

YUBA COUNTY SUPERIOR COURT

LOCAL RULES OF COURT



Effective January 1, 2010

**LOCAL RULES OF COURT
SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA**

Adoption and Applicability of Rules

The judges of Yuba County Superior Court have formally adopted Local Rules of Court effective January 1, 2010, having complied with the provisions of the California Rules of Court 10.613. Unless otherwise noted, rules are applicable to all cases including cases of limited jurisdiction.

Filing Instructions

These Local Rules supersede all other local rules previously adopted by Superior Court of Yuba County.

Availability of Local Rules

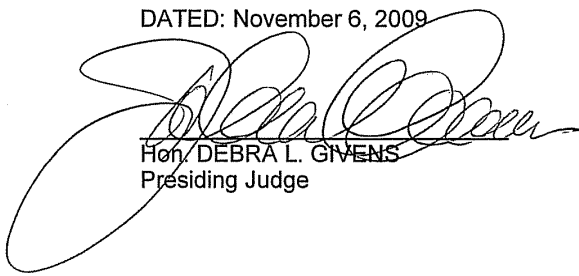
Copies of the Local Rules of Court of the Yuba County Superior Court have been filed with the Judicial Council and H. Stephen Konishi, Court Executive Officer and Clerk of the Court, in accordance with Rule 10.613 and Government Code Section 68071. Copies of the rules may be purchased from the Clerk of the Court 215 Fifth Street, Suite 200 Marysville, CA 95901.

The Court posts the Local Rules on its website and assists members of the public in accessing the same via the internet.

Certification of Presiding Judge

I, Debra L. Givens, Presiding Judge of the Yuba County Superior Court, do hereby certify that this Court has complied with the applicable provisions of Rule of Court 10.613, California Rules of Court.

DATED: November 6, 2009


Hon. DEBRA L. GIVENS
Presiding Judge


H. STEPHEN KONISHI
Court Executive Officer

**YUBA COUNTY SUPERIOR COURT
EFFECTIVE DATE OF LOCAL RULES
January 1, 2010**

RULE		EFFECTIVE OR LATEST AMENDMENT DATE
CHAPTER 1. ORGANIZATION OF THE COURT		
1.0	PRESIDING JUDGE	7/01/99
1.1	JUDGES' MEETINGS	1/01/03
1.2	COURT EXECUTIVE OFFICER	7/01/07
1.3	JUDICIAL DEPARTMENTS AND ASSIGNMENTS	1/01/10
CHAPTER 2. GENERAL		
2.0	PAPERS	7/01/07
2.1	PAYMENT OF FILING FEES	7/01/07
2.2	TIME FOR FILING PAPERS	1/01/10
2.3	CALENDARED MATTERS	1/01/10
2.4	LOCAL FORMS	7/01/07
2.5	FACSIMILE FILINGS/FEES	7/01/01
2.6	SUBSTITUTION OF ATTORNEYS	7/01/01
2.7	CONSOLIDATION WITH THE LOWEST NUMBER	7/01/01
2.8	PROHIBITION OF FIREARMS IN THE COURTROOM	1/01/05
2.9	DRESS POLICY	1/01/05
2.10	COURT REPORTERS	1/01/03
2.11	COURT INTERPRETERS	7/01/01
2.12	SANCTIONS	1/01/05
CHAPTER 3. CIVIL		
3.0	CASE MANAGEMENT	7/01/07
3.1	SETTLEMENT CONFERENCE	7/01/07
3.2	ALTERNATIVE DISPUTE RESOLUTION	1/01/10
3.3	REMOVAL TO HIGHER COURT/BANKRUPTCY STAY	1/01/03

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3.4	LAW & MOTION	1/01/10
3.5	POLICY CONCERNING USE OF PRIVATE JUDGES	7/01/01
3.6	COURTESY COPIES IN WRIT PROCEEDINGS	7/01/07
CHAPTER 4. PROBATE DEPARTMENT		
4.0	GENERAL	7/01/01
4.1	APPOINTMENT OF EXECUTORS AND ADMINISTRATORS	7/01/01
4.2	GUARDIANSHIPS OF MINORS	7/01/99
4.3	CONSERVATORSHIPS	7/01/99
CHAPTER 5. FAMILY LAW DEPARTMENT		
5.0	HEARINGS & TRIALS IN GENERAL	1/01/10
5.1	MEDIATION	7/01/07
5.2	EVALUATIONS	1/01/10
5.3	INVESTIGATIONS	7/01/07
5.4	STIPULATION MODIFYING EXISTING ORDER	7/01/99
5.5	UNCONTESTED TRIALS – DOCUMENTS REQUIRED	7/01/99
5.6	CONTESTED TRIALS	7/01/07
5.7	STEPPARENT VISITATION	7/01/07
5.8	GRANDPARENT VISITATION	7/01/07
5.9	FAMILY LAW FACILITATOR	7/01/01
CHAPTER 6. CRIMINAL LAW DEPARTMENT		
6.0	LAW & MOTION CALENDAR	7/01/07
6.1	DISCOVERY	1/01/10
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6.5	LODGING OF SPEED SURVEY EVIDENCE	7/01/07
CHAPTER 7. JUVENILE LAW DEPARTMENT		

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7.2	COMPETENCY OF COUNSEL	7/01/07
7.3	COURT-APPOINTED COUNSEL AND/OR GUARDIANS AD LITEM	7/01/07
7.4	CONFIDENTIALITY	7/01/07
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7.6	CASE RECORDS AND REPORTS	1/01/96
7.7	PRESENTATION OF EVIDENCE	1/01/96
7.8	SETTLEMENT CONFERENCES	7/01/99
7.9	SUSPENSION OF FAMILY COURT PROCEEDINGS	7/01/07
7.10	CREATION OF A FAMILY COURT ORDER IN JUVENILE COURT	1/01/96
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7.12	MEDICAL ISSUES	1/01/96
7.13	AUTHORIZATION FOR USE OF PSYCHOTROPIC DRUGS	1/01/96
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8.4	AUTHORITY TO REJECT BRIEFS	7/01/99
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RULES OF THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA



GENERAL PROVISIONS

INTRODUCTION

The following Rules of Court, as adopted by Superior Court of California, County of Yuba, are intended to supplement and enhance the statutes and rules provided in the California statutes and the California Rules of Court. To the extent any of these rules may conflict with either statutory requirements or the California Rules of Court, the local rule is of no legal effect.

Unless otherwise indicated herein, the following shall have the meanings designated below:

Clerk	Clerk of the Superior Court, County of Yuba
Counsel	The attorney who represents a party, or the party if appearing in propria persona
County	The County of Yuba
Court	Superior Court of California, County of Yuba
CPS	Yuba County Department of Child Protective Services
CC	California Civil Code
CCP	California Code of Civil Procedure
CRC	California Rules of Court
EC	California Evidence Code
FC	California Family Code
PnC	California Penal Code
PrC	California Probate Code
W&I	California Welfare and Institutions Code
YCROC	Yuba County Rules of Court
YCSC	Yuba County Superior Court
JC	Judicial Council

CHAPTER 1. ORGANIZATION OF THE COURT

1.0 PRESIDING JUDGE

The Presiding Judge shall serve for a two-year term, and shall be selected in even numbered years at the January judges' meeting.

Effective 7/1/99

1.1 JUDGES' MEETINGS

The judges shall hold monthly meetings on such day as they may from time to time designate.

Effective 7/1/99; Amended 1/01/03

1.2 COURT EXECUTIVE OFFICER

The Court Executive Officer, under the direction of the Presiding Judge and pursuant to GC § 69898, shall administer, direct and be responsible for all personnel who serve the Court in the following capacities:

- Deputy Court Executive Officer/Deputy Clerk of the Court
- Senior Attorney
- Family Court Services Director
- Administrative Fiscal Officer
- Court Division Managers
- Court Information Services Staff
- Senior Clerks
- Administrative Analyst
- Executive/Judicial Secretary
- Court Clerks (I/II/III)
- Legal Office Assistants
- Office Assistants

The functions defined herein were transferred from the County Clerk to the Superior Court effective September 1, 1989.

Effective 7/1/99, Amended 7/1/01, 1/1/03, 7/1/07

1.3 JUDICIAL DEPARTMENTS AND ASSIGNMENTS

Superior Court of California, County of Yuba's judicial officers serve in the following departments:

Department 1	Hon. Dennis J. Buckley
Department 2	Hon. Debra L. Givens
Department 3	Hon. James L. Curry
Department 4	Hon. Julia Scrogin
Department 5	Hon. Kathleen R. O'Connor
Department 6	Hon. Dennis A. Umanzio, Family Support Commissioner

The following assignments are effective July 1, 2008:

Presiding Judge	Hon. Debra L. Givens
Presiding Judge, Appellate Division	Hon. Kathleen R. O'Connor
Probate and Civil Law	Hon. Debra L. Givens
Case Management/Trial Setting/Dismissal	Hon. Debra L. Givens

Family Law	Hon. James L. Curry
Misdemeanor Trials	Hon. Julia Scrogin
Criminal Law	Hon. Kathleen R. O'Connor & Julia Scrogin
Juvenile Law	Hon. Dennis J. Buckley
Small Claims//Unlawful Detainer	Hon. Kathleen R. O'Connor & Julia Scrogin
Felony Trials	Hon. Kathleen R. O'Connor
Traffic Court Trials	Hon. Dennis J. Buckley
Family Support Commissioner	Hon. Dennis A. Umanzio

The presiding judge may from time to time issue general orders that certain classes of cases, or some or all cases filed in a particular division shall be automatically assigned to a particular judge for all purposes. Unless and until changed by such an order, all cases filed in the Civil Division of the Superior Court of California, County of Yuba are assigned to the Hon. Debra L. Givens for all purposes. Cases in the Civil Division already pending as of the effective date of these rules, and not otherwise already assigned are likewise assigned to the Hon. Debra L. Givens for all purposes. All cases filed in the Family Law Division of the Superior Court of California, County of Yuba are assigned the Hon. James L. Curry for all purposes. Cases in the Family Law Division already pending as of the effective date of these rules, and not otherwise already assigned are likewise assigned to the Hon. James L. Curry for all purposes.

Effective 7/1/00, Amended 7/1/07; 1/01/10

CHAPTER 2. GENERAL

2.0 PAPERS

A. RETURN ENVELOPE

A self-addressed, stamped envelope must be provided for the return of endorsed-filed copies. Documents forwarded without a return envelope will be placed in a holding bin for a period of thirty-(30) days, after which time they will be discarded.

B. COMPLAINT TO BE FILED ON DEMAND

Except for noncompliance with Rule 2.100 et seq of the California Rules of Court, these local rules, or the failure to pay the filing fee without a court order waiving the fee, a complaint must be filed on demand and may not be refused. However, any obvious discrepancy may be pointed out to the filing party, so that the error can be corrected prior to filing. Once filed, any corrections must proceed by amendment or court order; a party cannot alter papers to correct mistakes once the complaint is filed with the court. Unsigned complaints will not be filed without court order.

Effective 7/1/99, Amended 7/1/01; Former subs. A-F revoked, 1/1/03, 7/1/07

2.1 PAYMENT OF FILING FEES

A. FILING FEE

Documents shall not be filed, received, or forwarded to the Judge for review unless the full, correct filing fee, or an approved application for waiver of fees, accompanies such document.

B. FEE WAIVERS

1. VERIFICATION OF INFORMATION PROVIDED IN APPLICATION

Superior Court of California, County of Yuba hereby authorizes the Yuba County Revenue Recovery Officer, or his/her agents, to verify all information provided in the Application for Waiver of Court Fees and Costs (hereinafter called "Application"). Should erroneous information be discovered, penalties may be assessed and/or the documents filed thereunder may be stricken by the Court.

2. RECOVERY OF WAIVED FEES

At any time within three years after the Court has granted a litigant permission to proceed in forma pauperis, the Clerk or the County Revenue Recovery Office may notify the Court of any change in financial condition which may enable the litigant to pay all or a portion of the fees and costs which had been waived. The Court may authorize the Clerk or the Yuba County Revenue Recovery Office to require the litigant to appear before and be examined by the Court. The Court may then order the litigant to pay to the County such sum and in such a manner as the Court deems appropriate given the litigant's ability to pay.

Amended 7/1/07

C. STIPULATION AND ORDER

The fee for filing a stipulation and order, regardless of the title of said document, is \$20. Unless such fee accompanies the document(s) when presented, the documents will not be processed.

D. RETURNED CHECKS

Pursuant to CCP § 411.20 regarding a check which is returned without payment, the payor shall pay, in addition to reimbursement for the returned check, \$25 insufficient check charge to Superior Court of California, County of Yuba in cash or cashier's check. If both the reimbursement and the insufficient check charge are not paid within said time limit, any papers covered by the returned check will be stricken from the Court's record.

Effective 7/1/99, Amended 7/1/01, 1/1/03

2.2 TIME FOR FILING PAPERS

A. MOTIONS IN LIMINE; TRIAL BRIEFS

1. CIVIL AND CRIMINAL

Motions in limine and trial briefs must be filed five (5) judicial days prior to the trial date or at such other time as the Court may order.

2. CIVIL JURY TRIALS

The parties will lodge joint jury instructions five (5) judicial days prior to the trial date or at such other time as the court may order. The joint instructions will include all instructions to be offered by any party. Any instructions on which the parties do not agree will be tabbed.

3. FAMILY LAW

Trial briefs must be filed two (2) judicial days prior to the trial/hearing date, with a courtesy copy provided for the trial judge.

4. LATE FILED PAPERS

Jury trials by necessity involve imposition upon the personal and business lives of the citizens who discharge their civic duty by their service. Trials and hearings require substantial preparation in advance by the judges and staff. Failure to timely file papers as required by this rule causes delay, is therefore discourteous, and subverts the efficient administration of justice. Accordingly, absent good cause shown, the court may refuse to consider late filed trial briefs and motions in limine.

Amended 7/1/07; 1/01/10

B. FILING OF LATE MOTION PAPERS

Any document presented for filing on the day of the hearing shall be filed in the courtroom rather than the Processing Counter.

Amended 7/1/07

C. COMPUTATION OF TIME

A paper submitted before 4:30 p.m. Monday through Friday (except for legal holidays) to the Clerk on the day the paper is due is deemed timely filed.

Effective 7/1/99, Amended 7/1/01

2.3 CALENDARED MATTERS

A. CONTINUANCES

1. TRIALS, SETTLEMENT CONFERENCES, CASE MANAGEMENT CONFERENCES

This Court practices a firm continuance policy. Requests for continuances of settlement conferences, case management conferences, or trials, whether contested or uncontested, are to be requested with supporting declarations and proper filing fee. Motions for continuance shall be heard by the Department or Judge assigned to the case.

2. LAW AND MOTION MATTERS

Requests for continuances of Law and Motion matters shall be made as follows:

- a. By written stipulation of the parties or counsel filed with the Court; or
- b. By oral agreement of the parties, provided the requesting parties file with the Court, prior to the date and time set for the hearing, written notification with proof of service to opposing party/counsel.
- c. No law and motion matter will be continued more than twice without leave of court first obtained.

3. FEE FOR CONTINUANCE OF CALENDARED EVENT

The fee for continuance of any calendared event, which is continued at the request of a party, is \$20. This fee is payable at the time the request is made, whether orally or in writing. If the request is made orally in open court, the Clerk's minutes shall reflect who made the request and whether the \$20 fee was paid. If the \$20 fee is not paid prior to the date of the continued event, the event will be dropped from the calendar, to be reset only upon the re-filing of all moving papers.

Superior Court of California, County of Yuba will not accept a portion of the \$20 nor be responsible for collecting the balance from the other party. The entire \$20 is due immediately upon the request being made.

4. ATTORNEY FEES

All application for attorneys fees, in both opposed and unopposed matters, except where the amount of fees is set by law, shall be supported by competent evidence sufficient for the Court to make the "lodestar" determination enunciated in *Serrano v. Priest* (1977) 20 Cal.3d 25.

Amended 7/1/07; Amended 1/01/10

5. ATTORNEY FEES IN CIVIL MATTERS

When the Clerk will enter Judgment for Attorney Fees:

Open Book Fees: If the complaint pleads a cause of action on Open Book Account for a debt owing by a natural person for goods, money or services, which were primarily for personal, family, or household purposes, the clerk, will enter a requested award of attorneys' fees of \$800, or 25% of the obligation, whichever is less. For all other book accounts, attorneys fees will be \$1000, or 25% of the obligation, whichever is less. CC § 1717.5(a). If, however, there is a written agreement between the parties signed by the party to be charged, open books fees will not be entered unless the agreement contains a statement that the prevailing party in any action between the parties is entitled to fees provided by § 1717.5. Persons requesting that the clerk enter an award of open book fees must submit a declaration identifying the paragraph of the parties' agreement complaint to the requirements of § 1717.5. If the agreement is not appended to the complaint, it must be appended to the declaration.

All Other Cases: Because the Yuba County Superior Court does not have an attorney's fees schedule, the Clerk will not ministerially enter an award of attorneys' fees in any other circumstance. Rather, the Court will determine the amount of the reasonable fee. CCP § 585 (a).

When the Court will enter Judgment for Attorneys fees:

Contract/Statutory Fees: Because the Yuba County Superior Court does not have an attorneys fee schedule, in contract cases where the contract provides for attorneys fees to the prevailing party, or in cases where entitlement to fees is established by statute (excluding open book accounts.), application must be made for the Court to fix the amount of the reasonable fee. CCP § 585(a).

Sufficiency of Showing: A showing sufficient to support an award of attorney's fees must be verified by counsel, and must conform to the requirements enunciated in *Serrano v. Priest* (1977) 20 Cal.3d 25, 48-49. Declarations which state a claim for fees with no itemization, or which otherwise present insufficient evidence for the court to make the so-called "lodestar" determination will be rejected.

Amended 7/1/07; 1/01/10

B. EX PARTE APPLICATION/ORDER

1. SUBMITTING PLEADINGS AND/OR SCHEDULING HEARINGS

- a. All ex parte matters shall be conducted in strict accordance with CRC, Rule 3.1200 et seq.
- b. Except for matters for which no personal appearance is required per CRC, Rule 3.1207, the ex parte applicant, or his or her counsel shall contact the judicial secretary, (530) 749-7600, option 8 to arrange an appointment for presentation of the application no later than the time set for notice to the opposing party.
- c. A courtesy copy of the ex parte request and all supporting documentation shall be provided to the Court by 4:30 p.m. on the day prior to the scheduled hearing.

2. FILING FEE

The fee for processing an ex parte application is \$40, which fee shall accompany the moving documents in addition to any other filing fee, which may be due (i.e., first paper filing, motion fee, etc.)

Effective 7/1/99, Amended 7/1/01, 1/1/03, 7/1/07

2.4 LOCAL FORMS

A. PRINTED MINUTE ORDER FORMS

Whenever a printed minute order form is used by a Clerk or the Court, those portions checked or filled in shall be deemed to be the order of the Court, and those portions not checked or left blank shall be deemed to be purposefully omitted from the order.

B. PAYMENT OF CLAIMS

Any party submitting a claim for payment by the County of Yuba, or the Court, whether for services rendered per court order or related expenses, must submit his/her claim upon the County of Yuba General Claim form. The top half of the form must be completed by the claimant, dated and signed, and must include claimant's Social Security number and/or federal tax identification number. The completed form must be submitted to the Court Executive Officer or the Judge upon whose order the services were rendered.

C. PETITION TO ESTABLISH FACT OF MARRIAGE

A Petition to Establish Fact of Marriage shall be submitted in the form approved by this Court [YCSC Form FL03009], accompanied by local form *Notice of hearing re Petition to Establish Fact of Marriage* [YCSC FORM FL03010]. The filing fee is \$205.

Effective 7/1/99, Amended 7/1/01, 1/1/03, 7/1/07, 7/28/09

2.5 FACSIMILE FILINGS/FEEES

A. COURT FAX NUMBERS

Documents shall be received for fax filing at (530) 749-7351

B. FAX FILING FEE

The filing fee for facsimile filings is \$20, plus \$.50 per page, **in addition to** any other filing fee required (i.e., motion fee). If all charges and fees are not included when the original document is received by the Court, the original document shall not be filed.

Effective 7/1/99, Amended 7/1/01

2.6 SUBSTITUTION OF ATTORNEYS

Papers presented for filing by attorneys/parties who have not been properly substituted in as attorney of record, whether the party was previously in pro per or represented by counsel, will be accepted and marked "Received" rather than "Filed."

Effective 7/1/99, Amended 7/1/01

2.7 CONSOLIDATION WITH THE LOWEST NUMBER

Whenever it appears that two or more cases with different numbers have been filed with reference to the same proceeding, the Court may, on its own motion, consolidate all of the matters with the file bearing the

lowest number. The file bearing the lower or lowest number will be referred to as the "lead file." All documents filed after consolidation shall bear the case number of the lead file. Upon consolidation, the Clerk shall transfer all documents in the consolidated files to the lead file with the exception of a copy of the order of consolidation.

Effective 7/1/99, Amended 7/1/01

2.8 PROHIBITION OF FIREARMS IN THE COURTROOM

The only individuals who may carry a weapon into a courtroom are: (1) the bailiff(s) providing courtroom security; (2) an individual described in PnC § 830.1(a); (3) State Traffic Officers in the employ of the California Highway Patrol, unless the individual is appearing as a party to the action before the Court.

Unless the individual is in uniform, any weapon must be worn in a fashion where it is not visible. An individual not in uniform who is authorized to carry a weapon pursuant to this rule shall notify the courtroom bailiff of the fact that he/she is armed.

Effective 7/1/99, Amended 1/1/05

2.9 DRESS POLICY

All persons who appear in any courtroom shall dress appropriately. The bailiff on duty, under the supervision of the judges, shall have the authority to enforce this rule and prevent the public or any other person with inappropriate attire from entering the courtroom. Hats shall not be permitted unless worn for religious purposes. Shoes shall be worn. Shorts shall not be worn. Glasses with darkened lenses shall not be permitted except when prescribed or worn for medical reasons.

Effective 7/1/01, Amended 1/1/05

2.10 COURT REPORTERS

A. REPORTED PROCEEDINGS

Notice is hereby given that Superior Court of California, County of Yuba does not routinely provide court reporters, except in proceedings involving LPS conservatorships, felony criminal and juvenile dependency and wardship, and other proceedings where the Court may be required by law on request to provide a transcript of proceedings. Parties who desire to have a court reporter present for any other proceedings must make their own arrangements with any reporting service they desire.

Effective 7/1/99, Amended 7/1/01; Amended 1/1/03

2.11 COURT INTERPRETERS

Interpreters are provided by the Court in actions where the Court is required to do so by law. In such cases, counsel shall notify the Court that an interpreter is required five (5) days before the hearing. In all other cases, parties shall arrange their own interpreters.

Effective 7/1/01

2.12 SANCTIONS

Failure to comply with any provisions of the Local Rules may result in the imposition of sanctions pursuant to CCP § 575.2.

Effective 1/1/05

CHAPTER 3. CIVIL LAW

3.0 CASE MANAGEMENT

A. NOTICE OF CASE MANAGEMENT CONFERENCE

A Notice of Case Management Conference [YCSC CV03014] must accompany all civil complaints. If such Notice is not provided by plaintiff, the complaint will not be filed nor summons issued unless the statute of limitations will expire forthwith, in which case the Notice shall be submitted by plaintiff within ten (10) days after such emergency filing.

Amended 7/1/07

B. IMPOSITION OF SANCTIONS FOR FAILURE TO APPEAR

Any counsel or party appearing in propria persona who fails to timely file the Case Management Conference Questionnaire to attend the conference or who fails to participate effectively in the conference shall be subject to the imposition of sanctions as provided in GC § 68608 (b), and CCP § 575.2.

Amended 7/1/07

C. UNLAWFUL DETAINERS

1. Unlawful detainer plaintiffs shall attach to the complaint as exhibits true and correct copies of the written rental/lease agreement, if any, and all statutory notices served on the defendant(s).
2. Requests for defaults in which it does not appear from the Request for Entry of Default form and documentation submitted therewith that there has been full compliance with all applicable statutory procedures for notice and service thereof shall be rejected by the clerk and the matter set for hearing.

Effective 7/1/99, Amended 7/1/01; Amended 1/1/03

3.1 SETTLEMENT CONFERENCE

A. APPEARANCES

Unless otherwise ordered by the Court in advance of the settlement conference, “parties” as referred to in CRC, Rule 3.1380 explicitly includes physicians in medical malpractice cases, and “persons with full authority to settle the case” means a representative of all insurance carriers with full authority to settle the case within the range of plaintiff’s settlement demand.

Amended 7/1/07

B. SANCTIONS

If the Court determines that a party has not proceeded with due diligence or has otherwise failed to comply with this rule, the Court may impose sanctions as set forth in CCP § 575.2.

Effective 7/1/99, Amended 7/1/01; Amended 1/1/03

3.2 ALTERNATIVE DISPUTE RESOLUTION

- A. The Court has a policy of encouraging application of Alternative Dispute Resolution in civil cases. The Court will refer selected cases for inclusion in the Court's Mediation Program. The Court also maintains a list of ADR neutrals who are available to perform ADR services.

Effective 7/1/01; Amended 1/1/03, 7/1/07; 1/01/10

3.3 REMOVAL TO FEDERAL COURT/BANKRUPTCY STAY

A. FUTURE CALENDAR DATES VACATED

When a case is removed to federal court or stayed in bankruptcy court, all future case management, trial setting, settlement conference, and trial dates are automatically vacated. The Case Management Conference Clerk will set a follow-up case management conference for six (6) months from the date of removal/stay for status purposes only. Counsel for plaintiff shall so notify the Court by submitting a photocopy of the endorsed-filed bankruptcy petition.

B. DUTY TO NOTIFY COURT

If the removal or stay is still in force thirty (30) days prior to the date set for the follow-up case management conference, counsel for plaintiff will so notify the Court and all other counsel in writing, and the follow-up case management conference will be continued by the Case Management Conference Clerk for an additional six (6) months.

Effective 7/1/99; Amended 1/1/03

3.4 LAW and MOTION

A. TELEPHONIC APPEARANCE ON LAW AND MOTION CALENDAR

Counsel or parties may make a telephonic appearance by serving on all other counsel and parties, and delivering (via fax or mail) to CourtCall LLC not less than five (5) court days prior to the hearing date, a Request for Telephonic Calendar Appearance. This service is provided through CourtCall at a cost of \$65 per appearance for timely requests, payable directly to CourtCall, for the following calendars:

Probate (Mondays @ 9:00 a.m.)
Civil Law and Motion (Mondays @ 10:00 a.m.)
Case Management Conference (Mondays @ 1:30 p.m.)

Arrangements for such appearances may be made by calling CourtCall: 1-888-882-6878.

B. TENTATIVE RULING

The Superior Court of California, County of Yuba adopts CRC Rule 3.1308 (a) (2) as the tentative ruling procedure in law and motion matters. The telephone number for tentative rulings is (530) 749-7664. At the time of promulgation of the amendments to this rule, the Court lacks the technical ability to institute the procedure herein authorized. When the Court is able to commence use of this procedure it will publicize the same for a period of thirty days before the procedure is implemented. Rulings will be available by 2:00 p.m. the business day before the hearing.

Effective 7/1/07; Amended 1/01/10

C. REPORTS OF OTHER JURISDICTIONS:

If counsel cites authority other than a California officially reported appellate decision or state statute or rule, a copy of such authority shall be attached. This rule applies to federal decisions from California jurisdictions, Administrative Code citations, Attorney General opinions, local ordinances,

etc., as well as citations to other federal cases and state courts other than California.

D. DISCOVERY

This Court will not accept for filing any discovery pleadings (i.e., interrogatories, requests for admissions) unless filed in support of motions to compel responses. Where the motion is one to compel further responses, the discovery will not be filed, but rather a statement as required by CRC, Rule 3.1345, shall be filed. Original depositions will not be accepted for lodging with the Court until the first day of trial or thereafter.

Amended 7/1/07

E. MOTIONS TO WITHDRAW AS ATTORNEY OF RECORD

The withdrawal of an attorney after an order granting a motion to withdraw will not be effective until the signed order allowing withdrawal is served on the formerly represented client and all other parties. Proof of service of the executed order permitting withdrawal shall be filed with the Clerk.

F. REQUESTS FOR MONETARY SANCTIONS

When seeking monetary sanctions, the requesting party must so state in the notice of motion, and state against who sanctions are being sought. The request must be supported by citation in the notice of motion to the appropriate legal authority.

The motion shall be accompanied by a declaration setting forth facts supporting the amount of any monetary sanctions sought, including a statement of time expended in the preparation of the motion, the estimated time to be spent traveling to and from and attending the hearing, the attorney's hourly rate, and any costs claimed.

G. CLAIM OPPOSING FORFEITURE

No claim opposing forfeiture will be filed unless it contains proof of service on the claim on the District Attorney.

Effective 7/1/99, Amended 7/1/01; Amended 7/1/07

3.5 POLICY CONCERNING USE OF PRIVATE JUDGES

For purposes of this local rule, the term "private judge" includes any attorney or retired judge sitting as a temporary judge arranged privately between the parties to the litigation. A private judge hearing, trial, or proceeding is a hearing, trial, or proceeding in which all expenses are borne by the litigants.

A. STIPULATION MUST INCLUDE WAIVER OF CLERK'S MINUTES

Any stipulation for private judge must include a waiver of the necessity of clerk's minutes. The presiding judge will not approve or allow the filing of the private judge's consent or oath of office without the parties first having filed such a waiver.

B. DOCUMENTS TO BE FILED BY PRIVATE JUDGE

The private judge shall have the responsibility for the filing with the clerk of the court notices setting hearings, interim rulings, the statements of decision and final judgment and (where applicable) notices of any post trial proceedings.

C. IN THE EVENT OF APPEAL

The Clerk of the Court has the responsibility to provide the clerk's transcripts and exhibits to the appellate court. Parties requesting a reporter's transcript shall have the responsibility to notify the reporter of a designation of the record or request for preparation of the reporter's transcript, and to submit these documents to the Clerk of the Court for filing with copies directly to the reporter. The parties are responsible for arranging transcript preparation, correction, certification, and filing of the same with the Court of Appeal.

Effective 7/1/01

3.6 COURTESY COPIES IN WRIT PROCEEDINGS

In actions under California Environmental Quality Act and all other writ proceedings, courtesy copies of all briefs shall be lodged with the clerk at the same time as filing thereof.

Effective 7/1/07

PROBATE

CHAPTER 4. PROBATE DEPARTMENT

4.0 GENERAL

A. PROBATE CALENDAR

The Probate Calendar is heard each Monday (Tuesday if Monday is a holiday) at 9:00 a.m. All probate matters will be calendared for hearing a minimum of fifteen (15) calendar days after filing.

B. SCHEDULED HEARING DATES

All matters shall be set for hearing initially by the Clerk upon the filing of the first petition. All subsequent documents which are required to be filed prior to a hearing, e.g., proof of service, proof of publication, proof of subscribing witness, etc., shall bear the hearing date.

C. POSTED NOTICE

Notices requiring the Clerk's posting are to be completed on a Judicial Council form of notice of hearing, together with all necessary copies, and filed concurrently with the petition. Said notices shall be posted within the lobby of the Court Information Center.

D. PREPARATION OF ORDERS

An order or judgment not presented for signature at the time of the hearing shall be presented within five (5) judicial days thereafter and shall indicate in the first paragraph the date of the hearing.

E. COSTS OF INVESTIGATIONS

Court investigations will be conducted upon filing of a guardianship or conservatorship petition and at the time of each accounting. Charges will be assessed for each investigation and review pursuant to PrC § 1513.1, and shall be a lien on the estate until paid.

F. RECOVERY OF WAIVED FEES

Filing fees waived pursuant to CRC Rule 3.50 et seq and GC § 68633 are recoverable at the time of appointment of the guardian or conservator. If the guardian or conservator has the ability to reimburse the Court for waived fees, said fees shall be due and payable prior to the issuance of letters.

Amended 7/1/07

G. CONFIDENTIAL REPORTS

Any confidential report filed in a guardianship or conservatorship proceeding shall be filed as a separate document, shall contain the word "**CONFIDENTIAL**" in the caption, and shall be verified by the party presenting it.

Effective 7/1/99, Amended 7/1/01

4.1 APPOINTMENT OF EXECUTORS AND ADMINISTRATORS

A. FORMAL ORDERS

The proposed formal order for a noticed hearing shall be presented to the Clerk not less than two (2) judicial days prior to the scheduled hearing. Orders not so presented may not be signed at the time of the hearing.

B. ATTORNEYS FEES

Petitions which include a request for statutory attorney's fees must include a calculation of the manner in which the fee is calculated.

4.2 GUARDIANSHIPS OF MINORS

A. APPOINTMENT OF GUARDIAN OF MINOR

1. The attorney for petitioner (or petitioner if in propria persona) 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.

2. All petitions for appointment shall be set for a hearing no sooner than 30 days after filing.
3. There shall be no ex parte appointment of a permanent guardian.
4. Petitions for guardianship 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.

B. ORDER APPOINTING INVESTIGATOR

Pursuant to PrC §§ 1513, et seq. and 1543, Superior Court of California, County of Yuba requires an investigation and report when a petition for guardianship is filed. The required form of *Order Appointing Investigator* [YCSC PR03003.]

Amended 7/1/07

C. NON-RELATIVE GUARDIANSHIP OF PERSON

If investigation is required pursuant to PrC § 1540, et seq., the petition for appointment of guardian shall be calendared a minimum of 45 days after filing in order to give the appropriate agency(ies) time within which to conduct the investigation.

D. EFFECT OF OTHER PROCEEDINGS

A guardianship of the person will not be granted by the Probate Court under any of the following circumstances:

1. Family Law Court has jurisdiction over custody of the proposed ward;
2. Adoption proceedings are pending; or
3. The minor is subject to the jurisdiction of the Juvenile Court.

Effective 7/1/99, Amended 7/1/01

4.3 CONSERVATORSHIPS

A. APPOINTMENT OF CONSERVATOR

1. The attorney for the petitioner (or the petitioner if in propria persona) shall be responsible for the mailing of all required notices. If there are no relatives within the second degree, the petition shall so allege. There shall be a separate proceeding for each person for

whom the appointment of a conservator is sought. If there are relatives within the second degree whose whereabouts are alleged to be unknown, service upon any such relative at the county seat will be sufficient ONLY if a declaration is filed showing that reasonable efforts were made to locate such relatives.

2. All petitions for appointment shall be set for hearing no sooner than 45 days after filing.

B. PLACING PETITION ON CALENDAR

When a petition is filed, the Clerk shall set the same for hearing and upon presentation, issue the citation. 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.

C. TERMINATION OF CONSERVATORSHIP

1. A conservatorship may be terminated in the manner prescribed in PrC § 1860, et seq. Except in cases where the conservatee is deceased, a petition for termination of a conservatorship shall be set for hearing no sooner than 20 days after filing.
2. 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.

Effective 7/1/99, Amended 7/1/01

FAMILY LAW

CHAPTER 5. FAMILY LAW DEPARTMENT

5.0 HEARING AND TRIALS IN GENERAL

A. LAW AND MOTION CALENDAR

The Family Law and Motion Calendar is heard each Monday (Tuesday if Monday is a holiday) as follows:

9:00 a.m.	Pro Per Litigants
1:30 p.m.	Litigants Represented by Attorneys

Matters to be heard on the Family Law and Motion Calendar shall include the following: orders to show cause, motions relating to enforcement or modification, and all other motions preliminary to trial.

B. DECLARATION RE: APPLICATION FOR TEMPORARY ORDERS

Any party seeking temporary orders *ex parte* shall complete and file the *Declaration Re Application for Temporary Orders* [YCSC FL03003.]

Amended 7/1/07

C. MATTERS EXCEEDING 15 MINUTES; SPECIAL SETTING

Hearings on the Law and Motion Calendar are limited to fifteen (15) minutes and are subject to further time limitations to accommodate the Court's calendar. In the event both parties in good faith believe that the matter cannot be completed in fifteen (15) minutes, they shall, at the time the matter is called, so inform the Court. The Court may set the matter on its short cause calendar, or make such other order as may be appropriate under the circumstances.

D. FINANCIAL DECLARATIONS

In all matters in which the filing of an *Income and Expense Declaration* [JC FL150] or Financial Statement is required, the moving party shall file the *Income and Expense Declaration* [JC FL150], or Financial Statement with the papers seeking relief, and the opposing party will file the *Income and Expense Declaration* with the responsive papers.

Effective 7/1/07

E. MEET AND CONFER REQUIREMENT

No case set for long cause hearing or trial in the Family Law Department will be heard unless and until counsel, with their respective clients either physically present or immediately physically available, have met and conferred in a good faith effort to resolve all issues. All relevant documents shall be exchanged by counsel while conferring, absent good cause to the contrary. Failure to meet and confer may result in the matter being dropped from the calendar or continued, or rejection of documents not so exchanged, or other appropriate sanctions pursuant to these rules.

Effective 7/1/99, Amended 01/1/03

F. TELEPHONIC APPEARANCES

Counsel or parties may make a telephonic appearance by serving on all other counsel and parties, and delivering (via fax or mail) to CourtCall LLC not less than five (5) court days prior to the hearing date, a Request for Telephonic Calendar Appearance. This service is provided through CourtCall at a cost of \$65 per appearance for timely requests, payable directly to CourtCall, for the following calendars:

Law and Motion (Monday's @ 9:00 a.m. and 1:30 p.m.)
Court Trials (Thursdays at 10:00 a.m. and Fridays at 9:00 a.m.)

Arrangements for such appearances may be made by calling CourtCall: 1-888-882-6878.

Effective 7/1/07; Amended 1/01/10

5.1 MEDIATION

A. SCOPE OF RULE

All proceedings relating to the custody or visitation of children shall be governed by FC § 3160, et seq., and the following rules. "Mediation," as used in these rules, means Orientation and/or Mediation.

B. GOOD FAITH EFFORT

Parties shall make a good faith effort to arrive at an agreement regarding child custody or visitation before any court hearing.

C. GENERALLY

All cases involving custody and/or visitation issues will be subject to mediation, and the parties will be required to appear for mediation before any hearing date.

D. SCHEDULING OF INITIAL MEDIATION SESSIONS

Orientation sessions may be scheduled by the Clerk prior to the time set for the hearing. The date and time of the Orientation session shall be reflected on the face sheet of the moving papers, and the responding party shall be deemed notified of the Orientation session upon proper service of the moving papers.

The Clerk will not set Orientation if the parties have not filed with the current Order to Show Cause or Notice of Motion, or within the previous year, a Declaration pursuant to the *Uniform Child Custody Jurisdiction and Enforcement Act* (UCCJEA) [JC Form FL105].

After the parties attend Orientation, Mediation shall be scheduled by Family Court Services.

One party may attend Orientation prior to the date scheduled by the Clerk if he or she agrees to each of the following: (1) the party must give the court staff a telephone number where the party can be reached or a message left; (2) the party must agree that, when the other party attends Orientation, whatever date and time is established for Mediation will be acceptable; (3) the party will contact Family Court Services staff on the Tuesday following the originally scheduled Orientation date in order to be advised of the scheduled Mediation date.

Both parties may agree to attend Orientation prior to the date scheduled by the clerk.

E. SETTLEMENT REACHED

If the parties are in agreement as to custody and visitation issues, no pending Mediation date(s) will be vacated unless an executed stipulation has been approved by the Court.

F. PRIVACY OF MEDIATION SESSION; RECOMMENDATIONS

All mediation proceedings shall be held in private, with only the parties and the Mediator present. Absent permission of the Court, Attorneys for parties are not permitted to attend mediation sessions. Counsel for the minor children may attend mediation with permission of all parties.

If agreement is not reached, the Mediator will provide a written report to the Court containing the Mediator's opinion and recommendations as to what parenting plan would provide for the best interests of the minor(s). The Mediator shall provide the court with written statements of the parties' positions; results of any investigation that has been conducted; summaries of statements taken by the Mediator; and the evidence upon which the Mediator is relying in forming his/her opinion as to what custody and visitation arrangement would provide for the best interests of the minor child (ren). This report shall be made available to the parties immediately upon its completion by the mediator.

Effective 7/1/99, Amended 7/1/07

G. CHILD ABUSE AND/OR THREATS; CHILD AT RISK

All communications with the Mediator are confidential; however, required confidentiality does not limit reports of known or suspected child abuse, nor is the Mediator prevented from disclosing information involving a person who threatens injury or harm to the intended victim(s) and/or their property.

In the event that factual information comes to the attention of the Mediator to the effect that the minor(s) is or may be at risk, the Mediator will so notify the Court in writing. However, the Mediator will make no recommendation based on such information.

H. DOMESTIC VIOLENCE

In mediating cases with domestic violence allegations, special guidelines will be followed and the parties may be interviewed separately. The battered spouse may, if requested, be accompanied in the mediation session by a support person who does not participate in the session. After both parties have been interviewed separately, they may be brought together only if both parties and the Mediator determine it to be safe for the victim.

If the domestic violence is disclosed in a regular mediation session where there was no prior indication, or if intimidation of one spouse by the other becomes apparent to the Mediator, the parties may be separated and interviewed individually.

The Mediator will report to the Court on the existence of circumstances described in FC § 4320 (i).

I. MEDIATOR'S RECOMMENDATION FOR INVESTIGATION/EVALUATION

At any time during the mediation process, the Mediator may recommend to the Court that (a) an investigation and report be made pursuant to FC § 3110, et seq., (b) a referral be made pursuant to EC § 730, or (c) independent counsel be appointed for the child(ren) pursuant to FC § 3150.

J. TEMPORARY ORDERS PENDING MEDIATION

While the mediation process is ongoing, the Court may make temporary orders concerning custody and visitation until the mediation process is completed.

K. PEREMPTORY CHALLENGE

Mediators and other staff members and employees of the Court, with the exception of Court Investigators, are not subject to peremptory challenge by the parties or their attorneys.

L. NO TESTIMONY

If mediation is unsuccessful, the Mediator shall not be subject to being subpoenaed to testify in Court on the law and motion calendar, absent permission of Court.

Effective 7/1/07

M. CONFIDENTIALITY OF REPORT

In any proceeding involving custody or visitation of minor children, any written report or recommendation from the Mediator, an investigator, or any person appointed by the Court to render a

report shall be confidential and unavailable to any persons except the Court and court staff, the parties or attorney(s) of record for parties, and any persons to whom the Court expressly grants access by written order made with prior notice to all parties. No person who has access to a report shall make copies of it nor disclose its contents to any child who is the subject of the report.

Upon completion of the hearing or upon settlement of the matter, all reports shall be placed in a sealed confidential envelope, and placed in the Court file.

N FILING OF AGREEMENT

If the parties reach agreement on a Parenting Plan, the original Plan shall be presented to the Court. The Court shall review the Plan. Subject to the Court's approval, whether as reflected upon the clerk's minutes or by Order After Hearing, the Plan shall become the order of the Court and shall be filed in the Court file. The Plan shall not be treated as confidential in nature.

O. GRIEVANCES

Grievances relating to mediation services, investigator and facilitator shall be presented to the Director of Family Court Services. *Complaint Form* [YCSC G05048]

Effective 7/1/99, Amended 1/01/03, 7/1/07

5.2 EVALUATIONS

A. PURPOSE AND INTENT

It is the Court's intent to establish principles and standards to provide each family and the Court with accurate, comprehensive, and constructive information regarding the best interest of the child in a way that promotes understanding and cooperation within the family, and to adopt the best possible plan relating to duties and responsibilities of parents in raising their children. When the care and upbringing of a child are contested issues, the quality and conduct of an evaluation is of the utmost importance for the well-being of the child and for society at large. Whenever possible and appropriate, multiple examinations of the child by different examiners shall be avoided.

B. COURT-ORDERED EVALUATIONS

All evaluations under EC § 730 or FC § 3110, et seq., shall be conducted by an Evaluator appointed by the Court who meets the requirements of FC § 1815.

C. PEREMPTORY CHALLENGE

Peremptory challenges to an evaluator selected by the Court shall not be permitted.

D. EVALUATION REPORT/CONFIDENTIALITY

The Court shall establish a specific date the evaluator shall return the report to the Court, which shall be not less than ten (10) days prior to hearing. The date may be extended by order of the Court or by written agreement of the parties with Court approval. The evaluation report shall be in writing and shall be admissible into evidence subject to cross-examination and motions to strike. The report shall be distributed to the Court and the parties or their counsel of record, and shall not be distributed to minor children, except upon a showing of good cause and order of the court. The report and information contained in the report shall be used only in the legal proceedings and for no other purpose, and shall not be copied or disseminated in any fashion by the parties absent order of the court. Upon completion of the hearing or upon settlement of the matter, the Court's copy of the reports shall be placed in a sealed confidential envelope, not to be opened unless by order of the Court, and placed in the Court file.

E. UNAUTHORIZED REMOVAL OF REPORT

Unauthorized removal of the evaluator's report from the Court file or the jurisdiction of the Court is a felony [GC § 6200, et seq.]

F. TESTIMONY OF EVALUATOR

The Investigator must receive a subpoena at least five (5) days prior to the hearing or trial, unless good cause is shown.

G. GRIEVANCES

Grievances in connection with court-ordered evaluations shall be presented, in writing, to the Court within five (5) days of receipt of the report and such grievances shall be addressed at the scheduled custody hearing. *Complaint Form* [YCSC G05048]

Effective 1/1/95, Amended 1/1/03, 7/1/07, 1/01/10

5.3 INVESTIGATIONS

A. PURPOSE AND INTENT

The Court orders investigations to assist it in determining the health, safety, welfare, and best interests of children with respect to disputed custody and visitation issues.

B. COURT-ORDERED INVESTIGATIONS

All investigators shall meet the requirements of CRC, Rule 5.225.

C. PEREMPTORY CHALLENGE

Peremptory challenges to an investigator appointed by the Court shall not be permitted.

D. INVESTIGATION REPORT/CONFIDENTIALITY

The Court shall establish a specific date the investigator shall return the Child Custody Investigation report to the Court, which shall be not less than ten (10) days prior to hearing. The date may be extended by order of the Court or by written agreement of the parties with Court approval.

Partial Investigation reports shall be provided to the parties at the time designated by the Court.

Upon reaching an agreement regarding child custody and visitation in mediation, a copy of the Mediated Agreement, signed by all parties and the Mediator, shall be provided to the parties before leaving mediation.

For "Same Day Mediations," where the parties have requested mediation on the same day as any court appearance, any resulting Child Custody Recommendation report generated by the mediator shall be provided to the Court, counsel and the litigants, prior to the commencement of the hearing. If the parties have reached an agreement in mediation, they will be provided with a copy of the Mediated Agreement, signed by all parties and the mediator, prior to leaving mediation.

All Child Custody Investigation reports and Child Custody Recommendations of the mediator shall be in writing and shall be admissible into evidence subject to cross-examination and motions to strike. The report shall be distributed to the Court and the parties or their counsel of record, and shall not be distributed to minor children, except upon a showing of good cause. The report and information contained in the report shall be used only in the legal proceedings and for no other purpose. Upon completion of the hearing or upon settlement of the matter, all reports shall be placed in a sealed confidential envelope, not to be opened unless by order of the Court, and placed in the Court file.

E. UNAUTHORIZED REMOVAL OF REPORT

Unauthorized removal of the investigator's report from the Court file or the jurisdiction of the Court is a felony [GC § 6200, et seq.]

F. TESTIMONY OF INVESTIGATOR

The evaluator must receive a subpoena at least five (5) days prior to the hearing or trial, unless good cause is shown.

G. GRIEVANCES

Grievances in connection with court-ordered investigations shall be presented, in writing, to the Director of Family Court services within five (5) days of receipt of the report. *Complaint Form* [YCSC G05048]

Effective 1/1/03, Amended 7/1/07

5.4 STIPULATION MODIFYING EXISTING ORDER

In any family law matter in which a modification of an existing order is sought by stipulation, the stipulation must be signed by both parties and their respective attorneys, if represented by counsel. The stipulation shall then be presented to the Court.

Effective 7/1/99

5.5 UNCONTESTED TRIALS - DOCUMENTS REQUIRED

If the Court determines that an uncontested matter is to be set for hearing, the following documents shall be filed:

- A. Either (1) a Request to Enter Default and supporting declaration in the form prescribed by the Judicial Council or (2) an executed written stipulation that the matter may be treated on an uncontested basis; and
- B. Current Income and Expense Declaration and Property Declaration forms, completed as prescribed by the Judicial Council, *infra*, unless excused by FC § 2330.5.

Effective 1/1/95

- C. At the hearing of the uncontested matter, counsel shall provide to the Judge the original of the proposed judgment, including any marital settlement agreement. In the event of a stipulated judgment, the stipulation must be signed by both parties and their respective attorneys, if represented by counsel. At the option of counsel, blank spaces may be left for insertion of the amount of child and spousal support.

Effective 7/1/99

5.6 CONTESTED TRIALS

A. PURPOSE OF RULES; DUTIES OF COUNSEL

The purpose of this rule is to ensure that contested family law matters are thoroughly prepared and expeditiously tried, and to avoid using the trial itself as a vehicle for what should be pretrial deposition, discovery and settlement procedures. Counsel, vested with full authority from their clients to dispose of these matters, shall confer in good faith to review the pretrial statements required by these rules not later than one week prior to the time set for any settlement conference and/or trial in order that, to the fullest extent possible, issues can be resolved by stipulation and those issues remaining for determination by the Court can be clearly delineated.

B. AT-ISSUE MEMORANDUM

A *Request for Trial/At Issue Memorandum* [YCSC FL06057] shall be filed and served before any contested case will be set for trial. The filing of a *Request for Trial/At Issue Memorandum* will result in the Calendar Clerk scheduling a status conference and a trial date, provided that both parties have completed final disclosure.

If both parties have not completed final disclosure, and filed declarations pursuant to FC § 2105 [JC Form FL-141] or waivers of final disclosure pursuant to FC § 2105(d) [JC Form FL-144], the Calendar Clerk shall notice all parties and set a status conference where the Court will set the trial date.

If custody and visitation issues have not been resolved, during status conference, the Court will refer the case to mediation

Absent permission of the Court, no case will be set for trial until both parties have either filed declarations re: final declarations of disclosure pursuant to FC § 2105, or filed waivers of final disclosure pursuant to FC § 2105(d).

At the status conference, the Court will set the matter for trial, relying upon the time estimation that is provided by the parties. The Court will not continue the trial absent noticed motion and a showing of good cause. Such motions must be filed and served two (2) judicial days before the trial date.

During trial, if the parties exceed their time estimation, the remainder of the trial will be reset.

Effective 7/1/07

C. STATEMENT OF ISSUES, CONTENTIONS, AND PROPOSED DISPOSITION OF THE CASE

Where a matter is, set for contested trial, either short or long cause, both parties shall file and serve at least five (5) judicial days prior to the trial date, a statement containing the issues, contentions, and proposed disposition of the case. Failure to do so by both sides may result in the matter being dropped from the trial or settlement conference calendar.

1. Failure by one party may allow the complying party to continue the cause and/or sanctions to be imposed, as permitted by law;
2. Failure of any party to specify an issue in dispute in a statement of issues may result in an issue sanction (no evidence may be presented relating to omitted issues) or other sanction at the hearing or trial.

Effective 7/1/99 Amended 1/1/07

D. TRIAL BRIEF AND REPLY BRIEF

A courtesy copy of all trial and/or reply briefs, and the statement referred to in subpart C of this rule shall be provided for the trial judge at the time said briefs are filed. Trial and reply briefs shall include a full and complete statement of property and income and expenses, and shall set forth the following information in the following order, as it applies to the party filing, except as hereafter provided:

1. 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, extent and terms of payment of any encumbrance against the property, and manner in which title thereto is presently vested, and the relevant title data.

2. 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.

3. 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 calculations and all terms or conditions imposed upon withdrawal of such funds. If any loans exist against any of these funds, details regarding those loans should be set forth.

4. 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.

5. CURRENT OBLIGATIONS

Separately list all debts and obligations of the spouses, 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 balance currently due thereon, the terms of payment and the security, if any, held by the creditor.

6. CURRENT INCOME AND EXPENSE

Specify and set forth current income and expenses by completing and filing an Income and Expense Declaration in the form prescribed by CRC Rules 5.128 (c). Previously filed Income and Expense Declarations shall not be considered as compliance with this requirement.

7. PROPOSAL FOR PROPERTY DIVISION AND SUPPORT

Set forth a proposed equal division of community property of the parties, giving due consideration to the liabilities, costs and attorney's fees. In addition, specify each party's contentions as to child custody and visitation, and as to amount and duration of child and spousal support.

Effective 7/1/99

E. JUDGMENTS - DUTY TO PREPARE

After a contested trial, the petitioner, or other 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." If not so approved, the preparing party shall 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 4/1/87

5.7 STEPPARENT VISITATION

Pursuant to FC § 3101, a stepparent may petition for visitation utilizing local forms: *Petition for Stepparent Visitation Order, and Notice of Hearing of Petition for Stepparent Visitation Order* [YCSC FL03013.]

Effective 7/1/99, Amended 7/1/07

5.8 GRANDPARENT VISITATION

Pursuant to FC § 3103, grandparent may petition for visitation utilizing local forms: *Petition for Grandparent Visitation Order, and Notice of Hearing of Petition for Grandparent Visitation Order* [YCSC FL03014 FL03015.]

Effective 7/1/99, Amended 7/1/07

5.9 FAMILY LAW FACILITATOR

As required by the Family Law Facilitator Act, FC § 10000, et seq. this Court maintains an Office of the Family Law Facilitator. Pursuant to FC § 1005, this Court may designate certain additional duties of the Family Law Facilitator.

Effective 7/1/01

CRIMINAL LAW

CHAPTER 6. CRIMINAL LAW DEPARTMENT

6.0 TRIAL READINESS CONFERENCE

A Trial Readiness conference shall be set prior to the scheduled trial date. It is the standing order of the Court that trial counsel shall appear at the conference, and shall be prepared to meaningfully participate to accurately represent the status of trial readiness, including but not limited to witness availability, counsel's scheduling problems, and any other matters which could impact the ability of the case to commence trial as scheduled. It is further standing order of the Court that if, due to the counsel's unavailability, any other attorney appears on behalf of counsel at the conference, trial counsel will ensure that the attorney appearing on his or her behalf is prepared to meaningfully participate in the conference as required by this rule, and any attorney so appearing on behalf of trial counsel shall be under an affirmative duty to so acquaint his or herself with the case so as to be able to meaningfully participate. "Meaningfully Participate," as used in this rule, expressly means possessing full authority to dispose of the case.

Effective 7/1/07

6.1 DISCOVERY

Discovery in criminal actions is reciprocal in nature and is governed by PnC §§ 1054 through 1054.7. There shall be a standing order in each criminal action requiring all parties and their attorneys to comply with PnC §§ 1054-1054.7. The order is deemed to have been made and communicated to all counsel at the time of arraignment.

Before a party may seek court enforcement of any of the disclosures required by law, the party shall make an informal request of opposing counsel for the desired materials and information in the manner required by Penal Code section 1054.5(b). Failure to make such request shall be grounds for denial of a discovery motion. Informal requests should be presented to opposing counsel in writing.

Motions for discovery shall be focused upon specific items which remain in dispute after presentation of informal requests. "Boilerplate" discovery motions are disfavored. Counsel shall meet and confer before the hearing of any discovery motion in a good faith effort to resolve or narrow the disputed issues.

Effective 1/1/05, Amended 7/1/07; Amended 1/01/10

6.2 CONTINUANCES

No matters will be continued, even by stipulation of the parties, except with the approval of the Court for good cause shown. Compliance with PnC § 1050 is required unless excused by the Court.

Effective 1/1/05, Amended 7/1/07

6.3 JURY INSTRUCTIONS

The People and the defense shall, in each case, lodge copies of proposed jury instructions with the clerk no later than the swearing of the jury. Compliance with this procedure is without prejudice to later requests to add or withdrawal proposed instructions.

Effective 7/1/07

6.4 EVIDENCE AT VEHICLE INFRACTION TRIALS

Pursuant to VC § 40901, at the trial of any alleged infraction involving violation of the Vehicle Code or any local ordinance enacted pursuant to the Vehicle Code testimony and other relevant evidence may be introduced in the form of a notice to appear issued pursuant to § 40500 of the VC and, notwithstanding Division 10, commencing with § 1200 of the EC, a business record or receipt.

Effective 7/1/07

6.5 LODGING OF SPEED SURVEY EVIDENCE

Insofar as the prosecution has the burden as part of its prima facie case of establishing that the evidence at trial is not based on a speed trap (*People v. Peterson* (1986) 181 Cal.App.3d.Supp.7,8) the Clerk will make available a place for the lodging of certified copies of traffic surveys. This arrangement is an accommodation only, and ensuring that the lodged surveys are current is not the responsibility of the Court.

Effective 7/1/07

JUVENILE LAW

CHAPTER 7. JUVENILE LAW DEPARTMENT

7.0 JUVENILE LAW DEPARTMENT CALENDAR

The Juvenile Calendar is heard each Monday and Wednesday at 9:00 a.m. and 1:30 p.m.; each Thursday at 9:00 a.m., and each Friday at 9:00 a.m. for specially set long cause matters and detention hearings. Juvenile Treatment Court (Drug Court) is heard each Tuesday at 10:00 a.m.

Effective 7/1/99, Amended 7/1/01, 7/1/07

7.1 ATTENDANCE AT HEARINGS

Unless specifically permitted by W&I §§ 345, 346, and CRC Rule 5.530, Juvenile Court proceedings are confidential and shall not be open to the general public.

A. PARTIES AND ATTORNEYS

Unless excused by the Court, each party and attorney shall attend each scheduled Juvenile Court hearing.

B. MINORS

All minors are entitled to attend court hearings. Every minor ten (10) years or older shall be told of his or her right to attend court hearings, and all minors over the age of ten (10) shall be given notice by the investigating/supervising social worker.

All minors over the age of four (4) shall attend court hearings unless excused for one of the following reasons:

1. The minor's attorney waives his/her appearance;
2. The minor chooses not to attend;
3. The minor is excused by the Court;
4. The minor is disabled, physically ill, or hospitalized.

No minor shall be brought to court solely for the minor to confer with his or her attorney or for a visit with a parent, relative or friend.

If the minor is present, the Juvenile Court Judge may speak with the minor with counsel present.

C. DE FACTO PARENTS

Upon a sufficient showing and a written petition to the Court, the Court may recognize the minor's present or previous custodians as de facto parents and grant standing to participate as parties in dispositional hearings and any hearings thereafter at which the status of the dependent child is at issue. The person seeking de facto parent status shall have the rights outlined in CRC Rule 5.534.

D. INTERESTED PARTIES

Upon a sufficient showing, the Court may permit any interested party to be present at the hearing and address the Court. The Court shall hear from all parties before granting such permission.

Effective 7/1/99, Amended 7/1/01, 7/1/07

7.2 COMPETENCY OF COUNSEL, CRC, RULE 5.660

A. GENERAL COMPETENCY REQUIREMENT

All attorneys appearing in juvenile dependency proceedings must meet the minimum standards of competence set forth in these Rules. These Rules are applicable to attorneys representing public agencies, attorneys employed by public agencies, attorneys appointed by the Court to represent any party in a juvenile dependency proceeding, and attorneys who are privately retained to represent a party in a juvenile dependency proceeding.

B. SCREENING FOR COMPETENCY

1. Any attorney appearing in a dependency matter for the first time shall complete and submit to the Court a Certification of Competence as set forth in [YCSC JV03003] of these rules within 10 days of his or her first appearance in a dependency matter.
2. Attorneys, who meet minimum standards of training and/or experience as set forth in subsection C hereinafter, as demonstrated by the information contained in the Certification of Competence submitted to the Court, shall be deemed admitted to practice before the Juvenile Court in dependency cases except as provided in subdivision 3 of this Rule.
3. Based upon the conduct or performance of counsel in a dependency case before the Court within six months prior to the submission of his or her Certification of Competence, the Court may determine that a particular attorney does not meet the minimum standards regardless of his or her training and/or experience. In such case, the Court shall proceed as set forth in subsection E hereinafter.
4. In the case of an attorney who maintains his or her principal office outside of Yuba County, proof of certification by the juvenile court of the county in California in which the attorney maintains an office shall be sufficient evidence of competence to appear in a juvenile proceeding in Yuba County.

C. MINIMUM STANDARDS OF EDUCATION AND TRAINING

1. An attorney appearing in a dependency matter before the Juvenile Court shall not seek certification, and shall not be certified by the Court, until he or she has completed one or both of the minimum training and educational requirements set forth below:
 - a. Participated in at least eight hours of training or education in juvenile dependency law, which 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 abuse and neglect, substance abuse, domestic violence, family reunification and preservation and reasonable efforts, or
 - b. Recent experience in dependency proceedings in which the attorney has demonstrated competence in the attorney's representation of his or her clients in said proceedings. In determining whether the attorney has demonstrated competence, the Court shall consider whether the attorney's performance has substantially complied with the requirements of these Rules.
2. In order to retain his or her certification to practice before the Juvenile Court, each attorney who has been previously certified by the Court shall submit a new Certificate of Competence to the Court on or before January 31st of the third year after the year in which the attorney is first certified, and then every third year thereafter. The attorney shall attach to the renewal Certification of Competence evidence that he or she has completed at least eight hours of continuing training or education directly related to dependency proceedings since the attorney was last certified. Evidence of completion of the required number of hours of training or education may include a copy of a certificate of attendance issued by a California MCLE provider; a copy of the training or educational program schedule and evidence of attendance at such program; or such other documentation as may reasonably be considered to demonstrate the attorney's

attendance at such program. Attendance at a court-sponsored or approved program will also fulfill this requirement. The Clerk of the Court is hereby designated as depository of these certificates. The Clerk will calendar an annual review date, and bring to the Juvenile Judge's attention the current certificates.

3. The attorney's continuing training or education shall be in the areas set forth in subdivision 1.a. of this Rule, or in other areas related to juvenile dependency practice including, but not limited to, special education, the rules of evidence, adoption practice and parentage issues, the Uniform Child Custody Jurisdiction Act, the Indian Child Welfare Act, client interviewing and counseling techniques, case investigation and settlement negotiations, mediation, basic motion practice, and rules of civil procedure.
4. When a certified attorney fails to submit evidence to the Court that he or she has completed at least the minimum required training and education by the due date, the Court shall notify the attorney that he or she will be decertified. Said attorney shall have 20 days from the date of the mailing of the notice to submit evidence of his or her completion of the required training or education. If the attorney fails to submit the required evidence or fails to complete the required minimum hours of continued training or education, the Court shall order, except in cases where a party is represented by retained counsel that certified counsel be substituted for the attorney who fails to complete the required training. In the case of retained counsel, the Court shall notify the party that his or her counsel has failed to meet the minimum standards required by these Rules. The determination whether to obtain substitute counsel shall be solely within the discretion of the party so notified.

Amended 7/1/07

D. STANDARDS OF REPRESENTATION

All attorneys appearing in dependency proceedings shall meet the following minimum standards for representation:

1. The attorney shall thoroughly and completely investigate the accuracy of the allegations of the petition or other moving papers and the court reports filed in support thereof. This shall include conducting a comprehensive interview with the client to ascertain his or her knowledge of and/or involvement in the matters alleged or reported; contacting social workers and other professionals associated with the case to ascertain if the allegations and/or reports are supported by accurate facts and reliable information; consulting with and, if necessary, seeking the appointment of experts to advise the attorney or the Court with respect to matters which are beyond the expertise of the attorney and/or the Court; and obtaining such other facts, evidence or information as may be necessary to effectively present the client's position to the Court.
2. Attorneys or their agents will meet regularly with clients, including clients who are children, regardless of the age of the child or the child's ability to communicate verbally, to contact social workers and other professionals associated with the client's case, to work with other counsel and the court to resolve disputed aspects of a case, and adhere to mandated timelines. Attorney(s) who represent children must have sufficient contact with the child to establish and maintain an adequate and professional attorney-client relationship. Attorney(s) who represent children are not required to assume the responsibilities of a social worker and are not expected to perform services for the child that are unrelated to the child's legal representation.
3. The attorney shall determine the client's interests and the position the client wishes to take in the matter. If the client is a minor child who is placed out of home, in addition to interviewing the child, the attorney should also interview with the child's caretaker.
4. 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 of a hearing and of the necessity for adhering to court-mandated time limits.

5. The attorney shall represent the client within applicable legal and ethical boundaries. This shall include the duty to work cooperatively with other counsel and the Court, to explore ways to resolve disputed matters without hearing if it is possible to do so in a way, which is consistent with the client's interests, and to comply with local rules and procedures and statutorily mandated time lines.
6. Counsel appointed to represent a parent, guardian or child in a juvenile dependence proceeding **shall** continue to represent that party unless relieved by the Court. Any request to withdraw or to be relieved shall be noticed for hearing and served on all interested parties.
7. The Court will review on an ongoing basis its contract(s) with attorney for the representation of minors to ensure that the caseload thereunder will permit the attorney(s) to perform the duties required by W&I § 317(e) and CRC, Rule 5.660.

Amended 7/1/07

E. PROCEDURES FOR REVIEWING AND RESOLVING COMPLAINTS

1. Any party to a juvenile dependency proceeding may lodge a written complaint with the Court concerning the performance of his or her attorney in the juvenile dependency proceeding. In the case of a complaint concerning the performance of an attorney appointed to represent a minor, the complaint may be lodged on the child's behalf by a caretaker relative, or a foster parent.
2. The Court shall review the complaint, and if it is determined that the attorney may have failed to act competently, provide the attorney with a copy of the complaint and give the attorney a reasonable chance to respond in writing.
3. Thereafter, the Court shall review the complaint and the response, and issue orders as appropriate, on a case-by-case basis. However, if the Court determines the attorney has acted incompetently, the Court may order that competent counsel be substituted for the attorney and give notice of the substitution to the parties of record.

F. PROCEDURES FOR INFORMING THE COURT OF THE INTERESTS OF A DEPENDENT CHILD

1. At any time during the pendency of a 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 counsel of the minor becomes aware that the minor may have such a right or interest, counsel for the minor shall notify the Court of same as soon as it is reasonably possible for counsel to do so.
2. Notice to the Court may be given by the filing of [JC Form JV-180] or by the filing of a declaration. In either case, the person giving notice shall set forth the nature of the interest or right, which needs to be protected or pursued, the name and address, if known, of the administrative agency or judicial 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 counsel for the minor, the motion shall state what action on the child's behalf the attorney 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 agency or court may be necessary or appropriate, whether the appointment of guardian ad litem may be necessary to initiate or pursue the proposed action, whether joinder of an administrative agency to the juvenile court proceedings pursuant to W&I § 362 may be appropriate or necessary to

protect or pursue the child's interests and whether further investigation may be necessary.

4. If the person filing the notice is not the attorney for the child, a copy of the notice shall be served on the attorney for the child, or, if the child is unrepresented, the notice shall so state.
5. The Court may set a hearing sua sponte if the Court deems it necessary in order to determine the nature of the child's right or interest or whether said interest should be protected or pursued.
6. If the Court determines that further action on behalf of the child is required, the Court shall do one or more of the following:
 - a. Authorize the minor's attorney to pursue the matter on the child's behalf;
 - b. Appoint an attorney for the child if the child is unrepresented;
 - c. Notice a joinder hearing pursuant to W&I § 362 compelling the responsible agency to report to the Court with respect to whether it has carried out its statutory duties with respect to the child;
 - d. Appoint a guardian ad litem for the child for the purpose of initiating or pursuing appropriate action in the other forum(s)
 - e. Take any other action the Court deems necessary or appropriate to protect the welfare, interests, and rights of the child.

G. TIME LINES

Attorneys for parties are required to adhere to the statutory time lines for all hearings. Requests for continuances shall be in writing unless waived by the Court for good cause. Time waivers will be accepted and continuance granted only on a showing of exceptional circumstances. Time lines for hearings are as follows:

1. DETENTION HEARINGS shall be heard no later than the end of the next court day after a petition has been filed (W&I § 315; CRC Rule 5.670);
2. JURISDICTION HEARING. If the child is not detained, the hearing on the petition shall begin within 30 calendar days from the date the petition was filed. If the child is detained, the hearing on the petition shall begin within 15 court days from the date of the detention order (W&I § 334; CRC Rule 5.680);
3. DISPOSITION HEARING. If the child is detained, the hearing on disposition must begin within 10 court days from the date the petition was sustained. If the child is not detained, the disposition hearing shall begin no later than 30 calendar days after jurisdiction is found (W&I § 358; CRC Rule 5.686);
4. SIX-MONTH REVIEW HEARING. The Court is required to review the status of every dependent child within six months of the declaration of dependency and at least every six months thereafter (W&I §§ 364, 366, 366.21; CRC Rule 5.710);
5. TWELVE-MONTH REVIEW HEARING. The Court is required to review the status of every child who has been removed from the custody of a parent or guardian within 12 months of the declaration of dependency (W&I § 366.21; CRC Rule 5.715);
6. EIGHTEEN-MONTH REVIEW. If the child is not returned at the 12-month review, the Court shall conduct a review no later than 18 months from the date of the original detention. (W&I §§ 366.21, 366.22; CRC Rule 5.720);
7. NOTICE OF INTENTION TO FILE WRIT PETITION. A notice of intent to file a petition for extraordinary writ shall be filed within seven days of the date of the order setting a

- hearing under W&I § 366.26, with an extension of five days if the party received notice of the order only by mail (CRC Rule 8.450);
8. RESPONSE TO WRIT PETITION. Any response to a writ petition shall be served and filed within 10 days after the filing of the writ petition or within 10 days of receiving a request for a response from the reviewing court (CRC Rule 8.452);
 9. SELECTION HEARING FOR PERMANENT PLAN shall begin within 120 days of the review at which reunification services are terminated and a hearing under W&I § 366.26 ordered (W&I §§ 366.31, 399.22; CRC Rules 5.725);
 10. NOTICE OF APPEAL. A notice of appeal shall be filed within 60 days after the rendition of the judgment (CRC 8.400).

Effective 1/1/96, Amended 7/1/01, 1/1/03, 7/1/07

7.3 COURT-APPOINTED COUNSEL AND/OR GUARDIANS AD LITEM

A. DUTIES OF COUNSEL

All court-appointed counsel shall comply with their professional duties as required by statute, regulation, and by state and local rules of court.

B. FINANCIAL RESPONSIBILITY OF COUNSEL

Pursuant to W&I § 903 and CRC Rule 5.534, whenever a party (other than the minor) appears in a dependency proceeding and the Court appoints counsel for the party, the Court may order that the party shall immediately report to the Yuba County Financial Evaluation (Revenue and Recovery) Officer for determination as to that party's ability to reimburse the County for such services.

C. APPOINTMENT OF GUARDIAN AD LITEM

In proper cases, the Court will appoint an attorney or a CASA as a guardian ad litem.

Effective 1/1/96, Amended 7/1/01, 1/1/03, 7/1/07

7.4 CONFIDENTIALITY

A. RELEASE OF INFORMATION RELATING TO JUVENILES

Juvenile Court records are confidential by statute and case law. Disclosure and use of such records shall be governed by W&I §§ 827 and 828, CRC Rule 5.552 and current *T.N.G.* Order.

B. RELEASE OF RECORDS TO PARTIES AND THEIR ATTORNEYS

Any party or attorney in a W&I §§ 300, 601 or 602 matter shall be given access to all unsealed records relating to the minor which are held by the Court Clerk, Juvenile Division. Said party or counsel shall also have the right to secure copies of such records; however, the party or counsel shall be responsible for the cost of any copying. Dissemination of such information is subject to the provisions of W&I § 827.

Effective 1/1/96, Amended 7/1/07

7.5 PRE-HEARING DISCOVERY

A. TIMELY DISCLOSURE OF INFORMAL DISCOVERY

Pre-hearing discovery shall be conducted informally. Except as protected by privilege, all relevant material shall be disclosed in a timely fashion to all parties to the litigation.

B. FORMAL DISCOVERY

Only after all informal means have been eliminated may a party petition the Court for discovery. There is hereby a standing order that all parties shall meet and confer in good faith on any and all discovery issues. Any noticed motion shall state the relevancy and materiality of the information sought and the reasons why informal discovery was not adequate to secure that information. The

motion shall be served on all parties at least five (5) judicial days before the hearing date. The date for the hearing shall be obtained from Court Clerk, Juvenile Division. A copy shall be served on the Court before whom the matter is scheduled to be heard.

Any responsive papers shall be filed and served two (2) judicial days prior to the hearing.

Effective 1/1/96, Amended 7/1/07

7.6 CASE RECORDS AND REPORTS

In contested dependency proceedings, upon request, the Social Worker's narratives and other relevant case records shall be made available to all counsel at least ten (10) calendar days before the hearing and any updated records two (2) calendar days before the hearing. In all other cases, such documents shall be made available at least two (2) calendar days prior to the hearing.

Effective 1/1/96

7.7 PRESENTATION OF EVIDENCE

Social Study Reports prepared by CPS shall be filed with the Court and made available to all counsel before the hearing in accordance with the following time limitations, unless otherwise ordered by the Court:

- A. Jurisdictional Reports shall be filed at least five (5) judicial days before the hearing;
- B. Dispositional Reports shall be filed at least 48 hours before the hearing
- C. Reviews of Family Reunification, Family Maintenance, and Permanent Plans shall be filed at least ten (10) calendar days before the hearing
- D. Addenda, Status Reports, and all other reports shall be filed a reasonable number of days before the hearing, but in no event less than 48 hours.

If the Social Study Report is not timely filed or made available to all counsel, then any affected party or the Court may request a continuance of the hearing to the extent permitted by law.

The names of experts to be called by any party and copies of their reports shall be provided to all counsel at least ten (10) calendar days before the hearing.

Effective 1/1/96

7.8 SETTLEMENT CONFERENCES

Settlement conferences (Meet and Confer Conferences) shall be calendared and held prior to every contested hearing, unless deemed unnecessary by the Court.

The settlement conference shall be held on the Monday prior to the hearing at 3:00 p.m. in Superior Court.

The trial attorneys and their clients shall be present at the settlement conference, unless excused by the Court. A representative of CPS with authority to settle cases shall be present at the settlement conference.

Effective 7/1/99

7.9 SUSPENSION OF FAMILY COURT and PROBATE GUARDIANSHIP PROCEEDINGS

If a petition pursuant to W&I § 300 is filed in the Juvenile Court, all custody and visitation proceedings in the Family Court or guardianship proceedings in Probate Court, shall be suspended. Thereafter, custody and visitation issues shall be determined by the Juvenile Court. The Family Court shall resume custody or visitation litigation, or the Probate Court guardianship proceedings shall resume, only after authorization is received from the Juvenile Court.

Effective 7/1/96, Amended 7/1/07

7.10 CREATION OF A FAMILY COURT ORDER IN JUVENILE COURT

- A. PETITION FOR DISMISSAL

Whenever any interested party believes that Juvenile Court intervention on behalf of a dependent minor is no longer necessary, application may be made to the Juvenile Court pursuant to W&I § 388, or at any regularly scheduled hearing, to terminate jurisdiction. If the application is granted, any further litigation relating to the custody, visitation, and control of the minor shall be heard in the Family Court or other appropriate Superior Court Civil Department.

B. JUVENILE COURT CUSTODY ORDER

If the Juvenile Court determines that jurisdiction of the Juvenile Court is no longer necessary for the protection of the minor, the Court may create a custodial order consistent with the needs of the minor and thereafter dismiss the juvenile petition and case (see JC Form JV-200). Any party may object to the proposed dismissal and be heard on the issues.

C. MAINTENANCE OF CUSTODY ORDERS IN COURT FILES

The original court custody order shall be filed in the Family Court or other Superior Court division and certified copies shall be filed in the Juvenile Court file. A copy of the endorsed-filed order shall be mailed to the attorneys and parties by the Clerk.

If no files exist in the Family Court or other Superior Court division or in any other court's jurisdiction, the Court Clerk, Juvenile Division, shall create a Family Law file under the names of the minor's parents. The original court order shall be filed in the Family Court file and a certified copy shall be filed in the Juvenile Court file. There shall be no filing fee.

Effective 7/1/96

7.11 PATERNITY FINDINGS

A. DETERMINATION OF ISSUE

The issue of paternity of a minor may be determined in the context of a Juvenile Court proceeding.

B. NECESSARY COURT MEASURES

If a person claims to be the natural/biological father of a minor who is the subject of a Juvenile Court proceeding, the Court may take such measures as are necessary to make a paternity finding.

C. RIGHT TO COUNSEL/LEGAL RESPONSIBILITIES

In any paternity proceeding arising under this rule, the Court shall inform the mother and the person claiming to be the father of their rights to be separately represented by counsel on the issue of paternity. The Court shall advise the person claiming to be the father of his legal responsibilities should he be found to be the natural father of the minor, including the obligation to pay child support and the possibility he may be incarcerated if he willfully fails to pay child support after being legally ordered to do so.

D. EVIDENCE OR TESTIMONY

The Court shall permit such evidence to be taken as necessary to determine the paternity of the minor. Testimony from the mother and the person claiming to be the father may be sufficient to make a paternity finding. If the mother or the person claiming to be the father is, absent from the court proceeding, evidence in addition to testimony from those in attendance will normally be necessary to enable the Court to make a paternity finding.

E. SCIENTIFIC TESTING

The Court may order blood or other scientific tests if it believes such tests will assist in making a paternity finding. The Court shall determine which party or parties shall pay for any such test.

Effective 7/1/96

7.12 MEDICAL ISSUES

Superior Court of California, County of Yuba has established a Standing Order Permitting Health Assessment, Physical Examination, Laboratory Tests, Venereal Disease Screening, and Furnishing of Contraceptives, Immunizations, Routine Medical Care, Mental Health Examinations and Services, and Dental Assessment and Treatment of Temporarily Detained Minors, Dependents, and Wards of the Court.

In order that juveniles detained by the Yuba County Probation Department and CPS receive necessary care of their physical and mental health, and do not endanger the health and welfare of other persons, the Yuba County Probation Department and CPS are hereby authorized to secure the following services to all such juveniles, which services follow the "Statement of Committee on Adolescence of the American Academy of Pediatrics, Health Care for Children and Adolescence in Detention Centers, Jails, Lock-ups, and other Court Sponsored Residential Facilities":

- A. A comprehensive health assessment and physical examination.
- B. Any clinical laboratory tests the physician determines are necessary for the evaluation of the juvenile's health status.
- C. Upon consent of the juvenile, sexually active juveniles may be screened for venereal disease. Contraceptive devices may be furnished to any juvenile upon the his/her request.
- D. Any immunization necessary to bring a juvenile's immunizations up to date, and, if Immunization records are unavailable, any immunizations recommended by the American Academy of Pediatrics for that child's age.

Any routine medical care required based on the results of the comprehensive health assessment, and any routine medical care required for the care of illnesses and injury, including the use of standard x-rays. Routine medical care as referred to above includes:

- A. First aid care for conditions which require immediate assistance from a person trained in basic first aid as defined by the American Red Cross or its equivalent;
- B. Clinical care for ambulatory juveniles with health care complaints which are evaluated and treated at sick call or by special appointment;
- C. Inpatient bed care for illness or injury, which requires limited observation and/or management and does not require admission to a licensed hospital. Routine medical care does not include blood transfusions or inpatient care for illness or diagnosis, which requires optimal observation and/or management in a licensed hospital.

A mental health status evaluation and necessary mental health services, except placement in an inpatient psychiatric facility, shall not occur without compliance with the provisions of W&I §§ 319.1, 635.1, and 5150, et seq.

A dental assessment, including x-rays when appropriate, and any routine dental treatment required based on the results of the dental assessment.

For non-routine medical care, authorization from the Court must be obtained.

Effective 1/1/96

7.13 AUTHORIZATION FOR USE OF PSYCHOTROPIC DRUGS

The administration of psychotropic drugs to minors who are wards or dependent children shall only occur upon the authorization of a duly licensed psychiatrist, or treating physician.

The administering psychiatrist or physician may initiate or continue the use of such drugs for a five-day temporary period at which time an Application for Authorization of Treatment and a written statement from the doctor shall be submitted to the Court for approval of continued treatment.

As soon as it becomes known that the minor, a parent or guardian, or the minor's attorney objects to the administration of psychotropic drugs, the matter shall be set for hearing on a court date determined by the Court Clerk, Juvenile Division.

This rule does not apply to a minor who is placed in a mental health facility pursuant to a Lanterman-Petris-Short Act (LPS) commitment.

Effective 1/1/96

7.14 NO REUNIFICATION SERVICES

If the Court orders no reunification services under W&I § 361.5 (b) (2), (3), (4) or (5), it shall conduct a hearing under W&I § 366.26 within 120 days.

Effective 1/1/96

7.15 APPEALS FROM ORDERS OR JUDGMENTS TERMINATING PARENTAL RIGHTS

CRC Rule 8.450 governs the process for filing petitions for extraordinary writs challenging findings and orders entered by a juvenile court in setting hearings under W&I § 366.26 on or after January 1, 1995.

Under CRC Rule 8.450, the following responsibilities are applicable:

- A. Once the Notice of Intent to File Writ Petition and Request for Record has been filed in Superior Court of California, County of Yuba, the Clerk must serve a copy of said notice as prescribed by CRC Rule 8.450; notify the Court Reporter by telephone and in writing to prepare and deliver the Reporter's Transcript to the Clerk within ten (10) days; prepare the Clerk's Transcript within the same period of time; and, immediately upon completion, certify the record as correct and deliver it in the most expeditious means to the reviewing court and transmit copies to petitioner and parties or counsel of record by any method as fast as express mail service of the United States Postal Service.
- B. If the Appellate Court orders augmentation of documents or proceedings outside the normal record as defined by CRC Rule 8.408, the time for submitting the augmented record will be limited as prescribed by Subdivision (I), and the Court of Appeal will not consider requests for extensions of time. Augmentation or correction of the record shall be done under CRC Rule 8.155. Preparation of a supplemental transcript pursuant to an order under this subdivision shall be given highest priority.

Effective 1/1/95, Amended 7/1/07

APPEALS

CHAPTER 8. APPEALS TO THE APPELLATE DIVISION OF SUPERIOR COURT

8.0 NOTICE OF APPEAL (CIVIL AND CRIMINAL)

An appeal taken from a lower court civil or criminal judgment shall be made on the form of *Notice of Appeal* [JC APP-102] [JC CR-132].

Effective 7/1/99, Amended 7/1/07, 1/01/10

8.1 RECORD ON APPEAL (CIVIL AND CRIMINAL)

The trial court division shall transmit the record on appeal to the Appellate Division when either: (1) the statement on appeal, including the transcript, if any, has been settled and certified, or (2) the right of the appellant to have a statement settled and certified has terminated. Proposed settled statements shall be filed in the trial court. Per CRC, Rules 8.863, in re misdemeanor appeal the original court file maybe used in lieu of a clerk's transcript.

Effective 7/1/99, 1/01/10

8.2 APPOINTMENT OF COUNSEL (CRIMINAL)

- A. If the defense counsel believes that the client is indigent, said counsel shall prepare and file an application for appointment of counsel [JC CR-133].
- B. A defendant who was represented by appointed counsel at the trial court level is presumed to be indigent for appeal purposes
- C. The Appellate Division has the power to appoint counsel for other indigent defendants but is not required to do so.

Effective 7/1/99, Amended 7/1/07, 1/01/10

8.3 BRIEFS (CIVIL AND CRIMINAL)

In civil and criminal cases, the appellant shall file an opening brief within 30 days after the filing of the record on appeal; the respondent shall file a brief within 30 days after the filing of the appellant's opening brief, and the appellant may file a closing brief within 20 days after the filing of respondent's brief, but not later than the time of hearing. Briefs shall be filed in original form and three additional copies.

Effective 7/1/9, Amended 1/01/10

8.4 AUTHORITY TO REJECT BRIEFS

In addition to the authority of the Clerk under the CRC, the Clerk or the Court may reject for filing or strike any brief that is not clearly legible.

Effective 7/1/99

CHAPTER 9. APPEALS FROM SUPERIOR COURT

9.0 CIVIL APPEALS

A. DEPOSIT FOR PREPARATION OF CLERK'S TRANSCRIPT

The appellant shall deposit the sum of \$100 in the form of a check or money order payable to the Clerk of the Superior Court as required by GC § 68926.1 for the preparation of the Clerk's Transcript or Index.

B. RECOVERY OF WAIVED FILING FEES

Any order granting the application for waiver of fees may waive payment of all or part of the fees and costs and may provide that a lien exists on any money recovered by the applicant for any waived fees and costs, which shall be deemed to be taxable costs.

The Court may authorize the Clerk, the Yuba County Revenue Recovery Officer, or other appropriate entity to make reasonable efforts to verify the applicant's financial condition.

C. PAYMENT FOR REPORTER'S TRANSCRIPT

After the Clerk notifies the Court Reporter of the receipt of the Notice to Prepare Reporter's Transcript, the Court Reporter shall notify the appellant or appellant's counsel of record of the estimated costs for preparation of the Reporter's Transcript on appeal. Deposit for the Reporter's estimated costs of the transcript should be made directly to the Court Reporter.

Effective 7/1/99

CHAPTER 10. LOCAL FORMS

10. ADOPTION OF LOCAL FORMS

The Court has adopted the following local forms: Available on the court's website www.yubacourts.org

A. FOR MANDATORY USE:**CIVIL**

<u>Form Number</u>	<u>Title</u>
CV03012	Judicial Approval of Notice of Pending Action (Lis Pendens)
CV03014	Notice of Case Management Conference
CV05015B	Stipulation and Order for Settlement (C.C.P. §664.6)
CV08019	Request for Appointment to Mediator Panel

CRIMINAL

<u>Form Number</u>	<u>Title</u>
BB03012	Authorization for Payment from Cash Bail
CM03006	Order for Removal of Prisoner (For Public Use)
CM03010	Waiver of Extradition
CM03012	Verified Petition for Inspection and Copying of Probation Report(s)
CM03016	Faretta Waiver Form
CM03019	Petition for Relief from Firearms Prohibition

FAMILY LAW

<u>Form Number</u>	<u>Title</u>
FL03003	Declaration in Support of Application for Temporary Orders
FL03004	Ex Parte Application and Declaration re: Appointment of Attorney
FL03009	Petition to Establish Fact of Marriage
FL03010	Notice of Hearing re Petition to Establish Fact of Marriage
FL03011	Order Establishing Fact of Marriage

PROBATE

<u>Form Number</u>	<u>Title</u>
YCSC PR03003	Order Appointing Investigator

INFRACTIONS

<u>Form Number</u>	<u>Title</u>
CM03009	Defendant's Request re: Traffic Case
CM03014	Declaration of Non-Ownership (Traffic)

JUVENILE

<u>Form Number</u>	<u>Title</u>
JV03003	Certificate of Competency to Practice in Juvenile Dependency Court

SMALL CLAIMS

<u>Form Number</u>	<u>Title</u>
SC030004	Declaration and Order for Revocation of Time Payments
SC03005	Request for Continuance of Small Claims Hearing

B. OPTIONAL FORMS:

MISCELLANEOUS FORMS

<u>Form Number</u>	<u>Title</u>
G04050A	Request for CLETS/CJIS Records Check (Name Change Petition)
G04050B	Confidential CLETS/CJIS Information Sheet (Name Change Petition)
G04050C	Confidential CLETS/CJIS Information Sheet (Conservatorship)
G04050D	Confidential CLETS/CJIS Information Sheet (Guardianship)
CN06033	Infraction Option Form
CM08049	Defendant's Motion to Vacate

PROBATE

<u>Form Number</u>	<u>Title</u>
PR04008	Objection to Guardianship
PR04009	Petition in Guardianship/ Conservatorship
PR03003	Order Appointing Investigator

UNLAWFUL DETAINER

<u>Form Number</u>	<u>Title</u>
UD03003	Proof of Service by Mail of Unlawful Detainer Answer

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (<i>NAME</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE CA 95901 (530) 749-7600	
PLAINTIFF/PETITIONER: vs. DEFENDANT/RESPONDENT:	
NOTICE OF MANDATORY CASE MANAGEMENT CONFERENCE	CASE NUMBER: _____

YOU ARE HEREBY NOTIFIED that the above-entitled case has been set for Case Management Conference as follows:

DATE:	TIME: 1:30 p.m.	DEPARTMENT:
LOCATION: Yuba County Courthouse, 215 Fifth Street, Marysville, CA 95901		

You must file and serve a completed *Case Management Statement (Judicial Council Form CM-110)* at least 15 days before the case management conference.

You must be familiar with the case and be fully prepared to participate effectively in the case management conference.

At the case management conference, the Court may make pretrial orders, including the following:

1. An order establishing a discovery schedule;
2. An order referring the case to arbitration;
3. An order reclassifying the jurisdictional limits;
4. An order dismissing fictitious defendants;
5. An order scheduling exchange of expert witness information;
6. An order setting subsequent conferences and the trial date;
7. Other orders to achieve the goals of the Trial Court Delay Reduction Act [Government Code § 68600, et seq.]

NOTE
PLEASE DO NOT attach copies of previous case management orders as instructed in paragraph 21 of the Case Management Statement [Judicial Council Form CM-110].

Counsel may appear via **CourtCall** if arranged no later than 12:00 p.m. (Noon) on the Thursday before the Monday conference date. You may contact **CourtCall** at (888) 882-6878.

Dated: _____

H. Stephen Konishi
 Clerk of the Superior Court

By: _____
 Court Clerk

SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	FOR COURT USE ONLY
PLAINTIFF(S): vs. DEFENDANT(S):	
STIPULATION AND ORDER FOR SETTLEMENT [CCP § 664.6]	CASE NUMBER:

IT IS HEREBY STIPULATED THAT THIS MATTER IS DEEMED SETTLED PURSUANT CODE OF CIVIL PROCEDURE § 664.6 ON THE FOLLOWING TERMS AND CONDITIONS, FOR EVER AND EVER, AS FOLLOWS:

1. The defendant(s) _____ shall pay to counsel for plaintiff(s) the sum of \$_____ in full and complete settlement of all claims arising from the events described in the complaint or other documents in this case, or any claims or causes of action which could have or should have been contained in this case. All parties agree not to come back to this court or any other court at any time or anywhere in the world, and acknowledge that they are barred from proceeding in the future against any person or entity involved in this case, as well as any individual or entity anywhere in the world, regardless of what might happen in connection with any claims or causes of action which could have or should have been contained in this case. The parties acknowledge that this settlement is final. The parties waive their right to trial, either by the court or a jury, and hereby give up their right to appeal.

Other: _____

- 2. All parties will be responsible for their own court costs, attorneys' fees, attorneys' liens, if any, as well as all of their own litigation expenses of any kind whatsoever. All jury fees deposited are ordered refunded.
- 3. Plaintiff(s) shall pay all medical bills and/or liens, past, present or future, which are known as well as any which are not presently known.
- 4. The parties acknowledge the provisions of California Civil Code § 1542. *A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.* Being aware of the provisions of said statute, the parties waive its protections.
- 5. Both parties [Plaintiff(s) Defendant(s)] shall sign standard releases and/or settlement documents which shall contain standard, appropriate, reasonable, fair, just and/or equitable terms and conditions. Any disputes as to the language thereof shall be resolved by a judge.
- 6. Written dismissal(s) with prejudice will be filed no later than 45 days from the date of this stipulation. However, if enforcement becomes necessary or disputes arise after the filing of any dismissal, the Court

reserves jurisdiction to reinstate this case nunc pro tunc to today's date so that the Court can issue standard, appropriate, reasonable, fair, just and equitable orders.

- 7. On failure to comply with any of the terms of this settlement, any party may apply in the manner provided by law for ex parte applications for entry of judgment or any other relief which is appropriate.
- 8. This settlement shall be enforced pursuant to the Code of Civil Procedure § 664.6, as well as the terms of this settlement itself. Furthermore, this settlement consists of what is stated herein and only what is stated herein.
- 9. This settlement does does not dispose of the entire case, as between **all** parties.
- 10. If any disputes arise or should enforcement become necessary, any party hereto may file a motion with this court to be set for hearing before The Honorable _____, whose ruling shall be final. If Judge _____ is not available, this case may be assigned to another judge by the presiding judge, or acting presiding judge and, in that event, the assigned judge's rulings shall be final.
- 11. After all monies have been paid and all documents and/or releases signed and returned, plaintiff(s) shall file a dismissal with prejudice.

Dated: _____

Attorney for Plaintiff

Plaintiff

Attorney for Plaintiff

Plaintiff

Attorney for Plaintiff

Plaintiff

Attorney for Defendant

Defendant

Attorney for Defendant

Defendant

Attorney for Defendant

Defendant

IT IS SO ORDERED.

JUDGE OF THE SUPERIOR COURT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (NAME): _____	FOR COURT USE ONLY CASE NUMBER: _____
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE CA 95901 (530) 749-7600	
PLAINTIFF/PETITIONER: vs. DEFENDANT/RESPONDENT:	
REQUEST FOR APPOINTMENT TO MEDIATOR PANEL	

A. TERMS OF APPOINTMENT.

By seeking appointment to the Yuba County Superior Court Mediator Panel, the applicant agrees as follows:

1. Upon receipt of a mediation referral, the Mediator will immediately notify the Court in writing of any circumstances which prevents him or her from serving.
2. The Mediator will make every effort to schedule the mediation promptly, within sufficient time to accommodate the return date indicated on the referral.
3. The Mediator will accept the sum of \$250 as and for compensation for a two-hour mediation. The Mediator is an independent contractor, and payment to the Mediator will in no way be construed to create an employment relationship between the Mediator and Yuba County Superior Court.
4. For purposes of uniformity in court-sponsored mediation, the Court has adopted an instrument entitled *Agreement to Mediate and Confidentiality Agreement*. That document will be provided to members of the panel, who will utilize it in each referred case.
5. If the parties to the mediated matter do not reach resolution during the initial two-hour period paid for at public expense, then they and the Mediator may agree to extend the mediation beyond the initial two-hour period at the rate of \$250 per hour **to be paid by the parties**. The Court assumes no financial responsibility beyond the initial payment of \$250.
6. After the conclusion of the mediation, the Mediator will promptly report to the Court on the result thereof on Judicial Council Form ADR-100.

B. APPLICATION.

Your Name and Address: _____

Are you:

- A retired judge?
- A member of the State Bar of California? If so, please provide your bar number: _____.

On a separate sheet, please summarize your experience in civil law, any mediator training you have had, and particular areas of interest or expertise. A resume is not required, but is welcome.

SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	<i>FOR COURT USE ONLY</i> CASE NUMBER: CASENI
THE PEOPLE OF THE STATE OF CALIFORNIA: vs. DEFENDANT: DFFSTI DFMI DI DFLSTI	
AUTHORIZATION FOR PAYMENT FROM CASH BAIL	

I _____, posted cash bail in the amount of \$ _____ in the above-entitled case.

I hereby authorize disbursement of said cash bail to be applied towards payment of the fines/fees ordered in the above-entitled case.

The amount of \$ _____ may be deducted from the posted cash bail and applied to the defendant's fines/fees.

Dated: _____

Signature

Name: _____
Print

Street Address: _____

City: _____

State: _____ Zip: _____

CERTIFICATE OF SERVICE BY MAIL
[CCP §1013a(4)]

I hereby certify that I am employed by Yuba County Superior Court. My business address is 215 Fifth Street, Suite 200, Marysville, California 95901. I am over 18 years of age and not a party to this cause.

I further certify that on this date, I placed this document in an envelope, sealed the envelope, and placed it in the central mail depository for collection and processing by the County of Yuba for delivery to the U.S. Postal Service, addressed as follows:

Dated:

H. Stephen Konishi
Clerk of the Superior Court

By: _____
Court Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (NAME): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	
THE PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: _____	
ORDER FOR REMOVAL OF PRISONER (For Public Use)	CASE NUMBER: _____

TO: SHERIFF, YUBA COUNTY

There being a criminal proceeding pending in this Court against the above-named defendant, and good cause appearing therefore, **YOU ARE HEREBY ORDERED** to remove:

Name:

CDC Number:

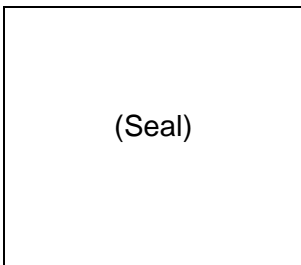
Name and Address of Institution:

and deliver said person as follows:

DATE:	TIME:	DEPARTMENT:
LOCATION: Yuba County Courthouse, 215 Fifth Street, Marysville, CA 95901		

Dated: _____

 JUDGE OF THE SUPERIOR COURT



SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	<i>FOR COURT USE ONLY</i>
PEOPLE OF THE STATE OF CALIFORNIA, vs. DEFENDANT:	
WAIVER OF EXTRADITION	CASE NUMBER:

An order having been made by this Court releasing me on my own recognizance, I agree as follows:

- That I will appear at all times and places as ordered by this Court or by any court in which, or any magistrate before whom a charge is subsequently pending.
- That if I fail to appear and am apprehended outside the State of California, I waive extradition.
- That I waive the right to habeas corpus review of California’s demand for me as provided by the California Criminal Extradition Act; California Penal Code §§ 1547 to 1556.2.

I understand that any court of competent jurisdiction may revoke this order of release and either return me to custody or require that I give bail or other assurance for my appearance.

I further understand that if I fail to appear when required to do so by the Court that I may be charged with the additional crime of violating Penal Code § 1320, which is a felony.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on this _____ day of _____, 20____, at Marysville, California.

Signature of Defendant

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (<i>NAME</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	
PEOPLE OF THE STATE OF CALIFORNIA, vs. DEFENDANT:	
VERIFIED PETITION FOR INSPECTION AND COPYING OF PROBATION REPORT(S) AND ORDER GRANTING PETITION [Penal Code § 1203.05(b)]	CASE NUMBER: _____

PETITION FOR INSPECTION AND COPYING OF PROBATION REPORT(S)

I, _____, hereby petition for leave to inspect and/or copy the
Name and Official Capacity
 probation report[s] on file with the Clerk of this Court relating to _____. The inspection
 and copying of said report(s) is necessary in conjunction with (check one) an investigation by
 _____ or proceedings pending in the Superior Court of California, County of
 _____, being Case No. _____, entitled _____.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and
 correct, and that this declaration is executed by me on _____, at Marysville, California.

Signature of Declarant

ORDER GRANTING PETITION

The above *Petition* is hereby granted.

Dated: _____

JUDGE OF THE SUPERIOR COURT

<p>SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600</p>	<p><i>FOR COURT USE ONLY</i></p>
<p>PEOPLE OF THE STATE OF CALIFORNIA, vs. DEFENDANT:</p>	
<p>FARETTA WAIVER FORM</p>	<p>CASE NUMBER:</p>

You have stated to the Court that you do not wish to be represented by an attorney, even though one would be provided to you at no expense if you cannot afford one, and that you wish to represent yourself. In making this decision to be your own attorney, have you considered the following:

1. It is almost always unwise to represent yourself, and in so doing, you may conduct a defense which may aid the prosecutor in convicting you of the charges?

Yes No _____
(Initial)

2. You are not entitled to any special privileges or treatment from the judge. The judge will require you to follow all the technical rules of law, procedure, and evidence in the defense of your case and in the presentation of your defense. The judge will not aid you in your efforts to defend yourself.

Yes No _____
(Initial)

3. The prosecutor will be an experienced, professional attorney who will not treat you leniently or in any special way even though you do not have the same skills or experience. The prosecutor will have an advantage by reason of his/her skill and experience.

Yes No _____
(Initial)

4. If you are in custody, you will receive no more library privileges than those available to other inmates. You will receive no extra time for preparation. You will have no staff of investigators at your disposal.

Yes No _____
(Initial)

5. If you elect to represent yourself, you will not be successful in any appeal based upon the quality of your representation. In other words, an allegation that you were denied "effective assistance of counsel", that is, you were "incompetent" as a trial attorney, will not result in a new trial with competent counsel.

Yes No _____

(Initial)

6. If you change your mind during the trial, you may not be permitted to obtain a postponement of the case while you obtain an attorney.

Yes No _____
(Initial)

7. Your right to represent yourself may be ended, an attorney appointed for you, and you may be excluded from the courtroom if you misbehave during court or seriously disrupt the proceedings.

Yes No _____
(Initial)

8. Have you ever represented yourself before in a jury trial?

Yes No _____
(Initial)

9. You are charged with _____. Have you considered possible defenses?

Yes No _____
(Initial)

10. Do you know the maximum penalty in the event you are convicted?

Yes No _____
(Initial)

11. Indicate the number of years of formal education you have had:

Elementary School _____ High School _____ College _____ Other _____

12. Is English your first language? Yes No. If not, what is? _____

13. Have you been treated for any emotional/mental illnesses? Yes No. If yes, please explain:

14. Have you had any difficulties reading and understanding this form? Yes No

15. Please explain your views about the form: _____

16. Please explain briefly why you wish to represent yourself: _____

Do you now wish the Court to permit you to represent yourself as your own attorney? Yes No

Dated: _____

Signature of Defendant

SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	FOR COURT USE ONLY
IN THE MATTER OF THE PETITION OF:	
PETITION FOR RELIEF FROM FIREARMS PROHIBITION <i>[Welfare & Institutions Code § 8103(f)(5)]</i>	CASE NUMBER:

Any person subject to the firearm prohibition provisions of Welfare and Institutions Code (WIC) section 8103(f)(1) may request a hearing, pursuant to 8103(f)(5) WIC, from the Superior Court of his or her county of residence for relief upon or after discharge from a mental health facility. The purpose of the hearing is to determine if he or she may own, possess, control, receive, or purchase firearms. The court shall set a date within 30 days of receipt of this request.

TO: Superior Court of California, County of _____

I, the defendant named hereinabove, hereby petition the Court as follows:

- I hereby request a hearing for restoration of my right(s) to own or possess firearms.
- I hereby request a confidential private hearing for restoration of my right(s) to own or possess firearms. (Pursuant to Welfare and Institutions Code 8103(f) (5), you have the right to request a confidential private hearing that is not open to the public. This hearing will only be attended by persons relevant to your case unless the Court finds that the public interest would be better served by conducting the hearing in public.)

Date: _____

 Signature of Petitioner

Name: _____ Date of Birth: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Mental Health Facility _____ Discharge Date: _____

Address: _____

City: _____ State: _____ Zip Code: _____

- This request is being made at the time of discharge from the mental health facility.
- This request is being made after discharge from the mental health facility.

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (<i>NAME</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901-5737 (530) 749-7600	
PLAINTIFF/PETITIONER: vs. DEFENDANT/RESPONDENT:	
DECLARATION IN SUPPORT OF APPLICATION FOR TEMPORARY ORDERS	CASE NUMBER: _____

I, _____, am the party seeking the attached temporary orders. The order for which I am applying would restrain the conduct of, or affect the rights of, _____.

To the best of my knowledge, proposed restrained party _____ is not represented by an attorney.

(YOU MUST COMPLETE ONLY ONE SECTION BELOW)

I notified the proposed restrained party that I intend to request a temporary order at an ex-parte hearing conducted by Yuba County Superior Court on _____, 20__, at _____ .m. by [] telephone [] in person. The proposed restrained party was at the following location when notice was provided (as required by Rule 3.1203 of the California Rules of Court):

 _____.

I have made a reasonable and good faith effort to notify the proposed restrained party of my intent to apply for temporary orders, but have been unsuccessful. My attempts to notify the proposed restrained party have consisted of: _____
 _____.

I have not attempted to notify the proposed restrained party of my intention to present this application for temporary orders to the Court because I believe that such notice would be inappropriate or impractical, or would result in irreparable injury. My reasons for not giving notice of these temporary orders to proposed restrained party are: _____
 _____.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on _____, 20____, in the County of Yuba, State of California.

Signature of Declarant

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address)</i> TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR <i>(NAME)</i> : _____	FOR COURT USE ONLY CASE NUMBER: _____
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	
PLAINTIFF/PETITIONER: vs. DEFENDANT/RESPONDENT:	
EX PARTE APPLICATION AND DECLARATION RE APPOINTMENT OF ATTORNEY [50 U.S.C. App. § 520(1)]	

APPLICATION

The undersigned hereby applies for appointment of _____ as attorney for defendant/respondent in the above-entitled matter pursuant to Title 50 of the United States Code, Appendix Section 520(1).

Dated: _____

Plaintiff/Petitioner or Attorney for Plaintiff/Petitioner

DECLARATION

The undersigned hereby declares:

1. I am the plaintiff/petitioner attorney for plaintiff/petitioner in the above-entitled action.
2. Defendant/respondent in this action is a member of the United States Military, Branch: _____. His/her service mailing address is _____. Defendant/respondent was served with the summons and complaint/petition in the above-entitled action by _____ on _____, and defendant/respondent has not made any appearance, nor has any pleading been filed on his/her behalf.
3. _____ is an attorney at law, duly licensed to practice in California, who, if appointed, will adequately represent the interest of defendant/respondent in this matter.

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct.

Dated: _____

Plaintiff/Petitioner or Attorney for Plaintiff/Petitioner

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (NAME): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	
IN THE MATTER OF THE PETITION OF: TO ESTABLISH THE FACT OF MARRIAGE OF: and	
PETITION TO ESTABLISH FACT OF MARRIAGE [H&S § 103450]	CASE NUMBER: _____

The undersigned respectfully alleges:

- Petitioner is a resident of the County of Yuba, State of California.
- Petitioner seeks to establish the fact of marriage of _____ and _____, each to the other, said marriage having been solemnized on _____ in the County of _____, State of _____ OR [] in the Country of _____.
- Said marriage has not been registered in conformity with the provisions of law in effect at the time of marriage, or such record has been lost or destroyed after having been filed.

WHEREFORE, Petitioner prays that an order of the Court be made establishing the fact of marriage of _____ and _____, each to the other, which occurred as set forth hereinabove, and for such other relief as the Court deems proper.

Dated: _____

.....
 Type or Print Name

 Signature of Petitioner

VERIFICATION

I declare under penalty of perjury the laws of the State of California that the foregoing is true and correct.

Dated: _____

.....
 Type or Print Name

 Signature of Petitioner

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (NAME): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	
IN THE MATTER OF THE PETITION OF: TO ESTABLISH THE FACT OF MARRIAGE OF: and	
NOTICE OF HEARING RE PETITION TO ESTABLISH FACT OF MARRIAGE [H&S § 103450]	CASE NUMBER: _____

YOU ARE HEREBY NOTIFIED that a hearing in the above-entitled case has been scheduled in this Court as follows:

DATE:	TIME:	DEPARTMENT:
LOCATION: Yuba County Courthouse, 215 Fifth Street, Marysville, CA 95901		

Dated: _____ H. Stephen Konishi
 Clerk of the Superior Court

By: _____
 Court Clerk

CERTIFICATE OF SERVICE BY MAIL
[CCP §1013a(4)]

I hereby certify that I am employed by Yuba County Superior Court. My business address is 215 Fifth Street, Suite 200 Marysville, California 95901. I am over 18 years of age and not a party to this cause.

I further certify that on this date, I placed this document in an envelope, sealed the envelope, and placed it in the central mail depository for collection and processing by the County of Yuba for delivery to the U.S. Postal Service, addressed as follows:

Dated: _____ H. Stephen Konishi
 Clerk of the Superior Court

By: _____
 Court Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (NAME): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	
IN THE MATTER OF THE PETITION OF: TO ESTABLISH THE FACT OF MARRIAGE OF: and	
ORDER ESTABLISHING FACT OF MARRIAGE [H&S § 103450]	CASE NUMBER: _____

THE COURT FINDS as follows:

1. Petitioner is a resident of the County of Yuba, State of California.
2. Petitioner and _____ were married in a ceremony solemnized on _____ [] in the County of _____, State of _____ or [] in the Country of _____.
3. Said marriage was not registered in conformity with the provisions of law in effect at the time of said marriage, or such record was lost or destroyed after having been filed.

THE COURT ORDERS that the marriage of _____ and _____, which occurred as set forth hereinabove, is hereby verified and established by this Court.

Dated: _____

JUDGE OF THE SUPERIOR COURT

SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	<i>FOR COURT USE ONLY</i>
THE PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:	
DEFENDANT'S REQUEST RE TRAFFIC CASE	CASE NUMBER:

TO BE COMPLETED BY DEFENDANT

I, the defendant herein, hereby request:

- A clerk's 60-day extension; I am entering a plea of guilty.
- A clerk's 60-day extension to pay the traffic school fees of \$ _____ which are due by: _____.
- A clerk's 60-day extension to provide corrections to my violations to the court.

Dated: _____

Signature of Defendant

TO BE COMPLETED BY COURT CLERK

- Defendant shall complete traffic school by _____. Upon completion case, defendant's case will be dismissed.
- The following code section(s) were dismissed by the filing of the proof of correction:

- Payment of \$ _____, or \$ _____ with proof of correction, is due on or before: _____.
- Request for extension granted by Court Clerk.

Dated: _____

H. Stephen Konishi
Clerk of the Superior Court

By: _____
Court Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address)</i> TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR <i>(NAME)</i> : _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	
IN THE MATTER OF: _____	
CERTIFICATE OF COMPETENCY TO PRACTICE IN JUVENILE DEPENDENCY COURT	CASE NUMBER: _____

I, _____, Attorney at Law, am licensed to practice in the State of California. My State Bar Number is _____.

I hereby certify that I meet the minimum standards for practice before the Juvenile Division of Yuba County Superior Court as set forth in Local Rule 7.2. I further certify that I have completed the minimum requirements for training, education and/or experience as set forth below.

TRAINING AND EDUCATION

(Attach copies of MCLE certificates or other documentation of attendance)

COURSE TITLE	DATE COMPLETED	HOURS	PROVIDER
_____	_____	_____	_____
_____	_____	_____	_____

JUVENILE DEPENDENCY EXPERIENCE

(Attach extra page if necessary)

COURSE TITLE	DATE COMPLETED	HOURS	PROVIDER
_____	_____	_____	_____
_____	_____	_____	_____

Dated: _____

Signature of Attorney

APPROVED.

Dated: _____

JUDGE OF THE SUPERIOR COURT

SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	<i>FOR COURT USE ONLY</i>
PLAINTIFF/PETITIONER: vs. DEFENDANT/RESPONDENT:	
DECLARATION AND ORDER FOR REVOCATION OF TIME PAYMENTS (Small Claims)	CASE NUMBER:

DECLARATION

I hereby declare that I have not received the payment of \$ _____ due on _____ in the above-entitled matter. I hereby request that the Court revoke the order for time payment and issue a *Writ of Execution*. I declare under penalty of perjury that the foregoing is true and correct.

Date: _____

Signature

ORDER

Declaration having been filed as to a default on payments in the above Small Claims action, **THE ORDER FOR TIME PAYMENTS IS HEREBY REVOKED.** A *Writ of Execution* may be issued at this time.

Dated: _____

JUDGE OF THE SUPERIOR COURT

CERTIFICATE OF SERVICE BY MAIL

[CCP §1013a(4)]

I hereby certify that I am employed by Yuba County Superior Court. My business address is 215 Fifth Street, Suite 200, Marysville, California 95901. I am over 18 years of age and not a party to this cause.

I further certify that on this date, I placed this document in an envelope, sealed the envelope, and placed it in the central mail depository for collection and processing by the County of Yuba for delivery to the U.S. Postal Service, addressed as follows:

Dated: _____

H. Stephen Konishi
Clerk of the Superior Court

By: _____
Court Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>) TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (<i>NAME</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	
PLAINTIFF: vs. DEFENDANT:	
REQUEST FOR CONTINUANCE OF SMALL CLAIMS HEARING	CASE NUMBER: _____

IMPORTANT NOTICES

1. This form is to be used by the plaintiff ONLY when none of the defendants have been served.
2. ANY other request for postponement MUST be made on Judicial Council Form SC-110 which requires a fee.

1. I am the plaintiff in this case.
2. I request that my small claim hearing date of _____ be continued because I have been unable to serve ANY of the defendants named in this case.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Dated: _____

.....

 (Type or Print Name) Signature of Plaintiff, In Propria Persona

FOR COURT USE ONLY

REQUEST FOR CONTINUANCE IS GRANTED.

Hearing date of _____ is vacated and continued to (date) _____ at
 (time) _____.

Dated: _____

H. Stephen Konishi
 Clerk of the Superior Court

By: _____
 Court Clerk

<p>SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600, Option 1</p>	<p><i>FOR COURT USE ONLY</i></p>
<p>THE PEOPLE OF THE STATE OF CALIFORNIA</p> <p>vs.</p> <p>DEFENDANT: _____ TYPE OR PRINT YOUR NAME</p>	
<p>INFRACTION OPTION FORM</p>	<p>YOUR CASE NUMBER:</p>

I HEREBY POST THE FULL AMOUNT OF THE BAIL PER VEHICLE CODE § 40519 AND CHOOSE THE FOLLOWING OPTION FROM THE COURTESY NOTICE:

- OPTION 1.** I want to forfeit the full amount of the bail. I agree that a temporary judge may order the bail forfeited and that there be no further proceedings in my case.
- OPTION 2.** I want to forfeit the bail and attend traffic school. The *Courtesy Notice* says that I am eligible to attend traffic school. With this form, I am paying the full amount of the bail, plus the \$49.00 court administrative fee.
- OPTION 3 B).** I hereby declare my intention to plead “not guilty” and want to appear in person at trial. I understand that I will receive written notice of my arraignment / court trial which will be set on the same date. I understand that I am not entitled to a public defender or a trial by jury. I further understand that if I do not appear at the trial, the Court will decide the case based on the officer’s evidence only, and if found guilty, my bail will be forfeited.
- OPTION 3 C).** I request a trial but **do not** want to appear in person. I understand that both the officer and I will be required to submit declarations stating the facts of the case. The Court will enter a plea of “not guilty” for me and will review the declaration. A written ruling by the Court will be mailed to me. The *Request for Trial by Written Declaration* (TR-205) forms are available at the Clerk’s Office or on our website www.yubacourts.org.

WITHOUT POSTING BAIL, I CHOOSE THE FOLLOWING OPTION:

- OPTION 4.** I am submitting my proof of correction(s) and the \$25.00 fee for each corrected violation.
- OPTION 5.** I would like a 60-day extension of time to choose between Options 1, 2, 3 or 4 above.
- OPTION 6.** I request that the Court enter a plea of “guilty” for me, and I want to pay my fine in installments. I waive my right to a trial. I understand I will be referred to the County Financial Evaluation Officer to set up a payment plan and that there is a \$35.00 administrative fee.

DATED: _____

YOUR SIGNATURE

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address)	FOR COURT USE ONLY
TELEPHONE NO: _____ FAX NO: _____ ATTORNEY FOR (NAME): _____	
SUPERIOR COURT OF CALIFORNIA COUNTY OF YUBA 215 FIFTH STREET, SUITE 200 MARYSVILLE, CA 95901 (530) 749-7600	
Guardianship/Conservatorship of: _____ <div style="text-align: center;">Minor/Conservatee.</div>	
PETITION FOR: <input type="checkbox"/> VISITATION <input type="checkbox"/> REVIEW HEARING <input type="checkbox"/> OTHER	CASE NUMBER: _____

I, _____, hereby petition the Court for the following: _____

My relationship to the minor/conservatee is: mother father grandparent aunt/uncle sibling
 other (specify) _____.

My petition is based on the following reasons (explain in detail):

Continued on attachment.

I declare under penalty of perjury that the foregoing is true and correct, and that this petition was executed on _____, 20____, at _____, State of California.

 Type or Print Name

 Signature of Petitioner

 Type or Print Name

 Signature of Petitioner

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