney for the minor, the notice shall state what action on the child's behalf counsel believes is necessary, whether the attorney is willing or able to pursue the matter on the child's behalf, whether the association of counsel specializing in practice before that court or administrative agency may be necessary or appropriate, whether appointment of a guardian ad litem is necessary for the proceedings in the other forum, whether joinder of an administrative agency to the juvenile court proceedings pursuant to Welfare and Institutions Code section 362, may be appropriate or necessary, and what if any further investigation may be necessary.

(4) If the person filing the notice is not the attorney for the minor, a copy of the notice shall be served upon the minor's attorney. If the minor is not represented, the notice shall so state.

(5) The court may set a hearing on the notice if it deems a hearing is necessary to determine the minor's right or interest, and whether that interest should be protected or pursued.

(6) If the court determines that further action on behalf of the minor is required, the court shall do one or more of the following:

a. Authorize the minor's attorney to pursue the matter on the minor's behalf;
b. Appoint an attorney for the minor if the minor is not represented;

c. Notice a joinder hearing pursuant to Welfare and Institutions Code section 362, compelling the responsible agency to report to the court as to whether it has carried out its statutory duties concerning the minor;

d. Appoint a guardian ad litem for the minor to initiate or pursue appropriate action in the other forum(s);

e. Take any other action the court may deem necessary or appropriate to protect the welfare, interests, and rights of the minor.

H. TIMELINES. Attorneys for parties are required to adhere to the statutory timelines for all hearings. Time waivers will be accepted and continuances granted only on a showing of good cause pursuant to Welfare and Institutions Code section 352.

I. CERTIFICATE OF COMPETENCY

SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF EL DORADO
JUVENILE COURT
CERTIFICATE OF ATTORNEY COMPETENCY

I,

_____

(Name Office Address Telephone Number)

am an attorney licensed to practice law in the State of California. My State Bar Number is _____. I hereby certify that I meet the minimum standards for practice before a juvenile court set forth in California Rules of Court, rule 5.660 and Local Rule 11.00.13 and that I have completed the minimum requirements for training, education and/or experience as set forth below.

This is a [ ] New Certification [ ] Recertification

Training and Education: (Attach copies of MCLE certificates or other documentation of attendance)

Course Title	**Date Completed**	**Hours**	**Provider**

Summary of Juvenile Dependency Experience:

Date _____ Signature _____

(Revised July 1, 2013)

11.00.14 INVESTIGATOR, EXPERT FEES, EXPENSES IN JUVENILE COURT

All fees and expenses for investigators or experts employed by court appointed attorneys in juvenile court section 300, 601 or 602 cases shall be submitted to the court for approval with specificity as to the need, the scope of the work to be done, and the budget requested. The attorney will hire the investigator or expert only after approval from the court. The court will pay the investigator or expert directly after completion of the work. Investigator or expert invoices for fees and expenses shall be submitted along with a copy of the court order awarding fees and a detailed accounting of all claimed fees and expenses.

Fees and expenses for investigators or experts employed by court appointed attorneys in juvenile court sections 601 and 602 cases shall be in accordance with Local Rules 5.15.02 and 5.15.03.
(Revised July 1, 2012)

11.00.15 DETENTION HEARINGS IN SECTION 300 MATTERS

The following provisions shall apply to all dependency detention hearings:

A. CPS shall advise the clerk of the Superior Court in the department handling the dependency calendar of the need to have a hearing and counsel appointed for the parties, not later than two (2) hours prior to filing the petition, or as soon as a determination is made to file a petition, whichever is first. At that time:

(1) CPS shall advise the court clerk of the following, to the extent it is available to CPS:

a. Name or names of the children involved and birth dates.

b. Full names, addresses, and phone numbers of the parents, guardians, or caregivers.

c. Any possible conflict of interests between the parents, alleged parents, and/or custodial caregivers, which would require the appointment of a separate attorney for each of them.

d. The name of the emergency social worker who effected the removal or the placement in protective custody.

e. Any special circumstances, which would require the appointment of attorneys for parties other than the minor(s), mother and/or father.

(2) Not later than two (2) hours after receipt of notice of the filing of the petition or the determination that the petition will be filed, the clerk of the dependency court shall, after conferring with the judicial officer assigned, appoint counsel to represent all parties (parents, guardians, caretakers, and minor(s)).

Attorneys contacted by the clerk shall only accept the appointment if he or she can appear at the detention hearing.

B. Prior to the detention hearing, all parties and counsel shall comply with the following time frame:

(1) Designated court appearance time shall be one (1) hour prior to the time of the detention hearing. CPS shall have the caseworker, or a person familiar with the case, together with the full file, at the courthouse at the designated court appearance time, so as to be available to discuss the facts of the case with the attorneys. The attorneys shall be given access to any documents CPS intends to rely on at the detention hearing.

(2) County counsel shall be available remotely or, at County counsel's option, personally present to meet with the other attorneys at the designated court appearance time.

(3) The attorneys shall meet with clients at the courthouse no later than one-half hour after the designated court appearance time.

(4) All of the documents disclosed to the attorneys shall be subject to the rules of confidentiality. Counsel shall not duplicate the documents, nor provide to any person, including the client, copies of the documents. No copies shall be made of any document, except as authorized pursuant to Welfare and Institutions Code section 827 and California Rules of Court, rule 5.552. When disclosing information within the report(s) to clients, attorneys must follow the rules of confidentiality as it relates to confidential materials of persons other than the client contained within the report(s).

(5) Attorneys must meet and act in good faith in an attempt to resolve all issues.

(6) Parents' attorneys, or any other person involved, must advise CPS at the earliest possible time of any relative who would be suitable for potential placement, providing the name, address, and phone number.

(7) Parents' attorneys shall also confirm as soon as possible the willingness of said person or persons to act as caregiver.

(8) All requested visitation matters shall be discussed prior to the detention.

(9) Counsel for the parents shall obtain and complete for delivery to the court the Native American Involvement Form.

C. CONTESTED DETENTIONS. Contested hearings shall be held as soon as possible but in no case later than as required by Welfare and Institutions Code section 321 for prima facie hearings, and California Rules of Court, rule 5.680(d).

D. NOTIFICATION OF MINOR'S ATTORNEY. If a minor has been detained by CPS and placed with a caretaker, CPS shall provide the attorney for the minor the name, address, and telephone number of the caretaker no later than the time set for the detention hearing.

(1) If there is a change in placement of the minor, CPS shall notify the attorney for the minor no later than five (5) court days prior to the change in placement. CPS shall provide the attorney for the minor with any and all information CPS has considered in making a determination that a change in placement may be necessary.

(2) If CPS determines that a minor is in imminent danger and that a change in placement must be made immediately, CPS shall notify the attorney for the minor no later than 5:00 p.m. the following court day. CPS shall provide the

attorney for the minor with the name, address, and telephone number of the new caretaker.

(Revised July 1, 2012)

11.00.16 NON-DETENTION HEARINGS

A. In non-detention cases, the initial hearing may be conducted as the jurisdictional hearing at the court's determination, and shall be scheduled not later than 30 court days following the filing of the petition.

B. All discovery and negotiation shall take place prior to the jurisdiction hearing, at a mutually agreeable time for the parties, not less than two (2) court days prior to the jurisdiction hearing.

C. Counsel shall be appointed on non-detention matters not later than one (1) court day after the filing of the petition.

(Revised July 1, 2012)

11.00.17 CONTESTED JURISDICTIONAL/DISPOSITIONAL HEARINGS

The following shall be requirements for all contested jurisdictional/dispositional hearings:

A. Pre-hearing discovery shall be conducted pursuant to Local Rule 11.00.05.

B. The names, addresses, and reports of any expert witnesses or witnesses to be called by any party shall be disclosed as soon as possible, and no later than 10 calendar days prior to the contested hearing for hearings that are scheduled 30 or more court days from the trial setting date. For hearings that are scheduled within 30 court days of the trial setting date, the disclosure shall be made no later than five (5) calendar days prior to the contested hearing.

C. When a party requests a contested hearing, the presiding judicial officer may require either at the request of a party, or on the court's own motion, an offer of proof as to the triable issue(s) and the facts to be proved. The court may require the filing of pretrial statement at a specified time before the contested hearing date to include the witnesses to be called, the time required for each, and a statement of the contested issues and facts, as well as the applicable law.

D. Each party shall be responsible for subpoenaing their own witnesses. If any party requests the appearance of a specific social worker, such request shall be made at the hearing when scheduling the contested hearing.

E. All exhibits reasonably known to be used at the hearing shall be pre-marked, listed, and copied for exchange among counsel prior to the hearing.

F. Counsel must meet and confer with their respective clients and other counsel regarding resolution of contested issues at the earliest possible time, not later than 30 minutes prior to the contested hearing.

The parties shall attempt, in good faith, to resolve the matter, and counsel

representing the party requesting the contested hearing shall clarify and delineate the factual and legal issues to be resolved at the hearing.
(Revised July 1, 2012)

11.00.18 VISITATION

Visitation is essential to reunification of children with their parents during the pendency of a juvenile matter. CPS shall make its best efforts to effectuate visitation as ordered by the court and to liberalize visitation as to frequency and duration when ordered by the court and justified under the circumstances.

CPS will make every reasonable effort to allow visitation between children and their parents as soon as possible after removal, and in no event shall the first visit occur more than five (5) calendar days after removal, irrespective of the timing of the detention hearing, unless CPS determines that visitation would be detrimental to the best interests of the child(ren) and reduces its reasoning to writing.

Visitation shall be addressed at every regularly scheduled hearing. Requests for modifications to the existing order at regularly scheduled hearings shall not require a 388 motion. All counsel shall meet and confer on the issue of visitation in advance of every hearing and counsel shall give notice if requesting a different visitation order than recommended by the agency.

Motions filed under Welfare and Institutions Code section 388 related to visitation orders will normally be heard on an order shortening time within five (5) court days of filing the motion, unless there is good cause to delay the hearing to a later date. The party filing the motion shall be responsible for immediately notifying all parties of the request and ensuring that all parties receive a copy of the motion no later than two (2) court days after the motion is filed. If a hearing is scheduled, the clerk shall inform the petitioning party, who shall then be responsible for immediately notifying all parties of the hearing date and time.

Nothing herein shall limit the court's power for good cause to make any emergency orders regarding visitation.
(Revised July 1, 2012)

11.00.19 CONFIDENTIALITY IN DEPENDENCY MATTERS

A. Each party, excluding the agency and appointed counsel, shall sign a confidentiality statement in the form approved by the court and adopted by these rules which shall require that the person receiving information or reports will not release the information to any other person(s), or duplicate the information. The purpose of this is to preserve the confidentiality of the proceedings to protect the minor(s).

B. Psychological or psychiatric evaluations, or similar type assessments or evaluations, must be retained by the attorney. Psychological evaluations, or similar type assessments or evaluations, are not to be released to anyone, other than the subject of the evaluation. In the event of a contested hearing where the client insists on disclosure of the contents of a psychological evaluation, or similar type

assessments or evaluations, or on obtaining a copy of another person's psychological evaluation, the attorney shall set a noticed motion so as to allow all parties to object to disclosure and/or release of the report; or to petition the court for a protective order. If a copy is disclosed, it will be subject to court order that it not be released to any other person unless specified in the court order by name or profession.

C. In the event the court receives any ex parte communication from anyone involved in the case where the party is represented, the court clerk shall return the documents, unread, to the person sending the same to the court and advise the person making the ex parte communication to contact their counsel of record. In the event of a non-represented party, the court clerk shall duplicate the same, send the communication to all counsel, and the court may read the documents only after consent of all counsel.

D. In the case of any restriction as to duplication and confidentiality provided by these rules, the following shall be inserted: NOTICE TO PERSONS RECEIVING THIS REPORT: YOU SHALL NOT RELEASE THIS DOCUMENT TO ANY PERSON OTHER THAN YOUR ATTORNEY PURSUANT TO A COURT ORDER ENTERED IN YOUR CASE. IF YOU PERMIT ANY UNAUTHORIZED PERSON TO READ THIS REPORT, YOU MAY BE IN VIOLATION OF CALIFORNIA PENAL CODE SECTION 166(D) WHICH CAN SUBJECT YOU TO BEING HELD IN CONTEMPT OF COURT. SHOULD A FINDING OF CONTEMPT BE MADE, YOU ARE SUBJECT TO THE IMPOSITION OF A FINE NOT EXCEEDING $1,000 OR IMPRISONMENT IN THE EL DORADO COUNTY JAIL FOR A TERM NOT TO EXCEED 1 YEAR.

E. Upon termination of the case, any and all documents distributed to a client must be destroyed by said client or returned to attorney.

F. Transcripts of any hearing under section 300 and any subsequent hearing or any hearing involving the minors in the above situation shall be prepared only as required by law. In the event the party or interested person requests a copy, they shall file a noticed motion with the court and a hearing shall be held to determine whether or not such shall be released. No transcripts other than as required by law, being appeal writs, etc., may be prepared without a specific order of court after hearing.

G. There shall be no confidentiality as regards attorneys with regard to court appointed experts, and any professional so appointed shall be advised of the requirement that there shall not be confidentiality.

(Revised July 1, 2012)

11.00.20 REMOTE APPEARANCES

Remote appearances in juvenile 300 proceedings may be authorized at the discretion of the court in accordance with California Rules of Court ("CRC"), rule 3.672 and Local Rule 7.02.00(D). Subdivision D of Local Rule 7.02.00 does not apply to juvenile justice proceedings. The provisions of CRC, rule 3.672, subdivisions (a)–(h) and (j)–(m) govern

a remote appearance in a juvenile justice proceeding. (CRC, rule 3.672(i)(1)(C).) (Revised July 1, 2022)

11.00.21 PROCEDURES FOR AIDS TESTING OF MINORS

A. POLICY. The juvenile court finds it necessary to engage in early intervention and to provide treatment for dependent children who are infected with the human immunodeficiency virus (HIV), the probable causative agent of acquired immune deficiency syndrome (AIDS). Therefore, it is ordered that certain high-risk infants who are taken into temporary custody pursuant to Welfare and Institutions Code sections 306(a)(2) and 309(b) and who may have been exposed to HIV, be tested for the presence of HIV pursuant to the limitations in this order.

B. SUBJECT TO TESTING. Children who meet all of the following criteria may be tested:

(1) Child is age 0 – 18 months as of the date the consent form is signed.

(2) Child has been or will be placed in out of home care.

(3) Child's parent(s)/legal guardian(s) have refused to provide consent or their whereabouts is unknown.

(4) A parent of the child has one or more of the following risk behaviors: history of prostitution; intravenous drug use; hypodermic needle sharing; and/or multiple sex partners whose personal histories are either unknown or known to include one or more of the above cited risk behaviors.

(5) Child is a victim of sexual abuse, the nature of which has placed the child at risk of exposure to HIV.

Pursuant to Welfare and Institutions Code section 369(a) and Health and Safety Code section 199.27 and the order of the presiding judge, the Director of the El Dorado Department of Social Services or the Director's designee, is authorized to consent to the child's evaluation for the presence of infection by the human immunodeficiency virus and to receive the results of such testing and any diagnosis derived there from.

Further, the Department of Social Services is authorized to disclose the results of the HIV test(s) and any diagnosis derived there from to the child's attorney, out of home care providers, parents (unless their parental rights have been terminated), legal guardian, prospective adoptive parents, dentist or mental health practitioner who is currently providing professional services to the child, the nature of which creates a legal need to know the child's HIV status.

The Department of Social Services shall not disclose the test results and any diagnosis derived there from to any other parties but may petition the presiding judge of the juvenile court for such disclosure, upon a showing of good cause.

The Department of Social Services is directed to report to the presiding judge of

the Juvenile Court, on a quarterly basis, the names and case numbers of the children who have been tested pursuant to this rule.

(Revised January 1, 2024)

12.00.00 APPELLATE DEPARTMENT OF THE SUPERIOR COURT

A. ORAL ARGUMENT. A party appearing in propria persona, or counsel where a party is represented, may request oral argument by notifying the court in writing no later than five (5) court days prior to the date set for hearing as designated in the notice of time and place of hearing on appeal and time for filing of briefs. If the court does not receive a timely request for hearing, the court will take the matter under submission without oral argument and render a decision in due course. Notification of a request for oral argument shall be made to the appeals clerk of the court...

B. TRIAL COURT FILE INSTEAD OF CLERK'S TRANSCRIPT

(1) Application. For misdemeanor and traffic infraction appeals, the original trial court file may be used instead of a clerk's transcript, unless the trial court orders otherwise after notice to the parties. (California Rules of Court, rules 8.863, 8.914.)

(2) Preparation of Original File. Within 20 days after the filing of the notice of appeal, the court clerk must ensure the trial court file is in chronological order, number the pages, and attach a chronological index and a list of all attorneys or record, the parties they represent, and any unrepresented parties.

(3) Copies. The clerk must send a copy of the index to the appellant and the respondent for use in paginating their copies of the file to conform to the index. If there is more than one appellant, the clerk must prepare an extra copy of the index for each additional appellant who is represented by separate counsel or self-represented.

(Revised July 1, 2025)

LIST OF EFFECTIVE/REVISED DATES

Chapter	Title	Effective or Revised	Date
1.00.00	SCOPE OF RULES FOR THE SUPERIOR COURT.	*Revised*	8/1/2016
1.00.01	EFFECTIVE DATE OF RULES	*Revised*	1/01/2026
1.00.02	EFFECT OF RULES AND CITATION TO RULES	*Revised*	7/1/2014
1.00.03	CONSTRUCTION AND APPLICATION OF RULES	*Effective*	1/1/1999
1.00.04	DEFINITION OF WORDS USED IN THESE RULES	*Effective*	1/1/1999
1.00.05	AMENDMENT, ADDITION, OR REPEAL OF RULES	*Effective*	1/1/1999
2.00.00	COURT OF ORIGINAL PROCEEDINGS	*Effective*	1/1/1994
2.00.01	SUPERVISION OF COURT BUSINESS	*Revised*	7/1/2013
2.00.02	DUTIES OF THE PRESIDING JUDGE	*Revised*	7/1/2013
2.00.03	ASSISTANT PRESIDING JUDGE	*Effective*	1/1/1994
2.00.04	CEO OF THE SUPERIOR COURT	*Effective*	1/1/1999
2.00.05	COURT COMMISSIONERS AND JUDGES PRO TEMPORE	*Revised*	7/1/2021
2.00.06	COMPLAINTS AGAINST COURT STAFF COMMISSIONERS, REFEREES, AND JUDGES PRO TEMPORE	*Revised*	7/1/2025
2.00.07	RECORD OF PROCEEDINGS	*Revised*	1/1/2024
2.00.08	LOCATION FOR FILING AND COURT SESSIONS	*Revised*	7/1/2025
2.00.09	TRANSFERRING CASES BETWEEN PLACERVILLE AND SOUTH LAKE TAHOE SESSIONS	*Revised*	7/1/2025
2.00.10	JUDICIAL ASSIGNMENTS	*Revised*	1/1/2022
2.00.11	RESERVED FOR FUTURE USE	*Revised*	1/1/2021
2.00.12	DUTY JUDGE	*Revised*	1/01/2024
2.00.13	HOLIDAYS	*Effective*	1/1/1994
2.00.14	ALCOHOLIC BEVERAGES	*Effective*	7/1/2010
2.00.15	FIREARMS	*Effective*	1/1/1994
2.00.16	COURT SECURITY: SEARCHES OF PERSONS AND PROPERTY	*Effective*	1/1/1994
2.00.17	USE OF ELECTRONIC DEVICES IN THE COURTROOM	*Revised*	7/1/2014
2.00.18	USE OF ELECTRONIC DEVICES IN THE COURTROOM	*Effective*	1/1/2017
2.01.00	LOCAL COMMITTEE ON THE ELIMINATION OF BIAS	*Revised*	7/1/2025
3.00.00	JURIES AND JURY SERVICE	*Effective*	1/1/1994
3.00.01	COMMON JURY PANEL	*Effective*	1/1/1994
3.00.02	DEMAND FOR JURY IN CIVIL ACTION; PAYMENT OF FEES	*Revised*	7/1/2013

Chapter	Title	Effective or Revised	Date
3.00.03	DUTY OF CITIZENSHIP	*Effective*	1/1/1994
3.00.04	REQUESTS TO BE EXCUSED	*Effective*	1/1/1994
3.00.05	GROUNDS CONSTITUTING UNDUE HARDSHIP	*Revised*	1/1/2012
3.00.06	PRIOR JURY SERVICE	*Revised*	7/1/2012
3.00.07	PERSONS QUALIFIED TO SERVE AS JURORS	*Effective*	1/1/1994
3.00.08	PERSONS DISQUALIFIED FROM JURY SERVICE	*Effective*	1/1/1994
3.00.09	REQUEST FOR A PROSPECTIVE JUROR TO BE EXCUSED OR DEFERRED	*Revised*	7/1/2012
4.00.00	DOCUMENTS PRESENTED FOR FILING	*Effective*	1/1/1994
4.00.01	GENERAL FORMAT OF DOCUMENTS	*Revised*	1/1/2024
4.00.02	FORMAT OF DOCUMENTS – LAW AND MOTION MATTERS	*Effective*	7/1/2009
4.00.03	JUDGMENTS AND DECREES	*Effective*	1/1/1994
4.00.04	CONFORMING COPIES	*Effective*	1/1/1994
4.00.05	RETURN ENVELOPE REQUIRED FOR CONFORMED COPIES	*Effective*	1/1/1994
4.00.06	TIME AND DATE OF HEARING TO BE INDICATED	*Effective*	1/1/1994
4.00.07	ATTORNEY “WILL-CALL” FILE	*Effective*	1/1/2009
4.00.08	FILING OF DOCUMENTS BY FAX	*Revised*	1/1/2024
4.00.09	DIGITAL SIGNATURES	*Revised*	8/5/2025
4.00.10	AFTER HOURS DROP BOX	*Effective*	1/1/2018
5.00.00	CRIMINAL PROCEEDINGS	*Revised*	7/1/2014
5.00.01	APPLICATION OF RULES	*Revised*	7/1/2014
5.00.02	RESERVED FOR FUTURE USE	*Revised*	1/1/2024
5.00.03	CRIMINAL COMPLAINTS: TIME AND PLACE FOR FILING	*Revised*	7/1/2025
5.00.04	POLICY	*Revised*	7/1/2014
5.01.00	VIDEOCONFERENCING	*Revised*	1/1/2025
5.02.00–5.09.00	RESERVED FOR FUTURE USE	*Revised*	7/1/2014
5.10.00	BAIL	*Effective*	1/1/1994
5.10.01	REQUESTS FOR BAIL OR RELEASE ON OWN RECOGNIZANCE	*Revised*	7/1/2025
5.10.02	BAIL FORFEITURES	*Effective*	1/1/2025
5.11.00	TRIAL SETTING AND READINESS CONFERENCES	*Revised*	7/1/2025
5.11.01	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
5.11.02	RESERVED FOR FUTURE USE	*Revised*	1/1/2013
5.11.03	PRETRIAL CONFERENCE	*Revised*	7/1/2014
5.11.04	MOTIONS IN CRIMINAL CASES	*Revised*	1/1/2025

Chapter	Title	Effective or Revised	Date
5.11.05	ELECTRONIC RECORDINGS OFFERED INTO EVIDENCE	*Revised*	8/1/2016
5.12.00	TRIAL	*Effective*	1/1/1994
5.12.01	CONTINUANCES	*Revised*	7/1/2025
5.12.02	MARKING EXHIBITS	*Revised*	8/1/2016
5.12.03	WITHDRAWAL OF TIME WAIVERS	*Effective*	7/1/2020
5.13.00	FELONY BAIL SCHEDULE	*Revised*	7/1/2025
5.14.00	EXHIBIT STORAGE AND DISPOSITION	*Revised*	7/1/2014
5.14.01	POLICY	*Effective*	1/1/1994
5.14.02	RECEIPT OF EXHIBITS	*Revised*	7/1/2025
5.14.03	RETENTION, DESTRUCTION, AND RETURN OF EXHIBITS	*Effective*	7/1/2006
5.14.04	VIEWING EXHIBITS	*Revised*	7/1/2025
5.15.00	COURT APPOINTED COUNSEL AND EXPERTS; COMPENSATION	*Effective*	1/1/1994
5.15.01	RESERVED FOR FUTURE USE	*Effective*	7/1/2006
5.15.02	INVESTIGATIVE FEES AND EXPENSES	*Effective*	7/1/1995
5.15.03	EXPERT FEES AND EXPENSES	*Revised*	7/1/2013
5.15.04	PUBLIC ACCESS TO POLICE REPORTS	*Revised*	7/1/2014
5.15.05	JURY INSTRUCTIONS	*Revised*	7/1/2025
6.00.00	TRAFFIC AND SMALL CLAIMS PROCEEDINGS	*Revised*	7/1/2014
6.00.01	TRIAL BY WRITTEN DECLARATION	*Effective*	1/1/1994
7.00.00	CIVIL PROCEEDINGS	*Effective*	1/1/1994
7.01.00	APPLICATION OF RULES	*Effective*	7/1/2014
7.02.00	REMOTE APPEARANCES	*Revised*	7/1/2025
7.03.00	INTERPRETER FEE FOR LATE CANCELLATIONS OR CONTINUANCES	*Revised*	7/1/2025
7.04.00–7.07.00	RESERVED FOR FUTURE USE	*Revised*	1/1/2022
7.08.00	ELECTRONIC SUBMISSION OF FILINGS	*Revised*	1/1/2026
7.09.00	RESERVED FOR FUTURE USE	*Revised*	1/1/2024
7.09.01	RESERVED FOR FUTURE USE	*Revised*	1/1/2024
7.10.00	LAW AND MOTION CALENDAR	*Revised*	7/1/2025
7.10.01	SCOPE OF LAW AND MOTION RULES	*Effective*	1/1/2007
7.10.02	MOTIONS: IN GENERAL	*Revised*	7/1/2025
7.10.03	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.10.04	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.10.05	TENTATIVE RULING SYSTEM FOR WESTERN SLOPE AND SOUTH LAKE TAHOE	*Revised*	7/1/2025
7.10.06	LENGTH OF HEARING	*Revised*	7/1/2025
7.10.07	DEFAULTS OR UNCONTESTED MATTERS; PROVE-UPS	*Revised*	7/1/2025

Chapter	Title	Effective or Revised	Date
7.10.08	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.10.09	JUDICIAL ARBITRATION	*Revised*	7/1/2025
7.10.10	EX PARTE MOTIONS AND APPLICATIONS; ORDERS SHORTENING TIME	*Revised*	7/1/2025
7.10.11	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.10.12	COMPROMISE OF CLAIM OF MINOR OR INCOMPETENT PERSON	*Revised*	7/1/2025
7.11.00	EXHIBIT STORAGE AND DISPOSITION	*Revised*	7/1/2025
7.11.01	POLICY	*Revised*	7/1/2025
7.11.02	RECEIPT OF EXHIBITS	*Revised*	7/1/2025
7.11.03	RETENTION, DESTRUCTION, AND RETURN OF EXHIBITS	*Revised*	7/1/2025
7.11.04	VIEWING EXHIBITS	*Revised*	7/1/2025
7.12.00	TRIAL COURT CASE MANAGEMENT RULES	*Revised*	7/1/2025
7.12.01	APPLICATION OF CASE MANAGEMENT RULES	*Revised*	7/1/2025
7.12.02	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.12.03	ASSIGNMENT OF CASES	*Revised*	7/1/2025
7.12.04	DELEGATION TO TEMPORARY JUDGE AND CHALLENGES	*Effective*	7/1/2001
7.12.05	SETTING THE CASE MANAGEMENT CONFERENCE DATE AND CASE MANAGEMENT DOCUMENTS	*Revised*	7/1/2013
7.12.06	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.12.07	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.12.08	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.12.09	UNINSURED MOTORIST CASES	*Revised*	7/1/2025
7.12.10	CASE MANAGEMENT CONFERENCE	*Revised*	7/1/2025
7.12.11	MANDATORY SETTLEMENT CONFERENCE	*Revised*	7/1/2025
7.12.12	ISSUES CONFERENCE	*Revised*	7/1/2025
7.12.13	SANCTIONS	*Revised*	1/1/2012
7.12.14	RESERVED FOR FUTURE USE	*Effective*	1/1/2006
7.12.15	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.12.16	RESERVED FOR FUTURE USE	*Revised*	7/1/2014
7.12.17	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.12.18	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.12.19	RESERVED FOR FUTURE USE	*Revised*	7/1/2025
7.13.00	ATTORNEY'S FEES IN UNLAWFUL DETAINER ACTIONS	*Revised*	7/1/2025
7.14.00	RESERVED FOR FUTURE USE	*Revised*	7/1/2013
7.15.00	RESERVED FOR FUTURE USE	*Effective*	1/1/2007
7.16.00	RULES FOR ACTIONS ARISING UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT –	*Revised*	7/1/2025

Chapter	Title	Effective or Revised	Date
	PUBLIC RESOURCES CODE, SECTION 21000, ET SEQ.		
8.00.00	FAMILY LAW PROCEEDINGS	*Revised*	7/1/2014
8.00.01	DEFINITION OF FAMILY LAW MATTERS	*Effective*	1/1/2019
8.00.02	APPLICATION OF RULES	*Revised*	7/1/2022
8.00.03	FAMILY AND JUVENILE COURT MANAGEMENT OF CHILD ABUSE CASES	*Revised*	1/1/2012
8.00.04	FAMILY COURT ORDERS ISSUED IN JUVENILE COURT	*Revised*	1/1/2012
8.00.05	RESERVED FOR FUTURE USE	*Revised*	1/1/2024
8.01.00	MEET AND CONFER REQUIREMENT	*Effective*	1/1/1994
8.01.01	REQUIREMENT	*Revised*	1/1/2012
8.02.00	CONTINUANCES	*Effective*	1/1/1994
8.02.01	CONTINUANCE DISFAVORED	*Effective*	1/1/1994
8.02.02	ONE CONTINUANCE LIMITATION	*Revised*	1/1/2012
8.02.03	CONTINUANCE FOR CHILD CUSTODY RECOMMENDING COUNSELING	*Revised*	1/1/2012
8.02.04	CONTINUANCE BY STIPULATION ON LAW AND MOTION MATTERS	*Revised*	1/01/2024
8.03.00	INCOME AND EXPENSE DECLARATIONS	*Effective*	1/1/1994
8.03.01	WHEN REQUIRED	*Revised*	1/1/2026
8.03.02	PREPARATION INSTRUCTIONS	*Revised*	7/1/2013
8.03.03	ADDITIONAL INFORMATION TO BE PROVIDED	*Revised*	7/1/2025
8.03.04	SANCTIONS	*Revised*	7/1/2025
8.03.05	INFORMATION PRIVILEGED	*Revised*	7/1/2025
8.04.00	CHILDREN IN COURTROOM	*Revised*	1/1/2012
8.05.00	ORDERS TO SHOW CAUSE/REQUEST FOR ORDER AND NOTICES OF MOTION	*Revised*	1/1/2024
8.05.01	DATE, TIME, AND PLACE OF HEARING	*Revised*	1/1/2012
8.05.02	RESERVED FOR FUTURE USE	*Revised*	1/1/2024
8.05.03	FORMAT OF REQUEST FOR ORDER, NOTICES OF MOTION AND ORDERS TO SHOW CAUSE AFFIDAVIT OF CONTEMPT	*Revised*	1/1/2026
8.05.04	FILING AND SERVICE OF SUPPLEMENTAL DECLARATIONS	*Revised*	7/1/2025
8.05.05	APPLICATION FOR EX PARTE TEMPORARY CUSTODY ORDER	*Revised*	1/1/2012
8.05.06	APPLICATION FOR EX PARTE ORDER FOR IMMEDIATE CHANGE OF PRIOR ORDER FOR CUSTODY OF MINOR	*Revised*	1/1/2024
8.05.07	TENTATIVE RULING SYSTEM	*Revised*	7/1/2024
8.06.00	CONDUCT OF HEARING	*Effective*	1/1/1994
8.06.01	TIME LIMITATIONS	*Revised*	1/1/2024

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8.06.02	LACK OF APPEARANCE	*Revised*	1/1/2012
8.06.03	MATTERS TAKEN OFF CALENDAR	*Revised*	1/1/2012
8.06.04	PREPARATION OF ORDER AFTER HEARING	*Revised*	1/1/2012
8.06.05	REMOTE APPEARANCES	*Revised*	1/1/2024
8.07.00	EX PARTE ORDERS AND ORDERS SHORTENING TIME	*Effective*	1/1/1994
8.07.01	DECLARATIONS REQUIRED	*Effective*	1/1/1994
8.07.02	NOTICE	*Revised*	1/1/2012
8.07.03	OPPONENT REPRESENTATION	*Effective*	1/1/2004
8.07.04	NOTICE EXCUSED	*Effective*	1/1/1994
8.07.05	SERVICE OF PAPERS	*Revised*	7/1/2012
8.07.06	NOTICE WAIVED	*Effective*	1/1/1994
8.08.00	CONDITIONS FOR ISSUANCE OF ORDERS SHORTENING TIME	*Effective*	1/1/1994
8.08.01	AFFIDAVIT	*Revised*	1/1/2012
8.08.02	NOTICE	*Revised*	1/1/2012
8.08.03	REASON TO BE STATED	*Effective*	1/1/1994
8.09.00	CHILD AND SPOUSAL SUPPORT	*Effective*	1/1/1994
8.09.01	RESERVED FOR FUTURE USE	*Revised*	1/1/2024
8.09.02	SPOUSAL SUPPORT	*Effective*	1/1/1994
8.09.03	TEMPORARY SPOUSAL SUPPORT	*Effective*	1/1/2001
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8.09.05	RESERVED FOR FUTURE USE	*Revised*	1/1/2024
8.10.00	CHILD CUSTODY, VISITATION AND CHILD CUSTODY RECOMMENDING COUNSELING – GENERAL PROVISIONS	*Revised*	1/1/2012
8.10.01	REFERRAL TO CHILD CUSTODY RECOMMENDING COUNSELING	*Revised*	1/1/2012
8.10.02	CHILD CUSTODY RECOMMENDING COUNSELING SCHEDULING	*Revised*	1/1/2019
8.10.03	APPOINTMENT OF CHILD CUSTODY RECOMMENDING COUNSELOR OR EVALUATOR; STANDARDS; QUALIFICATIONS	*Revised*	1/1/2012
8.10.04	MINIMUM STANDARDS	*Revised*	1/1/2012
8.10.05	EX PARTE CONTACT PROHIBITED	*Revised*	1/1/2012
8.10.06	PARTICIPATION OF CHILDREN	*Revised*	1/1/2015
8.10.07	BOTH PARENTS TO BE INTERVIEWED	*Revised*	1/1/2015
8.10.08	SUPERVISED VISITATION PROVIDERS	*Effective*	7/1/2022
8.11.00	CHALLENGES TO CHILD CUSTODY RECOMMENDING COUNSELORS/EVALUATORS	*Revised*	1/1/2012
8.11.01	ONE CHALLENGE PER PARTY	*Revised*	1/1/2012

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8.11.03	SUBSEQUENT CHILD CUSTODY RECOMMENDING COUNSELING SESSIONS	*Revised*	8/1/2016
8.11.04	NO PEREMPTORY CHALLENGE AFTER FIRST INTERVIEW	*Revised*	1/1/2012
8.12.00	PAYMENT OF CHILD CUSTODY RECOMMENDING COUNSELOR'S OR EVALUATOR'S FEES	*Revised*	1/1/2012
8.13.00	COMPLAINT PROCEDURE ABOUT CHILD CUSTODY RECOMMENDING COUNSELOR	*Revised*	1/1/2015
8.14.00	CHILD CUSTODY RECOMMENDING COUNSELING PROCESS	*Revised*	1/1/2012
8.14.01	SUPPORT PERSONS	*Revised*	1/1/2012
8.14.02	CONDUCT OF CHILD CUSTODY RECOMMENDING COUNSELOR	*Revised*	7/1/2017
8.14.03	CHILD CUSTODY RECOMMENDING COUNSELING AGREEMENT	*Revised*	1/1/2015
8.14.04	CHILD CUSTODY RECOMMENDING COUNSELOR RECOMMENDATIONS	*Revised*	1/1/2012
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8.14.06	RECOMMENDATION OF CHILD CUSTODY RECOMMENDING COUNSELOR	*Revised*	1/1/2012
8.14.07	CHILD CUSTODY RECOMMENDING COUNSELING WITHOUT PENDING PROCEEDING	*Revised*	1/1/2019
8.14.08	PRIVATE CHILD CUSTODY RECOMMENDING COUNSELING	*Revised*	1/1/2012
8.14.09	CONFIDENTIALITY OF CHILD CUSTODY RECOMMENDING COUNSELOR REPORTS AND EVALUATION REPORTS	*Revised*	1/1/2015
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8.15.02	EVALUATION REPORT	*Effective*	1/1/2012
8.15.03	TESTIMONY OF EVALUATOR	*Revised*	7/1/2015
8.15.04	STIPULATIONS FOR USE OF SPECIAL MASTER IN CHILD CUSTODY CASES	*Revised*	1/1/2016
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LIST OF LOCAL FORMS BY FORM NUMBER

"x" before form name indicates form is accessible to the public via the web or other outside agencies

Discipline	Name of Form		Form #	Effective of Revised	Optional or Mandatory
ADOPTION	**x**	Consent of Natural Parent to Adopt	A-2	Rev. 03/04/02	*Mandatory*
ADOPTION	**x**	Consent of Spouse of Adopting Party	A-4	Rev. 09/25/01	*Mandatory*
ADOPTION	**x**	Consent of Parent	A-5	Rev. 12/01/04	*Mandatory*
ADOPTION	**x**	Petition for Authorization to Inspect Records	A-6	Rev. 01/2012	*Optional*
ACCOUNTING	**x**	Pro Tem Claim and Order for Compensation	AC-01	Rev. 01/01/19	*Optional*
ACCOUNTING	**x**	Pro Tem Court Reporter Transcript Invoice	AC-03	Rev. 04/01/25	*Optional*
ACCOUNTING	**x**	Pro Tem Court Reporter Appearance Invoice	AC-04	Rev. 04/01/25	*Optional*
CIVIL	**x**	Notice to Litigants – Civil Trial Delay Reduction and Alternative Dispute Resolution	C-13	Rev. 01/14/15	*Mandatory*
CIVIL	**x**	Confidential Info Re: Pet. For Name Change – West Slope	C-2	Rev. 04/01/25	*Mandatory*
CIVIL	**x**	Small Claims Information Sheet - Spanish	C-28	Rev. 10/04/11	*Optional*
CIVIL	**x**	Application and Order to Serve Summons by Posting for Unlawful Detainer	C-29	New 10/30/06	*Optional*
CIVIL	**x**	Confidential Info Re: Petition for Name Change (SLT)	C-2S	Rev. 04/01/25	*Mandatory*
CIVIL	**x**	Dispute Resolution Conference Report	C-3	Rev. 01/14/15	*Mandatory*
CIVIL	**x**	Request and Order for Free Service of Orders	C-30	Rev. 08/16/16	*Optional*

Discipline	Name of Form		Form #	Effective of Revised	Optional or Mandatory
CIVIL	**x**	Notice of Motion and Motion for Order	C-35	New 05/22/08	*Optional*
CIVIL	**x**	Application to Serve as Voluntary Attorney (ADR)	C-38	New 07/15/09	*Optional*
CIVIL	**x**	Designation of American Indian Status	C-40	New 07/14/11	*Mandatory*
CIVIL	**x**	Declaration of Judgment Debtor Regarding Satisfaction of Judgment (C.C.P. 116.850)	C-41	Rev. 04/01/25	*Optional*
CIVIL	**x**	Application, Declaration, and Order to Serve the Secretary of State	C-62	Rev. 04/01/25	*Mandatory*
CRIMINAL	**x**	Plea & Waiver Felony	CR-017	Rev. 04/03/25	*Optional*
CRIMINAL	**x**	Plea & Waiver Attachment	CR-017A	New. 01/27/25	*Optional*
CRIMINAL	**x**	Request to Vacate Criminal Protective Order	CR-020	Rev. 06/17/15	*Mandatory*
CRIMINAL	**x**	Cash Bail Request Form	CR-023	New 01/01/05	*Optional*
CRIMINAL	**x**	Waiver of Defendant's Personal Presence (PC § 977)	CR-108	New 05/19/08	*Optional*
CRIMINAL	**x**	Plea in Absentia	CR-109	New 05/23/08	*Mandatory*
CRIMINAL	**x**	DUI Advisement of Rights, Waiver, and Plea Form (Vehicle Code § 23153)	CR-122	New 01/2012	*Mandatory*
CRIMINAL	**x**	Advisement of Rights, Waiver, and Plea Form Deferred Entry of Judgment (Penal Code § 1000 et seq.)	CR-123	Rev. 01/2012	*Mandatory*
CRIMINAL	**x**	DUI Advisement of Rights, Waiver, and Plea Form (Vehicle Code § 23152)	CR-127	Rev. 01/12	*Mandatory*

Discipline	Name of Form		Form #	Effective of Revised	Optional or Mandatory
CRIMINAL	**x**	Plea and Waiver - Misdemeanor	CR-130	Rev. 11/03/2025	*Optional*
CRIMINAL	**x**	Misdemeanor Plea and Waiver-Attachment	CR-130A	New. 11/03/2025	*Optional*
CRIMINAL	**x**	Petition/Application for Resentencing or Dismissal for Redesignation of Dismissal/Sealing Information and Instructions	CR-145	New 11/14/16	*Optional*
CRIMINAL	**x**	Petition/Application Adult Crime(s) (Health and Safety § 11361.8)	CR-146	New 11/2016	*Optional*
CRIMINAL	**x**	Proof of Service Petition/Application, Adult Crime(s)	CR-148	New 11/2016	*Optional*
CRIMINAL	**x**	Application for Real Property Equity Bond and Declaration of Property Owner	CR-150	New 03/17/17	*Mandatory*
CRIMINAL	**x**	Information Regarding Property Bonds	CR-150 INFO	New 03/17/17	*Mandatory*
CRIMINAL	**x**	Promissory Note	CR-151	New 03/17/17	*Mandatory*
CRIMINAL	**x**	Order Approving Property Bond	CR-152	Rev. 04/02/23	*Mandatory*
CRIMINAL	**x**	Supplement to DUI Plea Agreement	CR-159	New 08/10/20	*Mandatory*
CRIMINAL	**x**	Misdemeanor Diversion Referral Form and Court Order	CR-180	Rev. 11/21/22	*Mandatory*
CRIMINAL	**x**	Jury Procedural Stipulation	CR-181	Rev. 04/01/25	*Mandatory*
FAMILY LAW	**x**	Child Custody Recommending Counseling Client Complaint Form	F-100	Rev. 08/23/16	*Mandatory*

Discipline	Name of Form		Form #	Effective of Revised	Optional or Mandatory
FAMILY LAW	**x**	Custody and Parenting Services Resource List	F-101	Rev. 08/28/25	*Optional*
FAMILY LAW	**x**	Request for Child Custody Recommending Counseling Telephonic Appearance	F-102	Rev. 7/29/24	*Mandatory*
FAMILY LAW	**x**	Request for Hearing on Order for Reimbursement of Court Attorney Fees	F-104	New 02/05/16	*Mandatory*
FAMILY LAW		Waiver and Disclosure Form	F-107	New 12/15/17	*Mandatory*
FAMILY LAW	**x**	Waiver of Constitutional Rights for Entry of Guilty or No Contest Plea	F-109	Rev. 03/23/23	*Mandatory*
FAMILY LAW	**x**	Notice Motion Re: Request to Vacate Restraining Order	F-10a	Rev. 02/08/23	*Mandatory*
FAMILY LAW	**x**	True Default Judgment Checklist	F-11	Rev. 02/08/23	*Optional*
FAMILY LAW	**x**	Request for Domestic Violence Restraining Order with Minor Children Coversheet	F-111	Rev. 03/04/24	*Optional*
FAMILY LAW		Request for Domestic Violence Restraining Order without Minor Children Coversheet	F-112	Rev. 03/04/24	*Optional*
FAMILY LAW	**x**	Technical Default Judgment Checklist	F-12	Rev. 02/08/23	*Optional*
FAMILY LAW	**x**	Family Law Judgment Stipulated Checklist	F-13	Rev. 05/19/25	*Optional*
FAMILY LAW	**x**	Stipulation – one page (white)	F-14	Rev. 02/10/10	*Optional*
FAMILY LAW	**x**	Office of the Child Custody Recommending Counseling (CCRC) Questionnaire - Confidential	F-17a	Rev. 7/29/24	*Mandatory*

Discipline	Name of Form		Form #	Effective of Revised	Optional or Mandatory
FAMILY LAW	**x**	CCRC Supplemental Questionnaire	F-17b	Rev. 08/21/15	*Mandatory*
FAMILY LAW	**x**	Parent-Child Supervision Guidelines	F-25	Rev. 01/17/01	*Optional*
FAMILY LAW	**x**	Ex Parte Application and Declaration for Orders and Notice	F-27	Rev. 04/11/23	*Optional*
FAMILY LAW	**x**	INFO re: Ex Parte Policies and Procedures	F-27 INFO	Rev. 02/08/23	*Optional*
FAMILY LAW	**x**	Stipulation and Order	F-3	Rev. 04/30/15	*Optional*
FAMILY LAW	**x**	Request for Status Trial Setting Conference (Family Law – West Slope)	F-5	Rev. 07/17/25	*Optional*
FAMILY LAW	**x**	Request for Status Trial Setting Conference (Family Law – South Lake Tahoe)	F-6	Rev. 07/17/25	*Optional*
FAMILY LAW	**x**	Stipulation and Order for Bifurcation	F-7	New 07/01/95	*Optional*
FAMILY LAW	**x**	Stipulation & Order Re: Private Mediation	F-70	New 07/31/00	*Optional*
FAMILY LAW	**x**	Request for CLETS Search	F82a	New 11/01/04	*Optional*
FAMILY LAW	**x**	Stipulation and Order (Family Law)	F-83	Rev. 03/23/23	*Optional*
FAMILY LAW	**x**	Application for Order Shortening Time and Order	F-86	New 11/15/04	*Optional*
FAMILY LAW	**x**	Family Law Information Sheet and Milestone	F-91	Rev. 07/16/25	*Optional*
FAMILY LAW	**x**	Statement of Issues and Contentions	F-92	Rev. 02/16/21	*Optional*
JUVENILE	**x**	JDCCP Statement of Costs (excel spreadsheet)	J-12	New 08/26/11	*Mandatory*

Discipline	Name of Form		Form #	Effective of Revised	Optional or Mandatory
JUVENILE	**x**	Juvenile Petition/Application (Prop. 64 – Health and Safety Code § 11361.8(m) pursuant to Welfare and Institutions Code § 778)	J-14	New 11/2016	*Optional*
JUVENILE	**x**	Prop 64 Juvenile Order After Petition/Application HS 11361.8(m)	J-15	New 11/2016	*Optional*
JUVENILE	**x**	Declaration For Access to Juvenile Case File in Possession of Juvenile Court (Welfare and Institutions Code § 827)	J-16	New 01/01/17	*Mandatory*
JUVENILE	**x**	Certification of Competency to Practice in Juvenile Dependency Court	J-6	Rev. 09/15/16	*Mandatory*
MISCELLANEOUS	**x**	Declaration Notice Upon Ex Parte App for Order	M-1	Rev. 04/08/14	*Optional*
MISCELLANEOUS	**x**	Request to Set Uncontested Matter	M-3	Rev. 11/20/07	*Optional*
MISCELLANEOUS	**x**	Transcript Order form	M-33	Rev. 04/01/25	*Optional*
MISCELLANEOUS	**x**	Request to Vacate or Reduce Civil Assessment	M-40	Rev. 03/21/17	*Mandatory*
MISCELLANEOUS	**x**	Application for Videoconference Appearance and Order	M-51	Rev. 04/01/25	*Mandatory*
MISCELLANEOUS	**x**	Request for Telephonic Appearance	M-52	Rev. 04/01/25	*Mandatory*
MISCELLANEOUS	x	Request for Record Research and Copies	M-55	Rev. 04/03/23	*Optional*
MISCELLANEOUS	**x**	Fax Request for Case Numbers Record Researchers	M-6	Rev. 05/01/08	*Optional*

Discipline	Name of Form		Form #	Effective of Revised	Optional or Mandatory
MISCELLANEOUS	**x**	Jury Service Request to be Disqualified, Postponed or Excused	M-61	Rev. 04/01/25	*Optional*
MISCELLANEOUS	**x**	Online Facsimile Request for Copies (For Civil, Family Law, and Probate ONLY)	M-62	Rev. 04/01/25	*Optional*
MISCELLANEOUS	**x**	Court Trial Exhibit List	M-63	New 05/03/21	*Optional*
MISCELLANEOUS		Attorney Will Call File Request	M-69	Rev. 02/10/22	*Optional*
MISCELLANEOUS	**x**	Declaration of Restrained Person Re: Firearms	M-7	New 04/14/08	*Mandatory*
MISCELLANEOUS	**x**	Refund Request	M-71	New 06/08/23	*Mandatory*
PROBATE	**x**	Due Diligence Statement	P-2	New 07/01/01	*Optional*
TRAFFIC	**x**	Notice of Motion to Modify or Set Aside Conviction	T-17	Rev. 04/01/25	*Mandatory*
TRAFFIC	**x**	Request for Court Trial, Plea of Not Guilty and Advisement of Rights	T-19	Rev. 06/14/17	*Mandatory*
TRAFFIC	**x**	Request for Trial by Written Declaration	T-21	Rev. 06/14/17	*Mandatory*
TRAFFIC	**x**	Request Adjudication Without an Appearance on a Traffic Citation or Other Infraction Citation	T-26	Rev. 04/01/25	*Optional*

LIST OF LOCAL FORMS BY FORM NAME

"x" before form name indicates form is accessible to the public via the web or other outside agencies

Discipline	Name of Form		Form #	Effective or Revised	Optional or Mandatory
CRIMINAL	**x**	Advisement of Rights, Waiver, and Plea Form Deferred Entry of Judgment (Penal Code § 1000 et seq.)	CR-123	Rev. 01/2012	*Mandatory*
CIVIL	**x**	Application and Order to Serve Summons by Posting for Unlawful Detainer	C-29	New 10/30/06	*Optional*
CIVIL	**x**	Application, Declaration, and Order to Serve the Secretary of State	C-62	Rev. 04/01/25	*Mandatory*
FAMILY LAW	**x**	Application for Order Shortening Time and Order	F-86	New 11/15/04	*Optional*
CRIMINAL	**x**	Application for Real Property Equity Bond and Declaration of Property Owner	CR-150	New 03/17/17	*Mandatory*
MISCELLANEOUS	**x**	Application for Videoconference Appearance and Order	M-51	Rev. 04/01/25	*Mandatory*
CIVIL	**x**	Application to Serve as Voluntary Attorney (ADR)	C-38	New 07/15/09	*Optional*
MISCELLANEOUS		Attorney Will Call File Request	M-69	Rev. 02/10/22	*Optional*
CRIMINAL	**x**	Cash Bail Request Form	CR-023	New 01/01/05	*Optional*
FAMILY LAW	**x**	CCRC Supplemental Questionnaire	F-17b	Rev. 08/21/15	*Mandatory*
JUVENILE	**x**	Certification of Competency to Practice in Juvenile Dependency Court	J-6	Rev. 09/15/16	*Mandatory*

Discipline	Name of Form		Form #	Effective or Revised	Optional or Mandatory
FAMILY LAW	**x**	Child Custody Recommending Counseling Client Complaint Form	F-100	Rev. 08/23/16	*Mandatory*
CIVIL	**x**	Confidential Info Re: Pet. For Name Change – West Slope	C-2	Rev. 04/01/25	*Mandatory*
CIVIL	**x**	Confidential Info Re: Petition for Name Change (SLT)	C-2S	Rev. 04/01/25	*Mandatory*
ADOPTION	**x**	Consent of Natural Parent to Adopt	A-2	Rev. 03/04/02	*Mandatory*
ADOPTION	**x**	Consent of Parent	A-5	Rev. 12/01/04	*Mandatory*
ADOPTION	**x**	Consent of Spouse of Adopting Party	A-4	Rev. 09/25/01	*Mandatory*
MISCELLANEOUS	**x**	Court Trial Exhibit List	M-63	New 05/03/21	*Optional*
FAMILY LAW	**x**	Custody and Parenting Services Resource List	F-101	Rev. 07/08/24	*Optional*
JUVENILE	**x**	Declaration For Access to Juvenile Case File in Possession of Juvenile Court (Welfare and Institutions Code § 827)	J-16	New 01/01/17	*Mandatory*
MISCELLANEOUS	**x**	Declaration Notice Upon Ex Parte App for Order	M-1	Rev. 04/08/14	*Optional*
CIVIL	**x**	Declaration of Judgment Debtor Regarding Satisfaction of Judgment (C.C.P. 116.850)	C-41	Rev. 04/01/25	*Optional*
MISCELLANEOUS	**x**	Declaration of Restrained Person Re: Firearms	M-7	New 04/14/08	*Mandatory*

Discipline	Name of Form		Form #	Effective or Revised	Optional or Mandatory
CIVIL	**x**	Designation of American Indian Status	C-40	New 07/14/11	*Mandatory*
CIVIL	**x**	Dispute Resolution Conference Report	C-3	Rev. 01/14/15	*Mandatory*
PROBATE	**x**	Due Diligence Statement	P-2	New 07/01/01	*Optional*
CRIMINAL	**x**	DUI Advisement of Rights, Waiver, and Plea Form (Vehicle Code § 23152)	CR-127	Rev. 01/2012	*Mandatory*
CRIMINAL	**x**	DUI Advisement of Rights, Waiver, and Plea Form (Vehicle Code § 23153)	CR-122	New 01/2012	*Mandatory*
FAMILY LAW	**x**	Ex Parte Application and Declaration for Orders and Notice	F-27	Rev. 04/11/23	*Optional*
FAMILY LAW	**x**	Family Law Information Sheet and Milestone	F-91	Rev. 07/16/25	*Optional*
FAMILY LAW	**x**	Family Law Judgment Stipulated Checklist	F-13	Rev. 05/19/25	*Optional*
MISCELLANEOUS	**x**	Fax Request for Case Numbers Record Researchers	M-6	Rev. 05/01/08	*Optional*
FAMILY LAW	**x**	INFO re: Ex Parte Policies and Procedures	F-27 INFO	Rev. 02/08/23	*Optional*
CRIMINAL	**x**	Information Regarding Property Bonds	CR-150 INFO	New 03/17/17	*Mandatory*
JUVENILE	**x**	JDCCP Statement of Costs (excel spreadsheet)	J-12	New 08/26/11	*Mandatory*
CRIMINAL	**x**	Jury Procedural Stipulation	CR-181	Rev. 04/01/25	*Mandatory*
MISCELLANEOUS	**x**	Jury Service Request to be Disqualified, Postponed or Excused	M-61	Rev. 04/01/25	*Optional*

Discipline	Name of Form		Form #	Effective or Revised	Optional or Mandatory
JUVENILE	**x**	Juvenile Petition/Application (Prop. 64 – Health and Safety Code § 11361.8(m) pursuant to Welfare and Institutions Code § 778)	J-14	New 11/2016	*Optional*
CRIMINAL	**x**	Misdemeanor Diversion Referral Form and Court Order	CR-180	Rev. 11/21/22	*Mandatory*
CRIMINAL	**x**	Misdemeanor Plea and Waiver – Attachment Page	CR-130A	New 11/03/25	*Optional*
FAMILY LAW	**x**	Notice Motion Re: Request to Vacate Restraining Order	F-10a	Rev. 02/08/23	*Mandatory*
CIVIL	**x**	Notice of Motion and Motion for Order	C-35	New 05/22/08	*Optional*
TRAFFIC	**x**	Notice of Motion to Modify or Set Aside Conviction	T-17	Rev. 04/01/25	*Mandatory*
CIVIL	**x**	Notice to Litigants – Civil Trial Delay Reduction and Alternative Dispute Resolution	C-13	Rev. 01/14/15	*Mandatory*
FAMILY LAW	**x**	Office of the Child Custody Recommending Counseling (CCRC) Questionnaire - Confidential	F-17a	Rev. 07/29/24	*Mandatory*
MISCELLANEOUS	**x**	Online Facsimile Request for Copies (For Civil, Family Law, and Probate ONLY)	M-62	Rev. 04/01/25	*Optional*
CRIMINAL	**x**	Order Approving Property Bond	CR-152	Rev. 04/02/23	*Mandatory*
FAMILY LAW	**x**	Parent-Child Supervision Guidelines	F-25	Rev. 01/17/01	*Optional*

Discipline	Name of Form		Form #	Effective or Revised	Optional or Mandatory
ADOPTION	**x**	Petition for Authorization to Inspect Records	A-6	Rev. 01/2012	*Optional*
CRIMINAL	**x**	Petition/Application Adult Crime(s) (Health and Safety § 11361.8)	CR-146	New 11/2016	*Optional*
CRIMINAL	**x**	Petition/Application for Resentencing or Dismissal for Redesignation of Dismissal/Sealing Information and Instructions	CR-145	New 11/14/16	*Optional*
CRIMINAL	**x**	Plea & Waiver Attachment-Felony	CR-017A	New. 01/27/25	*Optional*
CRIMINAL	**x**	Plea & Waiver Felony	CR-017	Rev. 04/03/25	*Optional*
CRIMINAL	**x**	Plea & Waiver - Misdemeanor	CR-130	Rev. 11/03/25	*Optional*
CRIMINAL	**x**	Plea in Absentia	CR-109	New 05/23/08	*Mandatory*
ACCOUNTING	**x**	Pro Tem Claim and Order for Compensation	AC-01	Rev. 01/01/19	*Optional*
ACCOUNTING	**x**	Pro Tem Court Reporter Appearance Invoice	AC-04	Rev. 04/01/25	*Optional*
ACCOUNTING	**x**	Pro Tem Court Reporter Transcript Invoice	AC-03	Rev. 04/01/25	*Optional*
CRIMINAL	**x**	Promissory Note	CR-151	New 03/17/17	*Mandatory*
CRIMINAL	**x**	Proof of Service Petition/Application, Adult Crime(s)	CR-148	New 11/2016	*Optional*
JUVENILE	**x**	Prop 64 Juvenile Order After Petition/Application HS 11361.8(m)	J-15	New 11/2016	*Optional*
MISCELLANEOUS	**x**	Refund Request	M-71	New 06/08/23	*Mandatory*

Discipline	Name of Form		Form #	Effective or Revised	Optional or Mandatory
TRAFFIC	**x**	Request Adjudication Without an Appearance on a Traffic Citation or Other Infraction Citation	T-26	Rev. 04/01/25	*Optional*
CIVIL	**x**	Request and Order for Free Service of Orders	C-30	Rev. 08/16/16	*Optional*
FAMILY LAW	**x**	Request for Child Custody Recommending Counseling Telephonic Appearance	F-102	Rev. 07/29/24	*Mandatory*
FAMILY LAW	**x**	Request for CLETS Search	F82a	New 11/01/04	*Optional*
TRAFFIC	**x**	Request for Court Trial, Plea of Not Guilty and Advisement of Rights	T-19	Rev. 06/14/17	*Mandatory*
FAMILY LAW	**x**	Request for Domestic Violence Restraining Order with Minor Children Coversheet	F-111	Rev. 03/04/24	*Optional*
FAMILY LAW	**x**	Request for Domestic Violence Restraining Order without Minor Children Coversheet	F-112	Rev. 03/04/24	*Optional*
FAMILY LAW	**x**	Request for Hearing on Order for Reimbursement of Court Attorney Fees	F-104	New 02/05/16	*Mandatory*
MISCELLANEOUS	x	Request for Record Research and Copies	M-55	Rev. 04/03/23	*Optional*
FAMILY LAW	**x**	Request for Status Trial Setting Conference (Family Law – South Lake Tahoe)	F-6	Rev. 07/17/25	*Optional*

Discipline	Name of Form		Form #	Effective or Revised	Optional or Mandatory
FAMILY LAW	**x**	Request for Status Trial Setting Conference (Family Law – West Slope)	F-5	Rev. 07/17/25	*Optional*
MISCELLANEOUS	**x**	Request for Telephonic Appearance	M-52	Rev. 04/01/25	*Mandatory*
TRAFFIC	**x**	Request for Trial by Written Declaration	T-21	Rev. 06/14/17	*Mandatory*
MISCELLANEOUS	**x**	Request to Set Uncontested Matter	M-3	Rev. 11/20/07	*Optional*
CRIMINAL	**x**	Request to Vacate Criminal Protective Order	CR-020	Rev. 06/17/15	*Mandatory*
MISCELLANEOUS	**x**	Request to Vacate or Reduce Civil Assessment	M-40	Rev. 03/21/17	*Mandatory*
CIVIL	**x**	Small Claims Information Sheet - Spanish	C-28	Rev. 10/04/11	*Optional*
FAMILY LAW	**x**	Statement of Issues and Contentions	F-92	Rev. 02/16/21	*Optional*
FAMILY LAW	**x**	Stipulation – one page (white)	F-14	Rev. 02/10/10	*Optional*
FAMILY LAW	**x**	Stipulation & Order Re: Private Mediation	F-70	New 07/31/00	*Optional*
FAMILY LAW	**x**	Stipulation and Order	F-3	Rev. 04/30/15	*Optional*
FAMILY LAW	**x**	Stipulation and Order (Family Law)	F-83	Rev. 03/23/23	*Optional*
FAMILY LAW	**x**	Stipulation and Order for Bifurcation	F-7	New 07/01/95	*Optional*
CRIMINAL	**x**	Supplement to DUI Plea Agreement	CR-159	New 08/10/20	*Mandatory*
FAMILY LAW	**x**	Technical Default Judgment Checklist	F-12	Rev. 02/08/23	*Optional*
MISCELLANEOUS	**x**	Transcript Order form	M-33	Rev. 04/01/25	*Optional*
FAMILY LAW	**x**	True Default Judgment Checklist	F-11	Rev. 02/08/23	*Optional*
FAMILY LAW	**x**	Waiver and Disclosure Form	F-107	New 12/15/17	*Mandatory*

Discipline	Name of Form		Form #	Effective or Revised	Optional or Mandatory
FAMILY LAW	**x**	Waiver of Constitutional Rights for Entry of Guilty or No Contest Plea	F-109	Rev. 03/23/23	*Mandatory*
CRIMINAL	**x**	Waiver of Defendant's Personal Presence (PC § 977)	CR-108	New 05/19/08	*Optional*