Superior Court of California, County of Placer

Local Rules of Court

Price: $20.00
Revision: July 1, 2019

www.placer.courts.ca.gov

NOTICE

Rules May be Purchased at the Following Superior Court Locations:

Hon. Howard G. Gibson Courthouse	Historic Courthouse	Tahoe Courthouse
10820 Justice Center Drive	101 Maple St.	2501 N. Lake Blvd./PO Box 5669
Roseville, CA 95678	Auburn, CA 95603	Tahoe City, CA 96145
(916) 408-6000	(916) 408-6000	(530) 584-3460
8:00 a.m. – 3:00 p.m.	8:00 a.m. – 12:00 p.m.	8:00 a.m. – 3:00 p.m.

[Effective 1/1/17]

Or visit our website at www.placer.courts.ca.gov

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QUICK REFERENCE GUIDE TO CHANGES TO LOCAL RULES

The following rules have been changed since the last revision on January 1, 2019 – the effective date for all of these changes is July 1, 2019. Changes are highlighted with the use of ***bold*** *text.*

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10.00 LOCAL RULES - GENERAL

RULE 10.1 SCOPE OF RULES FOR THE SUPERIOR COURT

These Local Rules of Court apply to the Superior Court of California, in and for the County of Placer. [Effective 7/1/05]

RULE 10.2 EFFECTIVE DATE OF RULES

These rules shall take effect on **July 1, 2019**. Changes since the last publishing have been highlighted with the use of bold text. These rules shall on their effective date supersede all local court rules previously adopted by the Placer County Superior Court. **[Effective 7/1/19]**

RULE 10.3 EFFECTS OF RULES AND CITATION OF RULES

These rules shall be known and cited as "Local Rules of the Placer County Superior Court." [Effective 7/1/05]

RULE 10.4 DEPARTMENTS

Each courtroom within the coordinated court system carries a numerical designation, not to be confused or associated with any particular judge of the court, as judges may sit in different courtrooms at different times.

Department		Location:
1	-	101 Maple Street, 2nd Floor, Auburn [Effective 1/1/09]
2	-	101 Maple Street, 2nd Floor, Auburn [Effective 1/1/09]
3	-	101 Maple Street, 3rd Floor, Auburn [Effective 1/1/09]
4	-	101 Maple Street, 3rd Floor, Auburn [Effective 1/1/09]
5	-	101 Maple Street, 3rd Floor, Auburn [Effective 1/1/09]
6	-	101 Maple Street, 4th Floor, Auburn [Effective 1/1/09]
12	-	11270 B Avenue, DeWitt, Auburn
~~13~~	~~-~~	~~Criminal Div, 2785 Richardson Drive, DeWitt, Auburn~~ **[Effective 7/1/19]**
14	-	2501 N. Lake Boulevard (P.O. Box 5669), Tahoe City
20	-	11801 Go for Broke Road, Roseville [Effective 1/1/19]

30 - 10820 Justice Center Drive, Santucci Justice Center, 1st Floor, Roseville

31 - 10820 Justice Center Drive, Santucci Justice Center, 1st Floor, Roseville

32 - 10820 Justice Center Drive, Santucci Justice Center, 1st Floor, Roseville

33 - 10820 Justice Center Drive, Santucci Justice Center, 1st Floor, Roseville

40 - 10820 Justice Center Drive, Santucci Justice Center, 2nd Floor, Roseville

41 - 10820 Justice Center Drive, Santucci Justice Center, 2nd Floor, Roseville

42 - 10820 Justice Center Drive, Santucci Justice Center, 2nd Floor, Roseville

43 - 10820 Justice Center Drive, Santucci Justice Center, 2nd Floor, Roseville

44 - 10820 Justice Center Drive, Santucci Justice Center, 2nd Floor, Roseville

[Effective 1/1/09]

RULE 10.5 POLICY CONCERNING USE OF COURT FACILITIES, FILES, DOCUMENTS AND EXHIBITS IN TRIALS OR PROCEEDINGS HEARD BY A PRIVATE JUDGE

For the purposes of this local rule the term "private judge" includes any attorney or retired judge sitting as a judge pro tem 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 born by the litigants.

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

B. Documents to be filed by the private judge: The private judge shall have the responsibility for filing with the clerk of the court, notices setting hearings, interim rulings, the statement of decision or 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 transcript 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 provided directly to the reporter. The parties are responsible for arranging transcript preparation, correction, certification, and filing with the Court of Appeal.

[Effective 7/1/01]

RULE 10.6 SANCTIONS FOR VIOLATIONS OF LOCAL RULES

Any unjustified failure to comply with the requirements of any local rule may result in the imposition of monetary sanctions, including the assessment of fines, court costs or attorney's fees against an offending attorney or party, or any other sanctions as determined by the court, including such non-monetary sanctions as issue preclusion, exclusion of evidence, the striking of pleadings and the dismissal of an action or cause of action**.** Monetary sanctions are payable to the Superior Court of the State of California, in and for the County of Placer. [Effective 1/1/06]

RULE 10.7 SUBSECTION DELETED [Effective 7/1/11]

RULE 10.8 EX PARTE ORDERS

The Court will not issue any orders on ex parte requests unless the order requested is necessary to prevent injustice, irreparable harm, immediate danger, or states a proper statutory basis for granting ex parte relief, and due to time constraints, a noticed motion cannot be made. Further, failure to timely request a noticed motion must not have been due to any failure or lack of diligence on the part of the requesting attorney or party. [Effective 7/1/02]

All ex parte requests, including a request for orders shortening or extending time, for temporary relief or other requests will be heard only with a scheduled appointment except in cases of emergency. Appointments will be scheduled through the office of the clerk of the appropriate Court. On appearance, attorneys and/or parties requesting the order shall present a written application to the clerk of the Court accompanied by sufficient declarations and/or points and authorities to support the order, and the proposed order.

Notice shall be given to all parties within the time limits set forth in CRC 3.1203. All ex parte applications shall comply with CRC 3.1204 and must include a written declaration setting forth details of the notice given to other parties (date, time, place of notice, to whom notice was given) or why notice could not be given. In cases where less than 6 business hours notice is given, the declaration shall state facts to justify such shortened notice. Further, ex parte requests for continuance, pursuant to Rule 20.1.12, shall include a list of mutually agreeable proposed trial dates. [Effective 1/1/19]

This rule does not apply to requests for orders, including requests for orders shortening time, in family law cases. [Effective 7/1/17]

RULE 10.9 FILING OF DOCUMENTS

A. The Clerk of the Court shall adhere to the guidelines set forth herein in the acceptance and rejection of documents presented for filing. Parties must comply with requirements of the California Rules of Court (CRC), including CRC 2.100 et seq. [Effective 7/1/02; Amended 1/1/18]

B. Except for noncompliance with CRC 2.100 et seq, these local rules of Court, or failure to pay the filing fee without a Court order waiving the fee, a complaint must be filed on

demand and cannot be refused. Unsigned complaints shall not be filed without a court order. [Effective 7/1/07; Amended and renumbered 1/1/18]

C. Except for noncompliance with CRC 2.100 et seq, these local rules of court, or failure to pay the filing fee without a court order waiving the fee, an answer or other responsive pleading must be filed on demand and cannot be refused. Unsigned answers or other responsive pleadings shall not be filed without a court order. [Effective 7/1/07; Amended and renumbered 1/1/18]

D. All persons submitting documents for filing are expected to provide the clerk with a self-addressed, postage paid envelope for the return of conformed or endorsed copies if the return of copies is requested. Documents not accompanied by a postage-paid envelope will be placed in the unsecured document pickup box located in the clerk's office. Documents placed in the pickup box are expected to be claimed within thirty (30) days of being placed therein. All documents remaining unclaimed in excess of thirty (30) days will be deemed to have been abandoned and will be discarded by the clerk without notice. [Effective 7/1/02; Amended and renumbered 1/1/18]

E. The Court will not accept for filing or file any documents e-mailed or faxed directly to Court Administration or a Judicial Officer. Except for submittal of form MC-410 Request for Accommodation by Persons with Disabilities and Response and proposed orders submitted pursuant to Local Rule 20.2.3, documents and pleadings that are emailed or faxed directly to Court Administration or a Judicial Officer will not be filed, responded to or considered by the Court. [Effective 1/1/14; Amended and renumbered 1/1/18]

F. Parties are required to file the following copies of documents:

1. All case documents, excluding Unlimited Civil complaints and petitions, which are defined in F.2:

    a. One (1) original in a format pursuant to California Rules of Court, rule 2.100 et seq. Secure binding shall be accomplished through clipping or rubber-banding.

    Secure binding in this fashion, in lieu of other binding or staples, expedites the court's ability to convert the document into digital format and allows for greater public access to the digital case files, as permitted by law or rule.

    Exhibit attachments to pleadings shall be separated by a standard size sheet of paper with a title identifying the sequence of the exhibit.

    b. Up to two (2) copies to conform each document. Parties are encouraged to take their conformed copies to make additional copies as needed.

2. Unlimited Civil complaints and petitions:

a. One (1) original in a format pursuant to California Rules of Court, rule 2.100 et seq. Secure binding shall be accomplished through clipping or rubber-banding.

Secure binding in this fashion, in lieu of other binding or staples, expedites the court's ability to convert the document into digital format and allows for greater public access to the digital case files, as permitted by law or rule.

Exhibit attachments to pleadings shall be separated by a standard size sheet of paper with a title identifying the sequence of the exhibit.

b. One (1) copy in a format pursuant to California Rules of Court, rule 2.100 et seq. This extra copy is required to allow for same-day access by the public and media to newly submitted but unprocessed complaints;

c. Up to two (2) copies to conform each document. Parties are encouraged to take their conformed copies to make additional copies as needed.

[Effective 7/1/17; Revised 7/1/18]

G. Parties/Counsel must write their case number on all checks submitted at time of filing. [Renumbered 1/1/18]

H. When submitting a Writ of Execution or abstract, a copy of the judgment must be submitted. [Renumbered 1/1/18]

RULE 10.10 PLACE OF FILING

A. Except as provided in subsections B through E, or as otherwise ordered by the Court, all filings presented to the Superior Court, shall be filed at the clerk's office in the Santucci Justice Center, located at 10820 Justice Center Drive in Roseville, CA, between the hours of 8:00 AM and 3:00 PM, Monday through Friday, excluding court holidays, or at the clerk's office in the Auburn Historic Courthouse, located at 101 Maple Street in Auburn, CA, between the hours of 8:00 AM and 12:00 PM, Monday through Friday, excluding court holidays. [Effective 7/1/11]

B. The Tahoe Court does not accept Adoption, Family Support, Juvenile, or Probate papers. These documents must be filed at the appropriate clerk's office, as specified in subsections A, C through E. All other filings within the Superior Court's jurisdiction, presented for filing to the Superior Court's Tahoe Division, shall be filed at the clerk's office, located at 2501 North Lake Boulevard, in Tahoe City, CA, between the hours of 8:00 AM and 3:00 PM, Monday through Friday, excluding court holidays. [Effective 7/1/11]

C. All Juvenile filings, presented for filing to the Superior Court, shall be filed at the Auburn clerk's office, located at 11270 "B" Avenue in Auburn, CA, between the hours of 8:00 AM and 3:00 PM, Monday through Friday, excluding court holidays. [Effective 7/1/11]

D. Except as provided in subsection B, or as otherwise ordered by the Court, all Traffic citations, criminal complaints, and all non-traffic violations, including animal control and building code violations, shall be filed at the clerk's office in the Santucci Justice Center, located at 10820 Justice Center Drive in Roseville, CA, between the hours of 8:00 AM and 3:00 PM, Monday through Friday, excluding court holidays. [Effective 7/1/11]

E. All child support complaints filed by the Placer County Department of Child Support Services shall be filed at the clerk's office in the Santucci Justice Center, located at 10820 Justice Center Drive in Roseville, CA, between the hours of 8:00 AM and 3:00 PM, Monday through Friday, excluding court holidays. [Effective 7/1/11]

F. Filings presented to the Superior Court, with the exception of Juvenile filings, may be placed in any of the court's after-hours drop boxes until 4:00 PM, Monday through Friday, excluding court holidays. Filings placed in the court's after-hours drop boxes after 4:00 PM will be filed by the court on the next court day. An after- hours drop box is available at all of the Clerk's Offices, as specified in subsections A through B and D through E. Filings not placed in the court's after hours drop box will not be accepted for filing. [Effective 7/1/11]

RULE 10.11 SUBSECTION DELETED [Effective 1/1/14]

RULE 10.12 COURT FILES

A. No papers shall be removed from any Court file of actions or placed therein except by authorized Court personnel. The clerk shall not deliver any papers filed except for purposes of inspection in the office of the clerk, to the possession of any person other than an employee of the Court unless so ordered by the Court. [Effective 7/1/01]

B. Use of Personal Digital Devices (e.g. cell phones, tablet computers): Use of personal devices to take photographs is not permitted in the clerks' offices or courtrooms, except as provided in this rule or in Local Rule 10.19. Personal devices may be used in the clerks' offices solely to make a digital copy or photograph of the official public court file after first informing the clerk of this intended purpose. [Effective 1/1/13]

C. Release of Original Court Files by Clerk: Absent a court order, the clerk shall not release an original court file to any person not an employee of the court. The clerk may allow any person to view a non-confidential case file within the courthouse pursuant to public access rules.

Assigned and temporary public judges, when taking matters under submission or for other good cause, may obtain copies of all or designated portions of the court file at no cost.

Private judges, including private temporary judges, and counsel/parties in such privately adjudicated cases, may obtain copies of all or designated portions of the court file. Copy costs shall be borne by the requesting party or parties. [Effective 1/1/11]

RULE 10.13 DEPOSITS INTO COURT TRUST ACCOUNT

A. Funds deposited with the Court, in civil actions, whether as a deposit, undertaking, cash bond or trust deposit shall be accompanied by the name of the depositor, depositor's mailing address, and depositor's federal tax identification or social security number**,** and the purpose for the deposit. Funds received without such tax information will not be accepted by the clerk for deposit. Once deposited with the Court, such funds, except those in small claims cases and those required when filing for a stay of execution in unlawful detainer cases, shall draw interest, at the current rate specified by the financial institution where the funds are deposited, from the date of deposit.
[Effective 7/1/03, Revised 7/1/10]

B. Upon release of such civil fund deposits and payment of interest, the Court will provide the depositor, at the address given, an Internal Revenue Service Tax Form 1099(I) for the then current tax year and shall report such earned interest to the Internal Revenue Service, in accordance with existing Court policies. [Effective 7/1/08]

RULE 10.14 COURT INTERPRETERS

Court interpreters shall be utilized only as directed by the Court.

A. If an interpreter is required by any party to an action, counsel shall advise the Court of the need for an interpreter at least five (5) court days prior to the trial or hearing. [Effective 7/1/01]

B. In juvenile or criminal proceedings, where an interpreter is required at hearing or trial for a non-English speaking party or witness, counsel for the prosecution or defense must notify the Court, in writing, as soon as the need for the interpreter is determined. For each non-English speaking party or witness, the Court must be provided with the date of the hearing, the name of the person for whom the interpreter is requested, the person's role in the proceeding and the foreign language spoken, including the dialect where applicable. The Court will make arrangements for the foreign language interpreter to be present at the trial or hearing and, pursuant to CRC 10.810, will pay the related costs. Counsel must immediately notify the Court upon learning that the services of the interpreter are not required. Failure to timely notify the Court of the cancellation of the need for an interpreter may result in an order for reimbursement to the Court for any cancellation fee the Court is required to pay to the interpreter. [Effective 7/1/07]

RULE 10.15 COURT REPORTERS

A**.** Pursuant to California Rule of Court 2.956, the Court does not provide court reporters for hearings in the following matters:

All Civil Case Management Conferences;
All Civil Law and Motion;
All Civil Limited and Civil Unlimited Trials;
All Civil Settlement Conferences;
All Family Law Matters, except contempt matters and contested long cause evidentiary hearings and trials;

All hearings regarding Probate, Guardianships, Conservatorships, Requests for Civil; Harassment Restraining Orders, Unlawful Detainers, Name Changes, and Other Civil Petitions;
All infraction hearings and non-evidentiary misdemeanors.

A litigant who wishes to obtain a record of a hearing for any of the above types of matters must arrange for a court reporter at his or her expense. A litigant may contact the court's Master Calendar Unit by calling (916) 408-6153 to determine if a court-connected court reporter is available. If a court-connected reporter is available and provided to the litigant by the court, the litigant shall be charged fees as outlined in (D) below. The court does not facilitate the attendance of private certified court reporters to report proceedings.

B. Notwithstanding 10.15.(A), a reporter will be provided at court expense upon the request for a court reporter by a party with a valid fee waiver on file, unless the proceedings is being electronically recorded. Those with a fee waiver may request a court reporter by submitting Form PL-CW007, Request for Court Reporter, to the Court's Master Calendar Unit no less than three days prior to the hearing. [Effective 1/1/19]

C. Pursuant to Standing Order 2019-02, the Court provides Court Reporters in all Family Law contested long cause evidentiary hearings and trials. [Effective 1/1/19]

D. Pursuant to Government Code section 68086, court reporter fees will be charged as follows:

1. For proceedings anticipated to last one hour or less, $30. This fee will be assessed only when a party requests a court-connected court reporter and the court is able to provide the court reporter on the requested date and time.

2. For proceedings anticipated to last more than one hour but no more than four hours, $320. This fee will be assessed when a time estimate is provided by the party. Pursuant to Government Code section 68086, each party is responsible for their pro rata portion of this fee.

3. For proceedings anticipated to last more than four hours, $440, per day. This fee will be assessed when a time estimate is provided by the party. Pursuant to Government Code section 68086, each party is responsible for their pro rata portion of this fee.

4. All fees are due prior to the start of the hearing. Matters that proceed to an additional judicial day shall be subject to additional fees. Matters that are concluded on the same judicial day, but extend beyond their initial time estimate, may be subject to additional fees pursuant to this section. [Effective 1/1/19]

Additionally, the parties shall be responsible for all transcript costs pursuant to California Government Code section 69953. [Effective 1/1/12]

RULE 10.16 USE OF DVD/VCR PLAYERS BY ATTORNEYS IN COURT

DVD/VCR combination units are available at certain court sites in Placer County. Attorneys wishing to play a VCR or DVD in court are advised to contact the appropriate clerk's office to inquire about availability in advance.

Please be advised that if using a DVD that is "homemade" (not store-bought) the Court cannot guarantee that it will work in the court DVD player. In this case, attorneys are recommended to furnish their own player. If furnishing the player, the appropriate clerks' office should be notified at least two working days in advance of the court date. [Effective 7/1/05]

RULE 10.17 STANDARDS OF PROFESSIONAL CONDUCT FOR ATTORNEYS

The court recognizes the existence of the California Attorney Guidelines of Civility and Professionalism ("Guidelines"), adopted by the State Bar of California (effective as of July 20, 2007). The complete text of the Guidelines is available on the State Bar's website at**:** http://ethics.calbar.ca.gov/**.** [Effective 1/1/13]

The Guidelines are not intended to supplant the mandated Rules of Professional Conduct for attorneys in California, or any other rules or laws governing attorney conduct. Under Section 21 of the Guidelines, judges are encouraged to support and promote the civility Guidelines in court proceedings.

Upon a motion of any party, including those made pursuant to Code of Civil Procedure sections 128, 128.5, 128.7, 177, and 177.5, conduct inconsistent with the standards of professional conduct recognized by this rule, may be considered in the discretion of the court in determining if sanctions or other relief are warranted. [Effective 7/1/09]

RULE 10.18 ELECTRONIC RECORDINGS, COPIES

Pursuant to Government Code section 69957, certain court proceedings may be electronically recorded when a court reporter is not available. The electronic recording serves as the official record of the proceeding in these instances. The court will post notice outside of a courtroom where the proceedings are being recorded pursuant to this Local Rule.

In cases where an electronic recording serves as the official record, a party may request a copy by completing a Request for Copy of Electronically Recorded Proceeding form and submitting the form to the clerk's office at the Santucci Justice Center at 10820 Justice Center Drive in Roseville, CA.

Pursuant to Government Code section 70631, a fee of $10 will be charged for each copy requested. [Effective 7/1/10]

RULE 10.19 RECORDING DEVICES IN CLERK'S OFFICE

Recording devices are not to be used while conducting business with the Clerk's Office. Exceptions may be made:

1. To accommodate for a disability where no other means are available to reasonably accommodate the disability.

2. If the Court user provides and utilizes two recording devices simultaneously and provides one recording free of charge to the Court immediately upon completion of using the device.

3. For media requests, which must be handled according to California Rule of Court, rule 1.150.

[Effective 1/1/11]

RULE 10.20 MOTIONS TO BE RELIEVED AS COUNSEL

Pursuant to California Rules of Court, Rule 3.1362(e), an order granting a motion to be relieved as counsel of record will not become effective until the proof of service of a copy of the signed order on the client has been filed with the court. [Amended and Renumbered 7/1/15]

RULE 10.21 ELECTRONIC COMMUNICATIONS WITH JUDICIAL OFFICERS

Consistent with all applicable laws, the Canons of Judicial Ethics, and the California Rules of Professional Conduct, an attorney or party may communicate by electronic mail with a judicial officer only as authorized by and at the discretion of the judicial officer. [Effective 7/1/15]

RULE 10.22 ELISORS

Where one of the parties fails to execute a document necessary to carry out a court order, the Clerk of the Superior Court, or the Clerk's authorized representative or designee, may be appointed as elisor to sign the document. When applying for an appointment of an elisor, the application and proposed order must designate "The Clerk of the Court or Designee" as the elisor and indicate for whom the elisor is being appointed and in what capacity they are to sign the document. An application for appointment of an elisor may be made ex parte or by emergency request in family law. The application must not set forth a specific court employee. The order must expressly identify the document(s) being signed and a copy of the document(s) must be attached to the proposed order. The original document, presented for signature by the elisor must match the copy of the document attached to the proposed order.

The order shall clearly identify the documents: A deed must state the type of deed (i.e. grant deed, interspousal transfer deed, et cetera). Escrow documents must be listed separately (i.e. Escrow Instruction Dated, Disclosure Regarding Real Estate Agency Relationship, Hazard Report, et cetera). The sample copy shall be highlighted in the location(s) where the elisor is to sign his/her name.

Beneath the signature line(s) on the sample copy the moving party shall print the language being requested to identify the elisor's signature.

The declaration supporting the application must include specific facts establishing the necessity for the appointment of an elisor.

If the Court grants the application of an elisor, the moving party shall contact Court Administration to arrange for a time for the actual signing of the documents. The appointed elisor has up to three (3) court days to complete the actual signing of the documents. Any exceptions to the three day period shall be addressed on a case-by-case basis by the Court.

If the elisor is signing documents requiring notarization, the applicant must arrange for a notary public to be present when the elisor signs the documents.

[Effective 1/1/16]

RULE 10.23 DIVISION OF JURY SELECTION

Pursuant to California Code of Civil Procedure, section 198.5, the Placer Superior Court divides the county, for purposes of identifying and summoning potential jurors, into two sections: Tahoe City and South County. The Tahoe City section shall include all areas east of Emigrant Gap, specifically zip codes: 95715, 95724, 95728, 96140, 96141, 96142, 96143, 96145, 96146, 96148, 96160, 96161, 96162. The South County section shall include all zip codes not specifically listed for the Tahoe City section. Pursuant to California Code of Civil Procedure, section 198.5, adoption of this rule does not preclude the court, in its discretion, from ordering a countywide venire in the interest of justice. [Effective 1/1/17]

RULE 10.24 REMOTE APPEARANCES

A. Definition and Authorization

"Remote appearances" refer to appearances for a court hearing made by telephone or by video by a party to a case. Remote appearances are authorized for specific hearings and case types as specified on the remote appearance page of the court's public website. Rule 10.24 provides general guidance for remote appearances in all case types. Rules 20.8, 80.1.2, and 30.17 provide specific guidance for telephonic appearances in select case types.

B. Scheduling Remote Appearances

Remote appearances must be scheduled through the court's remote appearance scheduling system accessed through the remote appearance page of the court's public website (www.placer.courts.ca.gov) unless otherwise noted on that page.

C. Remote Appearance Fees

1. Fees for each telephonic appearance in civil cases are charged pursuant to California Rules of Court, Rule 3.670.

2. Fees for each video appearance in civil cases are charged the same as fees for telephone appearances.

3. Litigants in civil cases with a fee waiver and litigants in non-civil cases shall not be charged fees for remote appearances.

4. All remote appearance fees must be paid through the court's remote appearance scheduling system.

D. Telephonic Appearance Requirements

Telephonic appearances require sufficient connectivity and an indoor location with limited background noise and distraction. It is the sole responsibility of the party appearing by telephone to ensure the above criteria are met. The court may continue the hearing and require an in-person appearance if clear communication is not possible by phone.

E. Video Appearance Requirements

Video appearances require sufficient internet speed and connectivity to stream video, a device capable of capturing and displaying a clear audio and visual stream, and an indoor location with limited background noise and distraction. It is the sole responsibility of the party appearing by video to ensure the above criteria are met. The court may continue the hearing and require an in-person appearance if clear communication is not possible by video.

F. Notwithstanding Local Rule 10.24, the court may order personal appearance.

[Effective 1/1/19]

RULE 10.25 COMMUNICATION AND COORDINATION REGARDING CRIMINAL PROTECTIVE ORDERS AND RESTRAINING ORDERS (CALIFORNIA RULES OF COURT, RULE 5.445)

1. Definition and Purpose

a. The definitions and purpose of this local rule are set forth in the California Rules of Court, rule 5.445.

i. Objective: To avoid conflicting orders.

2. Rule

a. Communication:

i. Duties of Parties and Counsel regarding protective and restraining orders issued by a court.

(a) In all criminal, family, domestic violence juvenile, civil harassment, or hearings where the issue is one of child custody and/or visitation or the hearing pertains to a temporary or more permanent restraining order or a criminal protective order, all counsel, and where possible self-represented parties, shall take all reasonable steps to investigate and determine whether there are any other protective or restraining court orders that involve any party to the case pending before that court, and shall take all reasonable steps to inform the judicial officer hearing the matter of the existence of the protective or restraining order and when possible provide a copy of the order(s) to the Court.

(b) The court, on its own motion or upon motion by a party, may inquire of the existence of any other protective or restraining orders involving the parties.

ii. Additional duties of counsel are set forth in Penal Code section 273.75.

b. Modification:

i. Any party may request modification of a criminal protective order or any restraining order to avoid conflict with other protective or restraining orders after proper notice and service to all parties and victims according to law.

ii. Any party may file a formal motion, a request to calendar a motion, or in appropriate cases make an oral motion to request modification of an order.

c. A criminal protective order may defer to an existing family or juvenile court order, subject to compliance with relevant existing California statutes, California Rules of Court or Local Rules.

[Effective 7/1/19]

20.00 CIVIL AND SMALL CLAIMS

RULE 20.1 CIVIL CASE MANAGEMENT UNDER THE DELAY REDUCTION ACT (Govt C§68600 et seq.) [Effective 7/1/01; Amended 7/1/15]

RULE 20.1.1 CIVIL CASES SUBJECT TO THESE RULES

A. The local rules under Rule 20.1 are adopted pursuant to the Trial Court Delay Reduction Act and apply to all "general civil cases" as defined in California Rules of Court, Rule 1.6(4), which excludes probate, guardianship, conservatorship, juvenile, family law proceedings (including proceedings under divisions 6-9 of the Family Code, Uniform Parentage Act, Domestic Violence Prevention Act, and Uniform Interstate Family Support Act; freedom from parental custody and control proceedings; and adoption proceedings), small claims proceedings, unlawful detainer proceedings, and "other civil petitions" (including civil harassment, elder abuse, workplace violence; petitions for name change; election contest petitions; and petitions for relief from late claims). [Effective 7/1/07; Amended 7/1/15]

RULE 20.1.2 CLASSIFICATION OF CASES

Pursuant to California Rules of Court, Rule 3.714, all general civil cases shall be managed and disposed of within the following classifications and time limits from the date of filing:

GENERAL CIVIL - Class 1 - 12 MONTHS

GENERAL CIVIL - Class 2 - 18 MONTHS

GENERAL CIVIL - Class 3 - 24 MONTHS

GENERAL CIVIL – COMPLEX - 36 MONTHS

A case falling under the "general civil –complex" classification is an "exceptional case" as described in California Rules of Court, Rule 3.714(c). At a case management conference, the court will evaluate and assign each case to the appropriate classification pursuant to the timelines in California Rules of Court, Rule 3.714(b). [Effective 7/1/01; Amended 7/1/15]

RULE 20.1.3 SUBSECTION DELETED [Effective 7/1/15]

RULE 20.1.4 SUBSECTION DELETED [Effective 7/1/15]

RULE 20.1.5 CHANGE IN CLASSIFICATION

A. For good cause shown, the court may enter an order changing the classification of a general civil case upon a noticed motion on the civil law and motion calendar or on the court's own motion. [Effective 1/1/04; Amended 7/1/15]

RULE 20.1.6 SUBSECTION DELETED [Effective 7/1/15]

RULE 20.1.7 CIVIL CASE MANAGEMENT CONFERENCES

A. Date of first case management conference. A first case management conference will be scheduled and held in all civil cases approximately one hundred and twenty (120) calendar days from the date of the filing of the complaint, except for collection cases under California Rules of Court, Rule 3.740. The date of the conference shall be set by the clerk at the time the complaint is filed. [Effective 1/1/13; Amended 7/1/15]

Plaintiff shall serve the clerk's notice of the first case management conference together with the summons and complaint.

Cross-complainant shall serve the clerk's notice of the first case management conference with the cross-complaint on any party added to the action by the cross-complaint before the first case management conference. [Effective 7/1/15]

B. Case at issue. The case shall be at-issue at the time of the first case management conference absent a showing of extraordinary circumstances. [Effective 1/1/07]

C. Participation in case management conferences; notice of intent to appear.

Appearance at the first case management conference is not required. Appearances at subsequent case management conferences will be required only if deemed necessary by the Court.

If an appearance is not required by the court but an attorney or unrepresented party wishes to appear at the case management conference, the attorney or unrepresented party must provide written notice of the intent to appear. The notice shall be delivered to the clerk's office and provided to all other parties no later than 3:00 p.m. on the Thursday prior to the case management conference. Notices may be faxed to the attention of the case management clerk at (916) 408-6275. [Effective 1/1/13; Amended 7/1/15]

D. Case management calendar notes. The Court will issue case management calendar notes approximately twelve (12) calendar days prior to the case management conference. The notes will state whether an appearance is required, the procedural status of the case, any future dates set by the court (including any further case management conferences, trial dates, order to show cause hearings, etc.). The calendar notes will be based on information included in the parties' case management conference statements and in the file. The court may decline to consider untimely case management conference statements. [Effective 1/1/13]

The case management conference calendar notes are accessible on the court's website, www.placer.courts.ca.gov. If internet access is not available, counsel and parties may call (916) 408-6119 to access the notes. All counsel and parties are responsible for reviewing the case management calendar notes for each case management conference before the hearing. [Effective 1/1/13]

If a party or attorney has a conflict with future hearing dates set in the Case Management Conference calendar notes, or opposes the future dates set in the Case Management Conference calendar notes, the party or attorney must appear at the Case Management Conference. That attorney

or party must provide at least 7 days' notice to all other parties in the case of their intent to appear at the Case Management Conference. [Effective 1/1/19]

E. Case management order. The court will enter a case management order after the case management conference. The order will include future hearing dates set by the court and any other orders the court deems necessary, including matters listed in California Rules of Court, Rule 3.728. Unless the court otherwise directs, the clerk will mail a copy of the case management order to each attorney or unrepresented party only when (a) no hearing is held and the court sets trial and trial-related dates, or (b) the case management conference is dropped and an order to show cause hearing is set. [Effective 1/1/13; Amended 7/1/15]

F. Telephone appearances. Persons may appear at case management conferences by telephone pursuant to Local Rule 20.8. [Effective 7/1/14]

RULE 20.1.8 CASE MANAGEMENT CONFERENCE STATEMENT

A. No earlier than thirty (30) days but at least fifteen (15) calendar days before any scheduled first case management conference, each party shall file with the Court and serve on all other parties a completed Judicial Council Form CM-110, Case Management Statement, along with proof of service. [Effective 7/1/08; Amended 1/1/18]

RULE 20.1.9 ARBITRATION

A. Election of plaintiff under CRC 3.812 (b). Plaintiffs are encouraged to elect to arbitrate in appropriate cases prior to the first case management conference. The election shall be indicated in the Case Management Conference Statement. [Effective 1/1/07]

B. Stipulation to arbitrate. Parties may stipulate to judicial arbitration in appropriate cases prior to the Case Management Conference. A written stipulation to arbitrate will be deemed to be without a limit as to the amount of the award unless it expressly states otherwise. Each party shall pay their pro-rata share of the expenses and fees of the neutral arbitrator. [Effective 7/1/08]

C. Referral to Arbitration. When a case is referred to judicial arbitration, the Court will set a deadline for the completion of arbitration. This deadline shall not be modified unless the trial date is also modified by the Court. Failure to arbitrate by the date given by the Court may result in the arbitration referral being vacated. The deadlines for filing of the arbitration award and a request for trial *de novo* shall be governed by the appropriate statute. Failure to timely file a request for trial *de novo* shall result in entry of judgment based on the arbitration award and vacation of the mandatory settlement conference and trial dates. [Effective 7/1/08]

D. If the parties agree to judicial arbitration, they will be responsible for payment of the arbitrator's fees pursuant to California Code of Civil Procedure §1141,28(b). [Effective 1/1/04]

RULE 20.1.10 SETTLEMENT CONFERENCES

A. Long cause civil trials will be set for a judicially supervised settlement conference before a regularly assigned judge or a designated temporary judge.

B. Not later than ten (10) days prior to the scheduled conference, all parties shall serve and file a settlement conference statement with the clerk. The Court may impose monetary sanctions payable to the Superior Court of the State of California, in and for the County of Placer, for failure of any party to timely file a settlement conference statement in accordance with this rule. [Effective 7/01/08; Amended 7/1/15]

C. The first page of each settlement conference statement shall specify, immediately below the number of the case, (1) the date and time of the settlement conference and (2) the trial date. Each settlement conference statement shall include a full and complete statement of the following information to the extent known or contended (paragraph numbering of statements shall coincide with the following):

1. The attorney or party who is submitting the statement and the party whom the attorney represents.
2. Lead counsel and the represented party for all other parties in the case.
3. A statement of the facts, including any background information necessary to understand the case.
4. Any factual stipulations reached by the parties.
5. Contested issues of facts, including detail of the claimed damages and defenses.
6. Contested issues of law.
7. A statement disclosing the highest offer and lowest demand, and the date of the last settlement discussions.
8. The limits of any available insurance coverage.
9. A statement as to whether or not the case has been through arbitration (attach a copy of any arbitrator's award).
10. A statement as to any special problems relating to settlement.

D. All parties and all attorneys who will appear at trial shall attend the settlement conference, together with claims representatives, corporate officers or other designated persons with authority to negotiate in good faith to reach settlements.

Telephone appearances at settlement conferences are highly disfavored. Written requests to appear by telephone must be received by the Master Calendar Department ten (10) days prior to the settlement conference. The request must include whether there are any objections to the telephonic appearance and, if so, which party is objecting. The Master Calendar Department will notify the requesting person after the court has determined whether to grant the request. [Effective 1/1/13; Amended 7/1/17]

E. If a settlement is reached prior to the settlement conference date, the master calendar clerk must be notified immediately. Notifying the clerk of the settlement does not vacate the trial dates

but the court may set an OSC regarding dismissal of the case. A dismissal, stipulated judgment, or *Notice of Settlement (Judicial Council Mandatory Form CM-200)* shall promptly be filed with the clerk. [Effective 7/1/08; Amended 7/1/15]

RULE 20.1.11 CIVIL TRIAL CONFERENCES

A. The court may set a civil trial conference at the time trial is set. A civil trial conference normally will be scheduled ten (10) days before the scheduled trial date. Trial counsel are required to appear at the civil trial conference. At the conference, the court will determine the trial readiness of the case and the estimated time for trial. The court may assign the case to a specific department for trial, return the case to Master Calendar for assignment, or make other orders necessary for the efficient management of the case.

All trial briefs, witness lists, and neutral statement of the case shall be filed with the clerk at or before the civil trial conference. [Effective 1/1/11**;** Amended and Renumbered 7/1/15]

The court may conduct a settlement conference at the time of the civil trial conference if no settlement conference or other dispute resolution has occurred. In such instances, the presence of trial counsel, the parties, claims representatives, or other persons authorized to settle case is required. When a settlement conference or other dispute resolution has taken place before the civil trial conference, the parties and/or authorized representatives need only be available by telephone and do not need to be personally present. [Effective 7/1/08; Amended and Renumbered 7/1/15]

B. Exhibits shall be presented to the courtroom clerk on the first day of trial. [Effective 1/1/06; Renumbered 7/1/15]

RULE 20.1.12 CONTINUANCES OF CIVIL TRIAL CONFERENCES, SETTLEMENT CONFERENCES, AND TRIALS

No mandatory settlement conference, civil trial conference, or trial may be continued except upon noticed motion set before the presiding judge or another judicial officer as designated by the presiding judge. The parties may also present an ex parte application, subject to the requirements of Local Rule 10.8, requesting a continuance based upon the written stipulation of all parties. Stipulations to continue the trial date must include mutually acceptable future trial dates agreed upon by all parties. No continuance will be granted absent an affirmative showing of good cause. A trial conflict may not be deemed good cause for a continuance unless the conflict arose after the trial date was set and the conflict could not have reasonably been avoided. [Amended and Renumbered 7/1/15]

RULE 20.1.13 SANCTIONS

Sanctions may be imposed upon any party and/or counsel for their failure to appear, failure to file a statement or document required under these rules, or failure to participate in a conference in good faith. The court may also impose sanctions when a case is not ready to proceed to trial or is not compliant with the standards set forth in Rule 20.1. Sanctions may include monetary sanctions, dismissal of the case, or other appropriate sanction. [Effective 7/1/01; Amended and Renumbered 7/1/15]

RULE 20.2 CIVIL LAW AND MOTION PROCEDURES [Effective 7/1/15]

A. The Placer County Civil Law and Motion calendar is a limited calendar. Parties/counsel shall reserve a hearing date prior to the submission of paperwork for filing. [Effective 7/1/08]

B. When the regularly scheduled law and motion calendar is heard by a Commissioner, the parties must file written notice indicating whether or not they stipulate to the Commissioner. Failure to file such notice of stipulation or non-stipulation at least five (5) Court days prior to the hearing date for the motion will be deemed a stipulation to the Commissioner as temporary judge per CCP §259(d) for all purposes other than trial. [Effective 1/1/11]

C. The requirements of this rule are in addition and subject to the requirements under all applicable statutory provisions and the California Rules of Court. This rule applies to law and motion practice for most general civil cases, including petitions for extraordinary relief and administrative mandate; unlawful detainer proceedings; election contest petitions; and petitions for relief from late claims. The rule does not apply to guardianship, conservatorship, juvenile, family law proceedings, small claims proceedings, habeas corpus proceedings, or petitions to prevent civil harassment; elder abuse; workplace violence; or petitions for name change. [Amended and Renumbered 7/1/15]

RULE 20.2.1 REQUIRED CONFERENCE BEFORE FILING

Prior to filing any motion or demurrer, the moving party must make a reasonable and good faith attempt to resolve the matter, and if resolution is not possible, must attempt to coordinate hearing dates with any opposing parties. A declaration setting forth facts supporting such attempt must be filed with the motion. Orders for examination are exempt from the requirements of this section.
[Effective 7/1/01]

RULE 20.2.2 DROPPING AND CONTINUANCE OF LAW AND MOTION HEARINGS

A. When a matter is to be dropped or continued, counsel for the moving party in the matter shall promptly notify the civil law and motion calendar clerk. Law and Motion matters will only be continued if all parties consent to the continuance. [Effective 1/1/06]

B. No matter may be dropped or continued within three (3) court days of the scheduled hearing date without advance permission of the assigned department. [Effective 7/1/01]

RULE 20.2.3 TENTATIVE RULINGS FOR CIVIL LAW AND MOTION

A. Tentative rulings are issued pursuant to this rule only for regularly scheduled civil law and motion calendars.

The court will issue a tentative ruling for all matters heard on regular civil law and motion calendars on the court day prior to the hearing. The tentative ruling will be available after 12:00 noon as an audio recording accessible at (916) 408-6480. The tentative ruling will also be made available on the court's website, www.placer.courts.ca.gov.

The tentative ruling shall become the final ruling on the matter and no hearing will be held unless oral argument is timely requested or the tentative ruling indicates otherwise.

B. Requests for oral argument shall be made by calling (916) 408-6481 (for all departments except the Tahoe Division) or (530) 584-3463 (Tahoe Division only) no later than 4:00 p.m. on the court day prior to the hearing. The requesting party or attorney must leave a voice message stating the name and number of the case, the name of the party requesting oral argument, and that all other parties have been notified of the request.
C. For all matters heard on regularly scheduled civil law and motion calendars, the notice of motion must include one of the following statements:

1. For motions heard in all departments except the Tahoe Division:

"Pursuant to Local Rule 20.2.3, the court will issue a tentative ruling for this matter on the court day before the hearing. The tentative ruling will be available after 12:00 noon as an audio recording accessible at (916) 408-6480; the tentative ruling will also be available at the court's website, www.placer.courts.ca.gov. The tentative ruling shall become the final ruling on the matter and no hearing will be held unless oral argument is timely requested or the tentative ruling indicates otherwise. Requests for oral argument must be made by calling (916) 408-6481 no later than 4:00 p.m. on the court day prior to the hearing."

2. For motions heard in the Tahoe Division:

"Pursuant to Local Rule 20.2.3, the court will issue a tentative ruling for this matter on the court day before the hearing. The tentative ruling will be available after 12:00 noon as an audio recording accessible at (916) 408-6480; the tentative ruling will also be available at the court's website, www.placer.courts.ca.gov. The tentative ruling shall become the final ruling on the matter and no hearing will be held unless oral argument is timely requested or the tentative ruling indicates otherwise. Requests for oral argument must be made by calling (530) 584-3463 no later than 4:00 p.m. on the court day prior to the hearing."

RULE 20.2.4 SUBSECTION DELETED [Effective 7/1/15]

RULE 20.2.5 ORDERS AFTER HEARING; COMPLIANCE WITH ORDERS

A. In addition to the requirements of California Rules of Court, Rule 3.1312, the parties make a good faith attempt to resolve any dispute as to the form of an order after hearing. The prevailing party shall submit the proposed order after hearing to opposing counsel for approval within five (5) days after the court's ruling. The signed order after hearing shall be served on all parties within five (5) days after receipt of the order**.** [Effective 7/1/07; Amended 7/1/15]

B. Unless otherwise directed, compliance with the order after hearing shall be within ten (10) days of service of the signed order. [Effective 7/1/01; Amended 7/1/15]

C. In addition the requirements of California Rules of Court, Rule 3.1312(c) and notwithstanding Local Rule 10.9(V), editable, electronic proposed orders after hearing may be submitted for law and motion matters. These submissions will act as "courtesy copies" to assist the court and will not be filed. Submission of editable electronic proposed orders is not required. Such orders may be submitted by email to proposedorders@placer.courts.ca.gov; no other communications may be sent to this email address. For all emailed submissions: 1) the order must be submitted by email five (5) days prior to the hearing; 2) the order must be in editable Microsoft Word format; and 3) the email must include the case number and hearing date in the subject line. This rule does not excuse compliance with other statutes or rules governing orders. [Effective 1/1/14; Amended and Renumbered 7/1/15]

RULE 20.2.6 APPLICABILITY OF RULE 20.2

A. The requirements of Rule 20.2 are in addition to all applicable provisions of the Code of Civil Procedure, the California Rules of Court, and any other state statute or rule, and shall apply to the following matters, subject to the exceptions listed in subsection (B):

(1) Unless the context dictates otherwise, all motions, applications, petitions, or demurrers in all civil actions;

(2) In probate matters, to all demurrers, motions involving discovery, motions concerning the sufficiency of the pleading, and motions for summary judgment;

(3) Any pre-trial motion or demurrer concerning any petition for extraordinary relief or any petition for administrative mandate;

(4) Any hearing on any petition for extraordinary relief or any petition for administrative mandate which will be submitted to the Court for determination without a contested evidentiary hearing.

B. The requirements of this Rule 20.2 shall not apply to the following matters:

(1) Domestic relations matters;

(2) Probate matters other than those listed in subsection A(2) above;

(3) Notwithstanding subsections A(1), (3), and (4) above, civil matters collateral to criminal actions such as a petition for extraordinary relief or writ of habeas corpus. [Effective 7/1/01]

RULE 20.3 SETTLEMENTS

A. It is the duty of counsel to notify the court whenever a case has settled. If a settlement is reached prior to the settlement conference date, the master calendar clerk must be notified immediately. Notifying the clerk of the settlement does not vacate the trial dates or other hearing dates but the court may set an OSC regarding dismissal of the case. A dismissal, stipulated judgment, or *Notice of*

Settlement (*Judicial Council Mandatory Form* CM200) shall promptly be filed with the clerk. [Effective 7/1/01; Amended 7/1/15]

RULE 20.4 MOTIONS IN LIMINE [Effective 7/1/15; Amended and Renumbered 7/1/15]

A. Application. This rule shall apply to civil cases. [Effective 7/1/11; Amended and renumbered 7/1/15]

B. Compliance with California Rules of Court. All motions in limine shall comply with the requirements of California Rules of Court, Rule 2.100 to 2.119, and 3.1110 to 3.1116. [Effective 7/1/11]

C. Filing and service. Motions in limine must be filed and served 10 days before trial. Opposition to motions in limine must be filed and served 5 days before trial.

D. Numbering of motions. Motions shall be numbered sequentially. In the event that more than five motions are filed by a party, an index to the motions shall also be filed.

E. Matters which should be addressed by oral motion. The court will entertain oral motions regarding the following routine matters:

1. Motion to exclude witnesses from the courtroom (excepting those for whom an exception exists such as parties and corporate representatives);

2. Motion to exclude oral or written references to settlement negotiations and mediation;

3. Motions to exclude evidence of, or reference to, insurance.

F. Motions to preclude introduction of evidence or matter. Motions made for the purpose of precluding the mention or display of inadmissible and prejudicial matter shall be accompanied by a declaration that includes the following:

1. A clear identification of the specific matter alleged to be inadmissible or unduly prejudicial;

2. A representation to the court that the subject of the motion has been discussed with opposing counsel, and that opposing counsel has either indicated that such matter will be mentioned or displayed in the presence of the jury before it is admitted in evidence or that counsel has refused to stipulate that such matter will not be mentioned or displayed in the presence of the jury unless and until it is admitted in evidence;

3. A statement of the specific prejudice that will be suffered by the moving party if the motion is not granted;

4. If the motion seeks to make binding an answer given in response to discovery, the declaration must set forth the question and the answer and state why the use of the answer for

impeachment will not adequately protect the moving party against prejudice in the event that evidence inconsistent with the answer is offered.

5. If the motion concerns deposition testimony, the motion shall be supported or opposed by attached excerpts of relevant deposition testimony, in conformance with California Rule of Court, Rule 3.1116. [Effective 1/1/14]

G. Improper purposes. A motion in limine shall not be used for improper purposes, including for the purpose of seeking summary judgment and/or summary adjudication of an issue or issues, which motions may only be made in compliance with Code of Civil Procedure section 437c and court rules pertaining thereto.

H. Order of trial issues. A motion in limine shall not be used for the purpose of seeking an order to try an issue before the trial of another issue or issues. Such motions may only be made in compliance with Code of Civil Procedure section 598.

I. Duty of counsel to meet and confer. Counsel shall meet and confer prior to the first day of trial regarding motions in limine. Counsel shall be prepared to advise the court whether stipulations or agreements have been reached concerning any motions in limine.

J. Duty of counsel to advise. If a motion relating to the preclusion of evidence or other matters is granted, it is the duty of counsel to instruct associates, clients, witnesses, and other persons under their control, that no mention or display be made in presence of the jury of the matter that is the subject of the motion. The court may defer ruling upon a motion in limine, and may order that no mention or display of the matter that is the subject of the motion is to be made in the presence of the jury unless and until the court orders otherwise.

RULE 20.5 AMENDED AND RENUMBERED 7/1/15, see Local Rule 20.1.12

RULE 20.6 AMENDED AND RENUMBERED 7/1/15, see Local Rule 20.1.11

RULE 20.6.1 AMENDED AND RENUMBERED 7/1/15, see Local Rule 20.4

RULE 20.7 SCHEDULE OF ATTORNEY FEES IN DEFAULT ACTIONS

A. Whenever obligations sued upon provide for the recovery of reasonable attorney fees, the fees in default cases shall be fixed pursuant to the following schedule:

(a) 25% of the first $2,000, with a minimum of $150.
(b) 20% of the next $4,000
(c) 15% of the next $4,000
(d) 10% of the next $10,000
(e) 5% of the next $30,000
(f) 2% of the next $50,000
(g) in excess of $100,000 as authorized by the Court

B. In any case wherein the attorney claims that he or she is entitled to a fee in excess of the schedule set forth, or in any case where relief is awarded other than monetary relief, the attorney may apply to the Court therefore and present proof to support his or her claim. The Court will then set the fee in accordance with the proof offered.

C. When a plaintiff is entitled to attorney's fees in a residential Unlawful Detainer default judgment, the Court will award the sum of $300 as an attorney fee. If a defendant has filed an answer which requires the matter to be set for trial and it is uncontested, the Court will award the sum of $350 as an attorney fee. If the matter is contested at trial, the Court will award $425 as an attorney fee. The Court may adjust these amounts upon a showing of sufficient justification. Attorney's fees in a commercial Unlawful Detainer shall be determined by the Court upon evidence presented at the hearing or by declaration if no hearing is held. [Effective 7/1/15]

RULE 20.8 TELEPHONIC APPEARANCES - CIVIL

A. Telephonic Appearances for Civil Law and Motion and Other Matters.

1. Civil Law and Motion

Telephonic appearances made through the court's telephonic appearance service are permitted for all civil law and motion matters at all court locations, including the Tahoe Court.

Telephonic appearances must be scheduled through the court's telephonic appearance reservation website, which can be accessed through the court's website (www.placer.courts.ca.gov). There shall be a charge for each telephonic appearance, pursuant to California Rules of Court, Rule 3.670. There may be an additional charge for appearances scheduled less than two (2) court days prior to the scheduled hearing. Charges for telephonic appearances must be paid by credit card or electronic funds transfer through the court's telephonic appearance reservation website. Telephone appearances by cell phones are not permitted.

Any person wishing to appear telephonically for a civil law and motion matter must file Form CIV-020 (NOTICE OF INTENT TO APPEAR BY TELEPHONE) pursuant to California Rules of Court, rule 3.670(h).

Submitting Form CIV-020 (NOTICE OF INTENT TO APPEAR BY TELEPHONE) and/or scheduling a telephonic appearance via the court's website shall not excuse the requirement of requesting oral argument pursuant to Local Rule 20.2.3.

2. Other Matters

Telephonic appearances made through the court's telephonic appearance services are permitted for the following matters: (1) Case Management Conferences; (2) Presiding Judge Orders to Show Cause; and (3) Presiding Judge motions.

Telephonic appearances must be scheduled through the court's telephonic appearance reservation website, which can be accessed through the court's website (www.placer.courts.ca.gov). There shall be a charge for each telephonic appearance, pursuant to California Rules of Court, Rule 3.670. There may be

an additional charge for appearances scheduled less than two (2) court days prior to the scheduled hearing. Charges for telephonic appearances must be paid by credit card or electronic funds transfer through the court's telephonic appearance reservation website. Telephone appearances by cell phones are not permitted. Please note that telephonic appearances for the Tahoe Court using the court's telephonic appearance service are only available for Case Management Conferences.

3. Notwithstanding Local Rule 20.8(A)(1) and 20.8(A)(2), the court may order personal appearance. [Effective 7/1/14]

RULE 20.9 SUBSECTION DELETED [Effective 7/1/15]

RULE 20.10 ADULT ADOPTIONS

Pursuant to Civil Code of Procedure Section 1279.5, the Court Clerk shall require a CLETS background check on all individuals who are petitioning for adult adoptions. [Effective 7/1/05]

RULE 20.11 INSTALLMENT PAYMENTS

There will be an administrative charge of $35 to set up a payment plan requested by the party responsible for payment of any Court fees. [Effective 1/1/07]

RULE 20.12 FILING OF LETTERS IN CIVIL CASES

Unless otherwise permitted by statute, order, California Rule of Court, or Local Rule, letters will not be filed, accepted or considered by the court in civil matters. Parties must file an appropriate application or motion, with any required supporting papers, to request the court's consideration of an issue. [Amended and Renumbered 7/1/15]

RULE 20.13 UNLAWFUL DETAINER CASES

A. For each new unlawful detainer action, plaintiff or plaintiffs shall file local form "Notice of Restricted Access" (local form PL-CV002) when the complaint is filed. Plaintiff shall file a copy for the court and one copy for each party to the action. Plaintiff shall also submit a pre-addressed stamped envelope for each party for the court's use in serving the Notice of Restricted Access form.

B. Parties to an unlawful detainer action shall request the matter be set for trial after the case is at issue by filing *Request/Counter-request to Set Case for Trial-Unlawful Detainer* (*Judicial Council form UD-150*), together with "Notice of Time and Place of Trial" (local form PL-CV-001). The parties shall submit a copy of each of these forms for the court and one copy for each party to the action. Parties shall also submit a pre-addressed stamped envelope for each party for the court's use in serving the Notice of Time and Place of Trial.

[Amended and Renumbered 7/1/15]

RULE 20.14 ASSOCIATION OF COUNSEL

A notice of association of counsel must include the name, address, phone number, and bar number of at least one associating attorney. The notice must also be filed and served on all parties with a proof of service attached to the notice. [Amended and Renumbered 7/1/15]

RULE 21.0 SUBSECTION DELETED [Effective 7/1/15]

RULE 21.1 CLERK'S SERVICE OF PLAINTIFF'S CLAIM

A. In each small claims case where the clerk serves *Plaintiff's Claim and Order to Go to Small Claims Court (Judicial Council form SC-100)* pursuant to Code of Civil Procedure section 116.340(a)(2), the plaintiff shall file the original claim and order, one complete copy of the claim and order for each defendant, and up to two additional complete copies of the claim and order for conforming by the clerk. Plaintiff shall submit a pre-addressed envelope for each party for court's use in serving the claim and order. [Effective 1/1/07; Amended 7/1/15]

RULE 21.2 NOTICE OF ENTRY OF JUDGMENT

A. In each small claims case, plaintiff shall lodge *Notice of Entry of Judgment (Judicial Council form SC-130)* with the parties' names and addresses pre-completed. Plaintiff shall lodge a copy for the court and one copy for each party to the small claims case. Plaintiff shall submit a pre-addressed stamped envelope for each party for the court's use in serving the notice of entry at the conclusion of the case. [Effective 1/1/07; Amended 7/1/15]

RULE 21.3 RETURN OF DOCUMENTS

A. In each small claims case filed by mail, plaintiff shall lodge a pre-addressed envelope of sufficient size and with sufficient postage prepaid for the clerk to return any conformed copies. If no such envelope is provided, copies will be returned as provided in Local Rule 10.9 (D).
[Effective 1/1/07; Amended 7/1/15]

RULE 22.0 CEQA PETITIONS

A. Title of pleading - The title of any pleading seeking relief under the California Environmental Quality Act, whether by petition or complaint, shall clearly identify that the matter is a CEQA action. [e.g. "CEQA claim: Complaint for Damages"].

B. Repealed 7/1/15

C. Repealed 7/1/15

D. Status conference - Upon filing of the request for hearing, a Status Conference shall be set within fifteen (15) days to determine the status of the preparation of the administrative record, to set a briefing schedule, and to set a date for the hearing on the merits. The timelines set forth in PRC §21167.4(c) shall be followed in setting the briefing schedule and hearing on the merits, unless good cause is shown as set forth in PRC §21167.4(c). [Effective 7/1/14; Amended 7/1/15]

E. Preparation of administrative record and submission of electronic copy of administrative record - The administrative record shall be prepared in accordance with the timelines set forth in PRC § 21167.6(b). Within twenty (20) calendar days after receipt of a request to prepare the administrative record, the public agency responsible for the preparation shall personally serve on petitioners a preliminary notification of the estimated cost of preparation, including the agency's normal cost per page, any other reasonable costs the agency may anticipate, and an estimate of the probable number of pages. The preliminary notification shall also state, to the extent that the information is known to the agency, the location of documents that are anticipated to be incorporated into the administrative record; the contact person or persons responsible for identifying individuals having custody of those documents, whether agency personnel or other persons; and a list of dates and times specifying when, during normal business hours, those documents will be made available to petitioners or other parties for inspection. The agency shall supplement the preliminary notification from time to time as additional documents are located or are determined to be appropriate for inclusion in the record. The public agency shall include a certification of accuracy with the administrative record that is lodged with the Court. [Effective 7/1/15]

Petitioner's election to prepare the administrative record pursuant to PRC §21167.6(b)(2) shall be filed and served upon all parties and the public agency within five (5) court days of service of the preliminary notification. If Petitioner so elects, Petitioner shall submit the administrative record after preparation to the public agency for a certification of accuracy. After certification, the public agency shall then lodge the administrative record with the Court. The certification of accuracy shall include a statement as to the number of volumes and pages contained in the administrative record.

An electronic version of the administrative record, if available, is to be included and lodged in conjunction with the paper format of the certified administrative record. The electronic record lodged with the court must comply with California Rules of Court, Rule 3.2207. [Effective 7/1/15]

F. Format of administrative record -

(1) Binding and length of volumes of the administrative record

The administrative record must be provided in one or more volumes of not more than three hundred (300) pages that are separately bound in 3-ring binders. The pages of the administrative record must be numbered consecutively and bound on the left margin. The cover of each volume of the records must be the same size as its pages and contain the same material as the cover of a brief, but must be labeled "Administrative Record."

(2) Index

At the beginning of the first volume of the administrative record, there must be an index of each paper or record in the order presented in the record referring to each paper or record by title or description and the volume and page at which it first appears.

(3) Organization

The administrative record must be organized to comply with the requirements

outlined in California Rules of Court, Rule 3.2205(a).

(4) Lodging of Electronic Copy of Administrative Record

An electronic version of the administrative record, if available, is to be included and lodged in conjunction with the paper format of the administrative record. The electronic record lodged with the court must comply with California Rules of Court, Rule 3.2207. [Effective 7/1/15]

G. Disputes re contents of administrative record - If any party disputes the accuracy of the administrative record, or wants the administrative record modified by the deletion or addition of documents, such dispute or modification shall be resolved by appropriate noticed motion pursuant to CCP §1005. Any such motion shall be heard by the assigned CEQA judge. Such motion shall be heard prior to the hearing on the merits of the petition. Alternatively, the parties may stipulate to a modification of the administrative record.

H. Briefs - The briefs shall contain specific references to the administrative record, by record volume and page number and the document title, in support of any factual contentions asserted by a party in its brief. A reference to "the whole file" is not a specific reference. Each party shall submit an appendix to their brief(s) which contains copies of the pages of the administrative record cited in their briefs. The pages of each appendix shall be in BATES stamp order. [Effective 7/1/15]

RULE 23.0 VEHICLE FORFEITURE UNDER VEHICLE CODE SECTION 14607.6

A. The clerk shall set the hearing on the Petition for Forfeiture of Vehicle at the time of the filing of the petition.

Within five (5) court days of the filing of the petition, the district attorney shall cause the petition to be served on all claimants, and all legal and registered owners of the vehicle, by personal service or certified mail, return receipt requested. Proof of service shall be filed within ten (10) court days of the filing of the petition. [Effective 1/1/14]

B. The required filing fee shall be paid, or an Application for Waiver of Court Fees and Costs shall be filed, at or prior to the time of the hearing. [Effective 1/1/14]

30.00 FAMILY LAW

RULE 30.1 MEDIATION AND CHILD CUSTODY RECOMMENDING COUNSELING

A. Purpose

The purpose of meeting with a child custody professional before attending a court hearing is to promote cooperation between the parents and to develop an agreement assuring the child close and continuing contact with both parents that is in the best interest of the child, consistent with law including, but not limited to, Family Code sections 3011, 3020, and 3044. The purpose is also to reduce acrimony, conflict, trauma, and uncertainty for children to effect settlement of the issue of visitation rights of all parties that is in the best interest of the child. With these objectives in mind, the Placer County Superior Court endeavors to provide opportunities to resolve conflict and promote the best interest of the child(ren) prior to court hearings. These rules are intended to enhance the objectives of reducing conflict for families and children (Family Code section 3161).

B. Types of Mediation and Child Custody Recommending Counseling (CCRC) Sessions

Family Court Services (FCS) provides the following services. Confidential mediation (Tier I below) shall be made available in all cases in which a request for a court hearing and order regarding child custody is filed by either party. Confidential mediation (Tier I below) may also be made available upon a request for mediation filed by agreement of both parties before a request for a court hearing is filed. Remaining services shall be scheduled as directed by the family law judicial officer in the exercise of his/her discretion according to the needs of the case (Family Code section 3170). [Effective 1/1/19]

If confidential mediation has not resulted in full agreement, the judicial officer has discretion to refer the parties to further services with FCS as provided after Tier I.

1. Confidential Mediation (Tier I). Tier I referrals provide confidential mediation for families who have been unable to reach an agreement regarding custody, parenting time, and visitation before their mediation appointment. The mediator will not issue a recommendation to the court, but shall report the parties' agreement to the court.

    a. Nothing prohibits the court from ordering a referral of the parties to expedited or emergency child custody recommending counseling (Tier III) without first attending confidential mediation (Tier I).

    b. Children shall not participate in Tier I unless directed by the court, FCS, or the child custody professional (Family Code section 3180).

    c. Tier I is confidential except that the mediator may report any suspected child abuse, elder abuse, and/or if someone is a danger to themselves or others pursuant to Penal Code section 11166.

2. Information Gathering (Tier II). Tier II referrals are for the purpose of gathering information. A judicial officer has the discretion to include any specific areas of inquiry in a Tier II referral including, but not limited to, contact with law enforcement, contact with Child Protective Services, and interviews with the child(ren) or other collateral contacts. A Tier II summary report shall be submitted to the court and will not include any recommendations from the child custody professional. Tier II sessions are not confidential.

3. Child Custody Recommending Counseling (Tier III). Tier III referrals are child custody recommending counseling sessions. If an agreement is reached, the child custody recommending counselor will document the agreement. Otherwise, the professional will prepare a summary report and submit a recommendation to the court. Tier III sessions are not confidential.

C. Process

1. The party requesting or responding to a request for temporary orders involving child custody and visitation, or a party requesting mediation regarding child custody and visitation, will provide the court with a current mailing address, electronic address, and telephone number for each party and counsel of record. [Effective 1/1/19]

2. The Family Court Services Director will assign the case to a Tier I mediator. A notice of assignment of the Tier I mediator will be mailed to all parties and counsel of record.

    a. If parties are later referred to Tier II or Tier III, the Tier I mediator will not be assigned to conduct Tier II or Tier III in the absence of unusual circumstances as determined by the FCS Director or order of the court after a hearing before a judicial officer.

3. It is the responsibility of the parties to contact the assigned Tier I, II, or III professional to set up an appointment. Prior to attending the appointment, each party must first attend a Family Court Services orientation.

4. Personal appearance for a Tier I, II, or III appointment is required unless there are unusual circumstances. Unusual circumstances include 1) one party resides more than 250 miles away from Placer County; 2) traveling to the appointment would cause an extreme hardship; 3) telephonic participation is ordered by the court; or 4) the professional finds good cause to allow a party to attend via telephone. The court, the FCS Director, or the assigned professional, all have the discretion to permit a request for a telephonic appearance at the appointment.

5. In matters where domestic violence has been alleged or there is a protective order as defined in Family Code section 6218 in effect, parties shall have the right to separate appointments for Tier I, Tier II, and Tier III appointments.

6. The parties may agree to attend private mediation or CCRC with a private mediator or child custody recommending counselor attesting that his or her qualifications are in

compliance with California Rules of Court, rules 5.210 and 5.230 by submitting a proposed stipulation and order to the court for review.

7. All parties must attend orientation prior to an appointment with the assigned mediator or CCRC unless attendance is excused by the court. Parties may attend in person or online if an online orientation is available through the Placer County Superior Court.

8. The parties shall not attach any portion of the Tier II or Tier III summary report or documents to any documents filed with the court, nor shall any such Tier II or Tier III summary reports or documents be kept in the public file. The Tier II or Tier III summary report may be attached as an order of the court after a properly noticed hearing.

9. Access and disclosure of a Tier II and Tier III summary report, in the absence of a court order stating otherwise, are limited to the parties, their attorneys of record, the child's attorney, other evaluators retained in the case, and other court-appointed mediators, CCRCs, and evaluators addressing issues with the same family. The parties, their attorneys of record, and/or other evaluators shall not disclose or discuss the Tier II, Tier III, or evaluation summary reports with the minor child.

10. The court retains jurisdiction to impose monetary sanctions for failure to comply with the court-ordered mediation or child custody recommending counseling process.

D. Hearings After Confidential Mediation (Tier I)

If an agreement is not reached during confidential mediation (Tier I), the parties will be required to attend a hearing before a judicial officer. The judicial officer has the discretion to make temporary child custody, parenting time, or visitation orders, and/or refer the parties to Tier II or Tier III.

E. Hearings After Information Gathering (Tier II)

If the parties do not reach an agreement after information gathering (Tier II), the parties will be required to attend a hearing before a judicial officer. The judicial officer has the discretion to make temporary child custody, parenting time, or visitation orders, and/or refer the parties Tier III.

F. Hearings After Child Custody Recommending Counseling (Tier III)

If an agreement is not reached during child custody recommending counseling (Tier III), the parties will be required to attend a hearing before a judicial officer. The judicial officer has the discretion to make temporary child custody, parenting time, or visitation orders.

G. Challenges and Complaints Regarding the Assigned Mediator (Tier I) or Child Custody Recommending Counselor (Tier II or III)

1. Each party may challenge/object to the assignment of a particular mediator or CCRC once by filing written challenges/objections with the Family Court Services Director. Written challenges/objections to an assigned mediator or CCRC must be filed and served on the other party within seven (7) calendar days of the date of the notice of the assignment. Neither party may challenge/object to an assigned mediator or CCRC after the (7) calendar days of the date of the notice of assignment. The FCS Director in his/her discretion may remove an assigned mediator or CCRC.

2. Any complaints against an assigned mediator or CCRC shall be presented to the Family Court Services Director.

H. Contacting the Assigned Mediator (Tier I) or Child Custody Recommending Counselor (Tier II or III)

1. There will be no ex parte communications with the assigned mediator or CCRC by the parties and/or the attorneys of record.

2. The parties and/or their attorneys may submit further information to the assigned CCRC (Tier II or III) not to exceed thirteen (13) pages in length if it is provided at least three (3) calendar days prior to the regularly scheduled appointment and includes a proof of service showing service on the opposing party and/or attorney. An attorney may submit an "attorney input letter" no longer than one (1) page in length, double-spaced to the assigned CCRC (Tier II or Tier III) as part of the thirteen (13) pages.

3. For emergency or expedited appointments (Tier III), any documentation may be submitted on the day of the appointment if it includes a proof of service showing service on the opposing party and/or attorney at least one (1) calendar day prior to the appointment. The documents shall not exceed thirteen (13) pages in length.

4. If further information is submitted for an information gathering (Tier II) appointment, parties may not resubmit the information to the Tier III CCRC if the professional is the same.

I. Availability of Child Custody Recommending Counselors for Testimony

A party may subpoena or take the deposition of a CCRC that conducted a Tier II or Tier III session after the issuance of their summary report. A party may not subpoena or take the deposition of a mediator that conducted Tier I in the absence of a court order. The hourly rate for testimony will be set by the court-connected (contracted) CCRC and shall be paid at the time the subpoena is served. The court-connected CCRC may also require a deposit for time expended preparing for the testimony. A party seeking to take the deposition of a CCRC must provide them at least thirty (30) calendar days advance notice.

[Effective 7/1/17]

RULE 30.2 MANDATORY MEET AND CONFER REQUIREMENTS
[Effective 1/1/13; Amended 1/1/17]

The parties shall meet and confer as required under the California Rules of Court, Rule 5.98. [Effective 1/1/17]

A. Repealed 1/1/17

B. Repealed 1/1/17

C. Repealed 1/1/17

D. Repealed 1/1/17

E. Repealed 1/1/19

F. This rule does not apply to moving papers that are filed by the Department of Child Support Services ("DCSS"), so long as the DCSS has and uses adequate "meet and confer" procedures of its own that meet the purposes of these mandatory meet and confer requirements as required by the assigned judicial officer for DCSS cases. [Effective 1/1/13]

RULE 30.3 TEMPORARY SUPPORT ORDERS [Effective 1/1/12; Amended 1/1/17]

Spousal support orders and domestic partner support orders will be calculated using the Alameda County Guideline formula. [Effective 1/1/17]

RULE 30.4 SUBSECTION DELETED [Effective 1/1/17]

RULE 30.5 SUBSECTION DELETED [Effective 1/1/11]

RULE 30.5.1 APPOINTMENT OF CUSTODIAL EVALUATION PURSUANT TO FAMILY CODE SECTION 3111 OR APPOINTMENT OF AN EXPERT PURSUANT TO EVIDENCE CODE SECTION 730 [Effective 1/1/16]

A. Nothing in Rule 30.1 prohibits the court from ordering or the parties from agreeing to commence a 3111 evaluation at any appropriate time. [Effective 7/1/17]

B. In the event the Court orders an evaluation pursuant to Family Code §3111 et seq. and/or Evidence Code §730, the parties shall inform the court at the setting of the evidentiary hearing whether they will stipulate to the admission of the evaluation report(s). [Effective 1/1/16; Renumbered 7/1/17]

1. If a party will not stipulate to the admission of the evaluation report, that party shall also notify the court no later than thirty (30) calendar days prior to the hearing whether the evaluator will be subpoenaed for the hearing date. [Effective 7/1/13; Amended 7/1/17]

C. Court orders for an evaluation pursuant to Family Code §3111 and/or Evidence Code §730 shall specify the obligation each party shall pay for their share of the evaluation. [Effective 1/1/16; Amended and Renumbered 7/1/17]

D. The commencement of the Family Code §3111 and/or Evidence Code §730 child custody evaluation will not begin until the fee has been paid and the Director of Family Court Services has received notice of the payment. The Director of Family Court Services shall then assign a court-connected child custody evaluator. [Effective 1/1/16; Amended and Renumbered 7/1/17]

E. The child custody evaluator shall not be required to read and review more than 30 additional pages of collateral documentation received from each party unless there are unusual circumstances. All collateral documents must be received with a Proof of Service showing they have been delivered to the other party. [Effective 1/1/12; Amended 7/1/17]

F. Each court-connected child custody evaluator will complete form FL-325 to certify that they have met all of the qualifications for court-connected evaluators under this rule for a given year (California Rule of Court, rule 5.225). [Effective 1/1/12; Amended and Renumbered 7/1/17]

RULE 30.6 COURT ORDERED EVALUATIONS (Family Code Section 3110/3111)
[Effective 7/1/05; **Amended 7/1/19**]

A. The evaluation shall be completed and provided to the parties at least ten days before the court hearing scheduled for return of the evaluation. If the evaluation is not received on or before ten days before the hearing, either party may request a continuance of the hearing. Notwithstanding any request to continue the hearing, the court may make temporary orders pending the continuance of the hearing for lack of receipt of the evaluation. [Effective 7/1/17]

B. The evaluator may interview the child. The evaluator shall inform a minor child over the age of five (5) or counsel for the child that the contents of the evaluation process may not be confidential and may be presented to the court. [Effective 1/1/12; Amended and Renumbered 7/1/17]

C. The evaluator may interview siblings separately as appropriate if reasonably possible. [Effective 1/1/12; Amended 1/1/17]

D. The evaluator shall interview each parent/party if reasonably possible. [Effective 1/1/12; Amended 1/1/17]

E. Evaluation reports are presumed confidential and shall be lodged with the court in a confidential envelope. Access and disclosure of the report, in the absence of a court order stating otherwise, are limited to the parties; their attorneys of record, the child's attorney; other evaluators retained in the case; and other court appointed CCRCs,

evaluators, and investigators addressing issues with the same family. The parties, their attorneys of record, and/or other evaluators shall not disclose or discuss the evaluation with the minor child. [Effective 7/1/05; Amended 7/1/17]

F. Challenges or objections may only be considered as permitted by law. [Effective 1/1/12; Amended 1/1/17]

G. Each party may object to an assigned court-connected evaluator once by filing written objections with the Family Court Services Director. Written objections to the assigned court-connected evaluator must be filed and served on the other party within seven (7) calendar days of the date of the notice of the assignment. The Family Court Services Director may remove a court-connected evaluator from the assigned case. [Effective 7/1/03; Amended 7/1/17]

H. Any complaints against an assigned court-connected or private evaluator shall be presented to the Family Court Services Director. [Effective 7/1/05; Amended 7/1/17]

I. A party may subpoena or take the deposition of a court-connected evaluator. The hourly rate for testimony will be set by the court-connected evaluator and shall be paid at the time the subpoena is served. The court-connected evaluator may also require a deposit for testimony preparation time for testimony in court hearings. A party seeking to take the deposition of a court-connected evaluator must provide them at least thirty (30) calendar days advance notice. [Effective 1/1/17; Amended 7/1/17]

J. Court connected child custody evaluators may request to withdraw from a case by submitting the request to the Director of Family Court Services. Private child custody evaluators may petition the court to withdraw from a case. Private child custody evaluator requests may be granted by the court upon a showing of good cause. [Effective 7/1/19]

K. Parties and counsel shall not have ex parte communication with the child custody evaluator except for the purpose of scheduling appointments or conducting scheduled interviews with the parties as a part of an evaluation process or where it is expressly authorized by the court, consistent with Family Code Section 216. [Effective 7/1/19]

RULE 30.7 **SUBSECTION DELETED** [Effective 7/1/14]

RULE 30.8 **SUBSECTION DELETED** [Effective 1/1/17]

RULE 30.8.1 **SUBSECTION DELETED** [Effective 1/1/17]

RULE 30.9 **SUBSECTION DELETED** [Effective 1/1/17]

RULE 30.10 FAMILY LAW FACILITATOR

The Family Law Facilitator, operating as the "Legal Help Center" is authorized to perform all duties set forth in Family Code §10005, all duties set forth in the Court's Self Represented Litigants Action Plan, and such other duties as the Court may prescribe. [Effective 1/1/07]

RULE 30.11 SUBSECTION DELETED [Effective 7/1/09]

RULE 30.11.1 SUBSECTION DELETED [Effective 1/1/17]

RULE 30.11.2 SUBSECTION DELETED [Effective 1/1/17]

RULE 30.12 SUBSECTION DELETED [Effective 1/1/17]

RULE 30.13 FAMILY CENTERED CASE RESOLUTION STATUS CONFERENCES [Effective 1/1/17; **Amended 7/1/19**]

Pursuant to California Rules of Court (CRC), Rule 5.83, the Placer Superior Court conducts Status Conferences for family law cases to ensure timely disposition. [Effective 1/1/17]

A. Purpose of Status Conference. At Status Conferences the Judicial Officer will review the case file. The conference serves to improve access by case assessment and, where appropriate, providing parties with information that may assist the case towards a timely disposition. Pursuant to Family Code Sections 2450 and 2451 the Judicial Officer may make orders to promote justice and a timely disposition of the case. [Effective 1/1/17]

B. Setting Family Centered Case Resolution Status Conference. Upon the filing of any new Dissolution, Legal Separation, Nullity, or Parentage, the Clerk of the Court will schedule three Status Conference dates for 6 months, 12 months, and 18 months after filing, and the Clerk will provide the Petitioner with a Notice of Family Centered Case Resolution Status Conference with the three dates. [Effective 1/1/17]

C. Notice. The Petitioner shall serve the Notice of Family Centered Case Resolution Status Conference on the Respondent at the same time as the petition and summons and file proof of service according to statute. [Effective 1/1/17]

D. Appearance. ~~Both~~ **P**~~p~~arties **are encouraged to** ~~should~~ appear for every Status Conference unless otherwise ordered by the Court. ~~If both~~ **P**~~p~~arties **may** agree **and** ~~they~~ may submit a request to drop the 6 and/or 12 month Status Conference. Parties may request to postpone the 6 and/or 12 month conference for up to one month. Parties must use Placer Court Local Form PL-FL018 to drop or postpone the Status Conference and must file the request with the Court at least **2** ~~5~~ court days before the conference date. If the case has not yet reached a judgment on all issues at the time of the 18 month Status Conference, attendance for that

conference is mandatory. Failure to participate in Family Centered Case Resolution **and/or failure to reach a disposition may result in orders which** may ~~result in orders which could~~ include the dismissal of your case. **[Effective 7/1/19]**

E. Telephonic Appearances. Parties and attorneys may appear by telephone for Status Conferences although in-person attendance is encouraged. Telephonic appearances can be scheduled through the Court's website pursuant to Local Rule 30.17. [Effective 1/1/17]

F. Requesting Additional Status Conferences. Any party may request additional Status Conferences by filing a Request for Additional Status Conference with the Family Law Clerk's Office **or by making a request to the Judicial Officer at the time of the Status Conference**. **[Effective 7/1/19]**

RULE 30.14 TRIAL ASSIGNMENT CALENDAR (Trial and Long Cause Evidentiary Hearings) [Effective 7/1/08; **Amended 7/1/19**]

A. When a family law case is ready to be set for trial or a long cause evidentiary hearing, any party may file a request to set the case on the trial assignment calendar and may use (Placer Court Local Form PL-FL006). All parties will be provided notice of the date, time, and department for the hearing. [Effective 1/1/16; Amended 1/1/17]

B. Requests for a telephonic appearance for the trial assignment calendar may be scheduled online at www.placer.courts.ca.gov pursuant to the requirements of Local Rule 30.17 or may be permitted by the court at an earlier hearing. [Effective 1/1/16; Amended 1/1/17]

C. Available trial **and evidentiary hearing** dates will be posted online, at www.placer.courts.ca.gov, five (5) court days prior to the trial assignment calendar hearing. [Effective 1/1/16; **Amended 7/1/19**]

D. The parties must appear, either personally or by telephone, for the trial assignment calendar hearing. The appearance of a party may be excused if all parties **comply with Local Rule 30.14(F)** ~~file a stipulation pursuant to Local Rule 30.14.E.~~ [Effective 1/1/16; **Amended 7/1/19**]

E. Amended and Renumbered 1/1/17; See Local Rule 30.14(C)

F. If all parties have reached an agreement on **a** trial **or evidentiary hearing** date~~s~~ and wish to be excused from attending the trial assignment calendar hearing, they may **agree to a date posted on the Court's website pursuant to Local Rule 30.14(C) and** file *Family Law Stipulation Regarding Trial Dates* (Placer Court Local Form FL-102) at least two (2) court days prior to the hearing. The dates agreed to in the stipulation will be confirmed by the court ~~at the hearing~~. **[Effective 7/1/19]**

G. ~~Parties must file updated~~ **All Statements of Issues and Contentions, Income and Expense Declarations and Witness lists should be filed** ~~income and expense declarations and~~

~~Statements of Issues and Contentions prior to~~ **on or before the date set forth on the document posted on the Court's website pursuant to Local Rule 30.14(C) or on or before the date otherwise ordered by the court. The court retains discretion to make appropriate orders regarding the filing of the documents set forth in this rule.** ~~the mandatory Settlement Conference and Trial Confirming Conference as ordered by the court.~~ [Effective 1/1/16; **Amended 7/1/19**]

RULE 30.15 MANDATORY SETTLEMENT CONFERENCES [Effective 7/1/08; **Amended 7/1/19**]

The parties and their attorneys must personally appear for any mandatory settlement conference. Requests to appear by telephone may be granted by the court. If a telephone appearance is granted by the court ~~(at a prior hearing)~~, the party should schedule the appearance online at www.placer.courts.ca.gov pursuant to the requirements of Local Rule 30.17. [Effective 7/1/08; **Amended 7/1/19**]

RULE 30.16 TRIAL CONFIRMING CONFERENCES [Effective 7/1/08; **Amended 7/1/19**]

A. The parties must appear, either personally or by telephone, for the trial confirming conference hearing. The appearance of a party may be excused if the party is represented by counsel at the hearing. [Effective 7/1/08; Amended 1/1/17]

B. Requests for a telephonic appearance for the trial confirming conference may be scheduled online at www.placer.courts.ca.gov pursuant to the requirements of Local Rule 30.17. [Effective 1/1/16; Amended 1/1/17]

C. A trial confirming conference is scheduled at a reasonable time before the trial date. At the conference, the court will determine the trial readiness of the case and estimated time for trial. ~~All trial briefs, motions, in limine, and witness lists must be filed with the court on or before the date of the trial confirming conference~~. [Effective 7/1/08; **Amended 7/1/19**]

D. All exhibits shall be presented to the courtroom clerk on the first day of trial after proper disclosure for review by the opposing party. [Effective 7/1/08; Amended 1/1/17]

RULE 30.17 TELEPHONIC APPEARANCES – FAMILY LAW AND FAMILY SUPPORT [Amended 7/1/19]

A. Pursuant to California Rules of Court, rule 3.670 and rule 5.9, telephonic appearances may be authorized at the discretion of the court. The Placer Superior Court authorizes telephonic appearances for family law and family support matters at all court locations, including the Tahoe Court, pursuant to this local rule. Personal appearance in family law and family support matters is, however, encouraged.

B. Any party wishing to appear telephonically may be required to obtain prior approval for certain hearing types as listed on the court's website (www.placer.courts.ca.gov).

Parties in family law matters must file Local Form PL-FL016 *Request for Telephonic Appearance (Family Law)* at least five (5) court days before the hearing if the hearing type requires judicial approval**.**~~, except for an emergency request hearing (ERH), in which case the form must be filed by noon the day before the hearing.~~ Such parties must notice the other parties pursuant to Local Form PL-FL016. **[Effective 7/1/19]**

A party wishing to appear telephonically in **a** family law matter~~s~~ **that allows for a telephonic appearance** does not need to file Local Form PL-FL106 if the hearing type does not require judicial approval. In all circumstances, the parties must ~~still~~ provide notice to the other parties of their intent to appear telephonically at least four (4) court days before the hearing using the procedure most likely to provide the earliest possible notice, including, but not limited to, personal delivery or electronic transmission, including fax or email. **[Effective 7/1/19]**

If judicial approval has been previously granted for a hearing that is continued by the court, or if approval for a telephonic appearance is granted by a judicial officer on the record and both parties are present in court, no further notice is required and Local Form PL-FL106 does not need to be filed.

A party ~~Parties~~ in **a** family support matter~~s~~ where **the** local child support agency is providing services under Title IV-D of the Social Security Act must file Judicial Council Form FL-679 *Request for Telephonic Appearance (Governmental)* at least twelve (12) court days before the hearing and must notice the other parties pursuant to CRC 5.324(e) regardless of whether or not the hearing type requires judicial approval. **[Effective 7/1/19]**

C. **All** ~~T~~**t**elephonic ~~A~~**a**ppearances must be scheduled through the court's telephonic appearance reservation website, which can be accessed through the court's website (www.placer.courts.ca.gov). ~~Telephonic appearances through a landline phone are preferred and in some hearings may be required by the court.~~ **[Effective 7/1/19]**

D. Notwithstanding Local Rule 30.17(A), 30.17(B), and 30.17(C), a judicial officer may authorize a telephonic appearance without using the court's telephonic appearance service. This would be a direct telephone call made by the courtroom clerk to the party at the time the matter is called for hearing.

E. Notwithstanding Local Rule 30.17(A), 30.17(B), 30.17(C), and 30.17(D), the court may order personal appearance of a party at any time. [Effective 1/1/16]

40.00 CRIMINAL RULES

RULE 40.1 DEFINITION OF TERMS

For the purpose of these rules the following terms and procedures shall apply:

A. Early Status Conference (ESC): Responsible counsel for the defense and prosecution shall attend the conference. The personal appearance of the defendant is mandatory unless excused, in advance, by the Court or an attorney appears for the defendant in compliance with Penal Code § 977. Prior to the ESC discovery shall have been exchanged. At the ESC the prosecuting attorney shall be prepared to make an offer to the defendant to settle the case. [Effective 1/1/11]

B. Trial Confirming Conference (TCC): Responsible counsel for the defense and prosecution shall attend the conference. The personal appearance of the defendant is mandatory unless excused, in advance, by the Court or an attorney appears for the defendant in compliance with Penal Code § 977. The Court may, but is not required, to entertain further settlement discussions. If the case is not resolved by plea, counsel shall be prepared to advise the Court of the estimated length of trial, the nature and length of any *in limine* motions and any other matter affecting the scheduling of the case. Any calendar conflict of responsible trial counsel shall be resolved prior to the TCC by reassignment of the case to another attorney or by appropriate motion for continuance filed in a timely manner. [Effective 1/1/11]

C. Trial Assignment (TA): The trial attorneys for the defense and prosecution shall attend trial assignment. In the event a trial attorney is unable to appear at trial assignment, another attorney may appear provided that he/she has complete authority for disposition of the case and is sufficiently familiar with the case so as to be able to meaningfully discuss the applicable factual and legal issues. Any trial attorney or attorney appearing for the trial attorney, who will be late or unable to appear at the trial assignment, must contact the trial assignment department as soon as reasonably possible prior to the commencement of the trial assignment calendar to explain the situation. The personal appearance of the defendant at trial assignment is mandatory unless excused, in advance, by the Court or an attorney appears for the defendant in compliance with Penal Code § 977. [Effective 1/1/11]

D. Responsible Counsel: As used in these rules, the term "responsible counsel" means an attorney assigned to the case or an attorney appearing for an attorney assigned to the case with complete authority for disposition of the case and sufficiently advised of the factual and legal issues involved in the case so as to be able to discuss, in good faith, resolution of the case without necessity of trial. [Effective 7/1/01]

RULE 40.2 MISDEMEANOR SETTINGS

A. At arraignment on a misdemeanor Complaint, the following court appearances will be set with the date(s) determined by the Court:

1. Early Status Conference (ESC)

2. If the defendant does not enter a time waiver for trial, the Court shall (1) set a TCC, TAC and Trial Date within the time requirements set forth in Penal Code § 1382 or (2) set an ESC within seven days.

[Effective 7/1/12]

RULE 40.3 FELONY SETTINGS

A. At arraignment on a felony violation Complaint, the following court appearances shall be set and the dates determined by the Court:

1. Early Status Conference (ESC)

2. A Preliminary Hearing (PX) may be set within the Court's discretion. If the defendant does not waive time, the PX shall be set within the time requirements set forth in Penal Code § 859b.

B. If the defendant is held to answer, the Court shall set the following court appearances determined by the Court:

1. Arraignment on the Information shall be set within the time limits set forth in Penal Code § 1382.

2. If the parties stipulate that the Complaint be deemed the Information, the arraignment may take place immediately after the issuance of the holding order. The court would then set a TCC.

[Effective 7/1/12]

RULE 40.4 CRIMINAL LAW AND MOTION

A. Except as otherwise provided by law or these rules, motions must be filed at least seven (7) days prior to the date of hearing in criminal matters. For the purpose of complying with the seven (7) day notice requirement of this rule, Section 12 *et seq*. of the California Code of Civil Procedure shall apply. All motions shall be made in writing accompanied by proof of service on all affected parties including, in the case of matters affecting sentencing or probation proceedings, the probation department. [Effective 7/1/03]

B. Except as authorized herein, approval for shortened notice may only be obtained by appropriate written application for an order shortening time in compliance with the requirements of CRC 3.1200 *et seq*. [Effective 7/1/07]

C. In extraordinary circumstances, the Court may authorize the setting of criminal matters by oral request. In all such cases: (1) The fact of the request shall be personally communicated by counsel making the request to all other counsel affected and to the probation department in sentencing

and probation matters, and; (2) A declaration of such notice shall be filed at or before the time set for the hearing. The clerk shall place the appropriate form in the file indicating the setting.

D. Motions.

1. Where a motion concerns a defendant not in custody, it is the responsibility of counsel for the defendant to notify the defendant of the date and time of the hearing and to secure the appearance of the defendant unless excused, in advance, by the Court.

2. Where the motion pertains to a defendant in custody in the Placer County Jail, it will be the responsibility of the moving party to advise the clerk of such fact at the time of the filing of the motion. In addition, the moving papers shall contain the notation, "PLACER COUNTY JAIL" prominently placed above the case number in bold type. The clerk shall prepare an appropriate order for remand or production by the jail and forward the order promptly to the jail in advance of the hearing.

3. Where the motion pertains to a defendant in custody in a State Prison, State Mental Hospital, or other out-of-county facility, the pleading shall contain the notation, "State Prison Custody," "State Hospital Custody," or "[named county] Jail Custody," or other suitable notation above the case number in bold type. Where the motion pertains to a defendant in custody in a facility out of the county, the moving party shall prepare an appropriate request and order for production of the defendant, and shall forward such request to the Court for signature and processing on filing of the motion.

(a) In order to provide sufficient time for transportation of out-of-county custody defendants, at least fourteen (14) days notice shall be given of motions pertaining to such defendants. [Effective 7/1/01]

RULE 40.5 DISCOVERY OF PLACER COUNTY PROBATION DEPARTMENT FILES

Rule 40.5 is adopted in compliance with Penal Code section 1203.10 and *County of Placer v. Superior Court (Stoner)* (2005) 130 Cal.App.4th 807, to define the process used to discover non-confidential contents of a defendant's criminal case file maintained by the Placer County Probation Department.

A. A defendant shall have the right to discover the non-confidential portions of his or her criminal case file(s) maintained by the Placer County Probation Department under the following circumstances:

1. The defendant must be pending either new criminal charges or a violation of probation.

2. The procedures in this rule apply only to the discovery of adult criminal files. The procedure for discovery of juvenile case files will be as defined in Welfare and Institutions Code section 827.

3. The procedures in this rule apply only to the discovery of the defendant's personal file(s). Discovery of files of other persons shall be governed by traditional rules and procedures.

B. The defendant and probation department are to observe the following procedure:

1. The request to review a file must be initiated by the defendant. The request must be in writing, but may be informal such as by FAX or memo, but shall reasonably identify the information being sought.

2. The probation department will have three (3) days to review the file to determine whether any of the requested information is confidential to the defendant and should not be disclosed.

3. The file(s) will be made available for review at the offices of the Placer County Probation Department, unless otherwise agreed by the parties.

4. The probation department will copy any non-confidential portions of the file(s) as requested by the defendant. The defendant shall pay for the copies at the rate authorized by Placer County code.

5. If the probation department determines that any portion of a file is confidential, the defendant shall be advised of the general nature of the information being withheld and the basis for considering it confidential. If the defendant wishes to contest the claim of confidentiality, the defendant must calendar a formal discovery motion with the Court. The Court will conduct an *in camera* review of the documents at issue to determine whether they are within the scope of the request for discovery and whether they are confidential. The Court will have the discretion to determine what documentation should be released and whether the release should be subject to a protective order. If either the probation department or the defendant disagrees with the Court's decision, such party may seek appropriate appellate review.

C. Nothing in this rule shall be construed to limit the obligation of the Placer County Probation Department to disclose material that is exculpatory in nature.
(*Brady v. Maryland* (1963) 373 U.S. 83.) [Effective 7/1/06]

RULE 40.6 REAL PROPERTY BONDS

A. A defendant or any other person may give as security any equity in real property which he or she owns provided, however, the value of the equity offered is equal to twice the amount of the cash bail required. (PC 1298) [Effective 7/1/01]

B. Before a property bond may be accepted by the Court, a hearing must be held for a Court determination as to the applicant's equity in the real property. To set the matter for hearing, a

noticed motion with proof of service to the District Attorney must be filed with the Clerk at least ten (10) days prior to the date set for the hearing. The suggested form of motion for real property bond is attached as Exhibit A to this Rule. The following documents must be submitted as attachments to the motion:

1. Copy of the proposed promissory note in the amount of the required bond. (Approved form of promissory note attached as Exhibit B to this Rule)

2. Copy of the deed of trust to be recorded securing the promissory note and naming a recognized California title company as the trustee and the Superior Court of the County of Placer as the beneficiary. [Effective 7/1/03]

3. Current preliminary title report concerning the property which has been prepared by a recognized California title company.

4. A current appraisal of the property performed by a certified real estate appraiser. The appraiser shall include a statement of the appraiser's training and experience.

5. Statements from all lien holders having liens against the property, showing the amount presently due on the obligation.

[Effective 7/1/01]

C. The Court may require additional evidence in order to ascertain the true equity in the property held by the applicants. All costs incurred to process the property bond and to comply with this Rule shall be borne by the applicant. [Effective 7/1/01]

D. If the Court approves the property bond, the applicant shall record the deed of trust and then shall deliver to the Clerk the following documents:

1. The original signed promissory note.

2. Copy of the deed of trust showing its recorded status. The original deed of trust shall be returned by mail from the recorder's office to the Clerk.

3. An updated preliminary title insurance policy showing the recorded deed of trust for the subject note in the priority previously approved by the Court.

[Effective 7/1/01]

E. Upon the delivery to the Clerk of the foregoing documents, the applicant shall be entitled to obtain an ex parte order of the Court for the release of the designated defendant. [Effective 7/1/01]

F. The Clerk shall deposit the original deed of trust and promissory note with the Clerk of the Court (Court Executive Officer) for safekeeping, maintaining copies of same in the case file. [Effective 7/1/12]

G. In the event the property bond is ordered forfeited, upon entry of summary judgment and order of the Court, the Clerk shall prepare an appropriate form of order for the Court's signature to release the original deed of trust and promissory note for the commencement of foreclosure proceedings. [Effective 7/1/12]

H. In the event the property bond is ordered exonerated, the defendant or defendant's representative shall prepare an appropriate form of order for the Court's signature directing the Clerk of the Court (Court Executive Officer) to release the original deed of trust and promissory note for the appropriate endorsement of the request for full reconveyance on the deed of trust and for the return of such endorsed deed of trust and original promissory note to the maker. [Effective 7/1/12]

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER

THE PEOPLE OF THE STATE OF CALIFORNIA,	)	
	)	CASE NO:_____
	)	
	)	MOTION FOR
vs.	)	REAL PROPERTY BOND
	)	
	)	DATE:_____
	)	TIME:_____
	)	DEPT:_____
Defendant(s)	)	TRIAL DATE:_____

Applicant(s) _____ hereby make application for the approval of Real Property Bond.

Defendant's name:_____

Bond fixed in the amount of:_$_____

Applicant(s) is/are the sole owner(s) of real property located at: Address:

Applicant's equity in such real property is equal to at least twice the amount of the required bond.

Attached in support of this motion are the following exhibits:

(1) A copy of the proposed promissory note in the amount of the required bond.

(2) A copy of the deed of trust to be recorded securing the promissory note and naming a recognized California title company as the trustee and the Superior Court of the County of Placer as the beneficiary. [Effective 7/1/03]

(3) A current preliminary title report concerning the property which has been prepared by a recognized California title company.

(4) A current appraisal of the property performed by a real estate appraiser. The appraisal includes a statement of the appraiser's training and experience.

(5) Statements from all lien holders having liens against the property, showing the amount presently due on the obligation.

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

Executed on _____at _____, California.

_____
Signature

_____
Signature

CERTIFICATE OF MAILING
[Effective 7/1/09]

I certify that I am over the age of 18 years and not a party to this action. Further, I certify that a true and correct copy of the foregoing motion (with all attachments) was mailed, first class, postage prepaid, at _____, California, in a sealed envelope addressed to: District Attorney, 10810 Justice Center Drive, Roseville, CA 95678, and that the mailing of the foregoing and execution of this certificate occurred this ____ day of _____, 20____.

_____

EXHIBIT A

PROMISSORY NOTE
[Effective 7/1/08]

$_____ Date:_____

UPON DEMAND, for value received, the undersigned ("Maker") promises to pay in lawful money of the United States, to Placer County Superior Court ("Holder"), or order, at 10820 Justice Center Drive, Finance Office, Roseville, California 95678, or any other place designated in a writing submitted by Holder to Maker, the sum of $_____.

Whether or not suit is filed, Maker agrees to pay all reasonable attorneys' fees, costs of collection, costs, and expenses incurred by Holder in connection with the enforcement or collection of this Note.

This Note binds each of the undersigned, if more than one, jointly and severally, and shall be binding on them and their successors and assigns.

This Note is secured by a Deed of Trust, dated _____,
to _____[name of trustee], executed by Maker in favor of Holder.

_____
Signature of Maker

_____
[Typed name of Maker]

_____
Signature of Maker

_____
[Typed name of Maker]

EXHIBIT B

RULE 40.7 DECLARATION OF CONFLICTS OF INTEREST

The following rule is to guide the Court and counsel regarding the circumstances under which a conflict of interest is to be declared concerning the representation of a criminal defendant.

A. Application of the Rule: The conflicts rule shall be applicable to declarations of conflict by any appointed counsel, whether such counsel is the Placer County Public Defender, Conflicts Firm, or private attorney appointed by the Court.

B. Construction of Rule: Whenever possible, consistent with legal ethics and the fundamental right of any criminal defendant to be represented by counsel who is free of conflicts of interest, this rule shall be liberally construed to *avoid* a declaration of conflict so as to give full and appropriate effect to contractual arrangements between the County of Placer and appointed counsel.

C. Multiple Defendant Cases:

1. Counsel appointed by the Court shall not represent different defendants involved in the same or related criminal conduct, whether or not the defendants are separately or jointly charged.

2. Privately retained counsel shall not represent multiple defendants charged in the same criminal proceeding unless a full and knowledgeable waiver is obtained from each defendant in writing and orally in open court after inquiry by the Court.

3. Declarations of conflict in multiple defendant cases may be made by any attorney without the prior approval of a supervising attorney.

4. Whenever a conflict is declared, to the extent possible, the Public Defender shall retain the client having the more serious or complex case from that of the Conflicts Firm; the Conflicts Firm shall retain the client having the more serious or complex case from that of private appointed counsel.

D. Conflicts with Current Clients:

1. Counsel appointed by the Court shall not represent a defendant where an *adverse* witness or victim is a client currently being represented by such counsel. For the purposes of this rule, "currently being represented" means:

a. A client who has an active, pending charge or violation of probation,

b. A defendant for whom counsel is actively seeking post- judgment relief, or

c. Counsel currently is counsel of record for a minor in a juvenile delinquency or dependency proceeding, whether or not there currently is a pending petition in such juvenile proceeding.

2. Absent unusual circumstances, the fact that counsel represents a witness *supporting* the defendant will not disqualify counsel from representing the defendant.

3. A declaration of conflict under this section shall require the approval of a senior or supervising attorney.

E. Former Clients as Witnesses or Victims:

1. A declaration of conflict shall not be made merely from the fact that a former client is a victim or witness in the current action.

2. A declaration of conflict may be made if all of the following circumstances are present:

a. Counsel is in possession of confidential information concerning the former client. "Confidential information" does not include information that is part of the public record or may readily be obtained by opposing counsel, such as records of conviction, employment and school records.

b. The confidential information is relevant to the current proceeding.

c. Counsel will or may be called upon to use the confidential information against the former client in the defense of the client in the current case.

3. A declaration of conflict under this section shall require the approval of a senior or supervising attorney.

(a) Declaration of Conflict in Other Circumstances:

(1) Merely because a conflict existed in the past does not mean that there is a conflict in the current case. Each case is to be evaluated as to current conflicts. It is presumed, for example, that the Public Defender shall represent a defendant on a current probation violation, even though there had been a conflict in representation on the original case.

(2) Counsel may declare a conflict in the following additional cases:

aa. Where there is a substantial appearance of conflict. Examples of such circumstances include former clients who were frequently represented by counsel, or cases where the former client has had a recent and substantial case with counsel.

bb. Where a witness or victim is a member of the office staff of counsel or a member of such staff's family. Merely having knowledge of or acquaintance with the witness or victim shall not be grounds for a declaration of conflict of the entire office of counsel, but may warrant re-assignment of the case within counsel's firm.

cc. Where a former client seeks to set aside a conviction and there is a colorable claim of ineffective assistance of counsel. "Colorable claim" means one which would credibly establish the possibility that the prior counsel had failed to perform with reasonable diligence and that, in absence of counsel's failings, the conviction would not have resulted. The colorability of the claim may be determined in a procedure generally in the style of a *Marsden* motion.

dd. Suit against counsel by the current client unless the suit is patently frivolous, the suit is based on grounds already determined by the Court in a *Marsden* motion to be without merit, and there is no conflict of interest other than as reflected in the suit. (*People v. Horton (1995)* 11 Cal.4th 1068, 1104-1107.)

ee. Any other circumstance where counsel reasonable believes a conflict should be declared.

(3) A declaration of conflict under this section shall require the approval of a senior or supervising attorney.

F. When a conflict is declared:

1. Conflicts shall be declared as soon as discovered.

2. Notice of the declaration of conflict made by the Public Defender shall be immediately given to the Conflicts Firm, including a brief explanation of the nature of the conflict.

3. Counsel shall safeguard any confidential information obtained from a client to avoid any unnecessary "contamination" of other counsel.

4. The file, absent any confidential information, shall promptly be given to the next appointed counsel. The following procedure shall be used when conflicts are discovered in cases in any department: If the conflict is declared in open court with Conflicts counsel present, the file shall be exchanged in open court. If Conflicts counsel is not present, the file shall be deposited in a box for that purpose located in the clerk's office for the department. [Effective 7/1/08]

5. Whenever a conflict appears possible, particularly in a multiple defendant cases, counsel will conduct themselves in a manner to minimize conflicts in any realignment of counsel.

6. When a conflict is declared, the new attorney generally will assume representation of the client in all pending matters, even though no conflict exists as to the other matters.

The Court shall inquire into the circumstances of the conflict, including, if necessary, holding proceedings *in camera*. Counsel, however, shall not be required to disclose confidential information, even to the Court. [Effective 7/1/08]

RULE 40.8 EXPENSES OF DEFENSE

At the conclusion of the case, or upon discharge of counsel, counsel shall state to the Court the total number of hours spent on the case, if court appointed, and any expenses paid by public funds as costs, investigation, expert witness fees, and analysis of evidence. [Effective 7/1/01]

50.00 JUVENILE COURT RULES

RULE 50.1 AUTHORITY (Govt C§68070; W&IC§§317.6(b), 350; CRC Rule 5.500 et seq.)

These local rules are intended to supplement state statutes that are found principally in the Welfare and Institutions Code (W&IC) and to supplement the California Rules of Court (CRC) relating to Juvenile Court matters. The Local Rules adopt the rules of construction and the severability clauses in CRC Rule 5.501(d). The~~se~~ Local Rules cover Juvenile Court Law, not Juvenile traffic hearings or traffic hearing appeals. These Rules shall be applied in a fair and equitable manner that is consistent with the best interests of the children and families appearing before the Juvenile Court. [Effective 7/1/13]

RULE 50.2 STANDING ORDERS (CCP§187; Govt C§68070(a).)

The Presiding Judge of the Juvenile Court may issue, modify, or delete Standing Orders relevant in Juvenile matters as the Court deems appropriate. Any newly issued, modified, or current Standing Orders are filed with and maintained by the Clerk of the Juvenile Court. All Standing Orders relating to juvenile matters issued by the Placer County Juvenile Court prior to the effective date of these local rules are hereby rescinded except such standing Orders as are attached to these local rules as an Appendix. Any standing order is deemed effective the date it is issued by the court. [Effective 7/1/13]

RULE 50.3 STANDARDS FOR COUNSEL REPRESENTING PARTIES IN JUVENILE PROCEEDINGS (W&IC §317.6; CRC Rule 5.660.)

All attorneys who represent parties in juvenile court proceedings shall comply with and meet the minimum requirements set forth in CRC Rule 5.660. Each attorney or attorney's office shall retain verification that the attorney meets and complies with the requirements of CRC Rule 5.660. Upon demand of the Juvenile Court, the attorney and/or attorney's office shall produce a copy of verification that demonstrates the attorney's qualifications and compliance with CRC Rule 5.660.
[Effective 7/1/13]

RULE 50.4 SUBSECTION DELETED [Effective 7/1/13]

RULE 50.5 SUBSECTION DELETED [Effective 7/1/13]

RULE 50.6 SUBSECTION DELETED [Effective 7/1/13]

RULE 50.7 ATTORNEY COMPLAINT RESOLUTION PROCEDURES (W&IC §317.6(a)(3); CRC Rule 5.660(e).)

A. NOTICE TO CLIENT OF COMPLAINT PROCEDURES

Counsel appointed for a parent or legal guardian must provide his or her client with information on how to file a complaint concerning counsel's performance with the court. Minor's counsel shall provide this information to the minor's caretaker or directly to the minor if he or she is twelve (12) years of age or older. [Effective 7/1/13]

B. FILING A WRITTEN COMPLAINT

The person filing a complaint must fill out local form "Complaint Form – Juvenile Court". The form must be placed in a sealed enveloped and lodged with the clerk of the Juvenile Court. [Effective 7/1/13]

C. REVIEWING A COMPLAINT

The court shall review any complaint and forward the document to counsel within 10 calendar days of receipt of the complaint. Counsel will be given an opportunity to respond in writing within 30 calendar days of his or her receipt of the complaint. The court will then review the complaint and the response and take any appropriate action, which may include conducting a hearing in chambers on the complaint. [Effective 7/1/13]

RULE 50.8 COUNSEL FOR MINOR'S RESPONSIBILITY REGARDING INTERESTS OF DEPENDENT CHILD (W&IC §317(e); CRC Rule 5.660.)

Counsel for minor shall make an independent investigation to ascertain the existence of any interests or rights a minor may have beyond the scope of the juvenile proceeding pursuant to W&IC §317(e). Counsel shall inform the court of any such interests by filing a *Request to Change Order* (JV-180) and properly noticing all interested parties. Counsel shall set forth the interest or right to be protected/pursued, the related administrative agency or judicial forum, the nature of the proceeding, any identifying case information, and whether there is counsel available either on a pro bono or contingency basis. Counsel shall file a *Notice of Hearing on Joinder – Juvenile* (JV-540) where a joinder of a party is necessary to adequately protect the minor's interests. Based upon the information provided by counsel, the Juvenile Court shall set hearings and make any further orders as it deems necessary. Neither court nor county funds shall be used to fund legal or other services in another forum outside of the juvenile dependency proceedings. [Effective 7/1/13]

RULE 50.9 ACCESS TO MINORS (DEPENDENCY) (W&IC §362(a).)

No party or attorney shall interview the minor about the events relating to the allegations of the petition(s) on file without prior approval of the Juvenile Court or minor's counsel. No party or attorney shall cause a minor to undergo a physical, medical, or mental health examination or evaluation without prior approval of the Juvenile Court. This rule does not apply to the Department of Health and Human Services (Department) case manager, other authorized Department social worker, or a child advocate. [Effective 7/1/13]

RULE 50.10 INTERVIEWING MINORS WHO ARE ALLEGED VICTIMS OF CHILD ABUSE (W&IC §362(a).)

All attorneys and parties, including a child advocate, shall attempt to minimize the number of interviews taken of a minor relating to the events surrounding the alleged abuse. All attorneys and parties shall first review any interview taken or reports made by the investigating officer(s).
[Effective 7/1/13]

RULE 50.11 SUBSECTION DELETED [Effective 7/1/13]

RULE 50.12 SUBSECTION DELETED [Effective 7/1/13]

RULE 50.13 SUBSECTION DELETED [Effective 7/1/13]

RULE 50.14 PRE-HEARING DISCOVERY (CRC Rule 5.546.)

A. The parties shall conduct pre-hearing discovery on a reciprocal and informal basis in accordance with CRC Rule 5.546. Updates to the social worker's narratives shall be provided at least two (2) court days prior to the hearing unless the matter is contested, then the updates shall be provided at least ten (10) court days prior to the contested hearing. [Effective 7/1/13]

B. The parents and legal guardians of a minor shall disclose to the Department relevant, non-privileged material and information upon a timely request. [Effective 7/1/13]

C. No civil discovery – including depositions, interrogatories, and subpoenas - shall be conducted without approval of the Juvenile Court. Any request for formal discovery shall be brought by noticed motion that includes a declaration detailing the steps taken to exhaust all methods of informal discovery. The motion shall be filed and served at least sixteen (16) court days prior to the hearing. Any responsive documents shall be filed and served at least ten (10) court days prior to the hearing. [Effective 7/1/13]

RULE 50.15 MEET AND CONFER

Prior to any scheduled hearing before the Juvenile Court, the parties shall meet and confer in good faith at least twenty four (24) hours prior to the hearing in order to resolve contested issues.
[Effective 7/1/13]

RULE 50.16 FILING MOTIONS IN JUVENILE COURT (W&IC §§203, 362(a), 700.1, 388; CCP §1013; CRC Rules 5.570, 5.555, 3.1110 et seq.)

All motions brought before the Juvenile Court shall comply with the requirements of the W&IC §§700.1, 388, and CRC Rules 5.570, 5.555. In cases where there is no specific statutory timeline for filing a motion, the parties shall file the motion at least ten (10) court days prior to the hearing date and comport to the service requirements of CCP §1013 and format requirements of CRC Rule 3.1110 et seq. [Effective 7/1/13]

RULE 50.17 SUBSECTION DELETED [Effective 7/1/13]

RULE 50.18 TRAVEL AUTHORIZATION (W&IC §362(a).)

A. TRAVEL WITHIN THE STATE OF CALIFORNIA

Unless otherwise ordered by the court, a minor's care provider may authorize travel by the minor within the state for a period of less than thirty (30) consecutive days. The minor's care provider shall consult with the Department. For travel in excess of seven (7) consecutive days, the Department shall file a "Notice of Travel" with the court notifying the court of the travel plans and steps taken to notify the parents. The Notice shall be served on all attorneys of record at least 5 court days prior to the scheduled trip. [Effective 7/1/13]

B. TRAVEL IN EXCESS OF 30 DAYS OR OUTSIDE OF THE STATE OF CALIFORNIA

Any travel in excess of thirty (30) consecutive days and/or outside of the state shall require prior approval of the court. The Department shall file an ex parte application at least five (5) court days prior to the scheduled trip. The application shall include the time, place, and length of the trip. It shall also detail the steps taken to notify the parents of the travel plans and whether the parents object to the trip. All counsel of record shall be served with a copy of the application. [Effective 7/1/13]

RULE 50.19 RELEASE OF INFORMATION (W&IC §827; CRC Rule 5.552.)

Information concerning the identity of persons suspected, detained, or charged as being within Section 300, 601, or 602 of the Welfare and Institutions Code may be released only to the extent and subject to the qualifications provided in Section~~s~~ 827 of the Welfare and Institutions Code, by the procedures adopted in all applicable standing orders, or by an order of the presiding judge of the juvenile court or a juvenile court judicial officer. Upon application for the release of a minor's juvenile records by the parties to a family law action, the juvenile court may at its discretion direct on the minute order of the court that the family law judicial officer will conduct the ex parte review of the juvenile court records pursuant to either W&IC §827 or Family Code §3152. [Effective 7/1/13]

RULE 50.20 COURT APPOINTED SPECIAL ADVOCATE PROGRAM GUIDELINES

Pursuant to Welfare and Institutions Code Section 100, the Judicial Council's Court Appointed Special Advocate Program guidelines as outlined in California Rules of Court, rule 5.655, are adopted and incorporated by reference. [Effective 7/1/15]

60.00 COURT APPOINTED COUNSEL AND EXPERTS

RULE 60.1 COURT APPOINTED ATTORNEYS: STANDARDS OF EXPERIENCE AND ALLOWABLE FEES AND EXPENSES

The following procedures shall be used in fixing, invoicing and reimbursing allowable fees for attorneys appointed by the Court to represent individuals who are unable to employ counsel and who cannot be represented by the primary Public Defender firm or the appointment conflicts firm, or attorneys who are otherwise appointed by court order. [Effective 7/1/05]

For additional information regarding the Assigned Counsel Program, including payment procedures, visit the Placer County website at:
http://www.placer.ca.gov/departments/ceo/programs%20and%20policies/assigned-counsel
[Effective 7/1/15]

Requests for specific exemptions from the requirements must be made to the Presiding Judge. [Effective 7/1/08]

A. MEMBERSHIP IN PLACER COUNTY'S CONFLICT/ALTERNATE INDIGENT PUBLIC DEFENSE PANEL OF ATTORNEYS

APPLICATION AND CERTIFICATION FOR ATTORNEY PARTICIPATION
Attorneys appointed by the Court shall have completed and signed an Application for Assigned Indigent Criminal Defense Alternate/Conflict Counsel and Preference form. [Effective 1/1/06]

B. APPLICATION FOR FEES

1. The Court shall allow attorney's fees and costs for services rendered and expenditures made by counsel properly appointed in criminal, juvenile, or other matters while such matters are pending before the Court. Such fees shall not include time spent traveling from one location to another. [Effective 1/1/06]

a. Application for fees and expenses:

Application for investigation fees and expenses shall be made in writing as follows:

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

2. To the judge of the department to which the matter has been referred pursuant to Penal Code § 987.9;

3. In all other cases to the Presiding Judge.

b. Amount of fees:

1. Non-Capital or Life-Sentence Cases:

The initial application shall not exceed the sum of $2,000.00. Additional applications may be made upon a showing that further investigation is necessary in an amount not to exceed $1,000.00 per application. [Effective 1/1/19]

2. Capital and Life-Sentence Cases:

Applications for fees in capital cases shall be governed by the provisions of Penal Code § 987.9. The initial application for capital and life-sentence cases shall not exceed $4,000.00. Additional application may be made upon a showing that further investigation is necessary in an amount not to exceed $2,000.00 per application. [Effective 1/1/19]

A. Claims for Payment:

At the close of a case in which investigation expenses have been authorized under Penal Code Section 987.9, the attorney shall report to the authorizing judge the actual expenses incurred. The report shall be in writing and shall show the expenditures distributed within the following categories:

Witness Fees

Court Appointed Counsel

Doctors

Investigators

Professional Special Services

Travel and Transportation

Upon final approval by the authorizing judge, the attorney shall provide a copy of the written distribution report to the Court Executive Officer.

3. All Cases:

In no event shall the court grant fees or expenses not reasonably justified by the nature of the case, as supported by written application. The written application shall specify the nature and purpose of the proposed investigation and shall contain an estimate of the fees and expenses involved. Unusual or extraordinary requests shall be justified in detail.

c. Order for fees and expenses:

The order for investigation fees and expenses shall be set forth in a form approved by this court.

d. Maximum rates for investigative services:

Claims for investigative services, authorized pursuant to this rule, shall be paid at the rate not to exceed $40.00 per hour plus mileage at the current rate authorized for payment by the Placer County Auditor together with actual and necessary incidental expenses. All such amounts must be within the total fees and expenses authorized by the court. [Effective 7/1/15]

e. Submission of claims:

Claims for investigation fees and expenses shall be made on a form approved by this court. A copy of the court order awarding fees, as well as a detailed accounting of all claimed fees and expenses must be attached. The attorney of record shall certify the accuracy of the claim and appropriateness of the fees incurred. The claim shall be submitted to the Court Executive Officer for subsequent approval by the department specified in paragraph A of this order. [Effective 1/1/11]

2. Application for the payment of such fees and costs shall ordinarily be made at the time of the final court disposition of the proceeding in which court-appointed counsel served, or within reasonable time thereafter. Upon special application to, and approved by, the Court, pre-trial interim fees may be reimbursed in cases involving the death penalty or life without the possibility of parole, or in exceptionally complex or lengthy cases. However, no pre-trial interim authorization for, and payment of**,** fees shall exceed those monetary values unless expressly increased in the interest of justice. [Effective 1/1/06]

3. Application for fees and costs shall be made by written declaration. The form can be obtained from the following website:

http://www.placer.ca.gov/departments/ceo/programs%20and%20policies/assigned-counsel
[Effective 7/1/15]

4. Application for fees and costs shall be submitted to the Court for subsequent approval by the department which approved the assignment. [Effective 7/1/08]

5. The Court may allow a reasonable alternative hourly fee, in consideration of the nature and complexity of the case and the degree of skill and effort required of counsel. [Effective 7/1/05]

6. In all cases, and provided that the requisite invoice complies with current procedures, the final fees allowed shall be determined based on the nature and complexity of the case and

the degree of skill and effort in handling the matter. The Court may adjust fee claims in accordance with the herein stated standard. [Effective 7/1/08]

7. Attorneys and other experts may bill for mileage at the current county approved rate, but cannot bill for travel time unless an exception is stated in a court order. [Effective 7/1/05]

C. PAYMENT REQUESTS

Requests for payment must be submitted on the proper form and comply with current processes. Any other request for payment form will be rejected. Receipts for miscellaneous expenses must be original. Photocopies will not be accepted. [Effective 7/1/08]

D. CASE TRANSFERS TO ANOTHER COUNTY

1. In the event that an attorney appointed by this Court must appear in a court of another county on a case transferred from this Court, the attorney shall be entitled to reasonable travel and living expenses necessarily incurred in connection with appearances in the court of the other county. Unless pre-approved in writing by the Presiding Judge in advance, the attorney shall: not be reimbursed for time spent traveling; travel by private automobile, and be reimbursed for necessary mileage at the rate allowed by the County of Placer at the time of the travel. In no event shall the attorney seek payment of fees for the time spent by the attorney while traveling. [Effective 7/1/05]

2. The attorney's living expenses will be allowed at the rate provided by the Judicial Council of California. [Effective 7/1/15]

3. Any request for reimbursement of travel or living expenses shall be made by written declaration and submitted to the Presiding Judge. All requests for such reimbursement shall at least include a complete inventory of costs and expenses, with all applicable original receipts attached. [Effective 7/1/08]

E. APPOINTMENT OF MINORS' COUNSEL IN FAMILY LAW CASES

1. Panel of Counsel Eligible for Appointment

The Placer Superior Court has elected, pursuant to CRC 5.240(d), to create and maintain a panel of counsel meeting the minimum qualifications set forth in the Cal. Rules, who the Court may consider for appointment as counsel for minor children in family law proceedings. Attorneys wishing to be included in the Court's panel must submit Judicial Council form FL-322 and an Application (Placer Court Local Form PL-CW008) to the Presiding Judge. Attorneys selected for the panel who are serving as counsel for minors or who wish to remain on the panel for future appointments must submit to the Presiding Judge an updated Judicial Counsel form FL-322 and an updated Application/Eligibility Declaration (Placer Court Local Form PL-CW008) each year no later than December 31. [Effective 7/1/19]

2. Complaint Procedure

In a family law proceeding in which the Court has appointed counsel for minor children, any party or counsel or minor child may present a complaint about the performance of appointed counsel. The complaint must be in writing, filed and served on all counsel and self-represented parties, and a copy must be delivered to the judicial secretary for the Presiding Judge. The Presiding Judge shall respond to the complaint, either by setting the matter for hearing or by issuing a written response. [Effective 7/1/19]

3. Fees (Renumbered 7/1/19)

Payment for Minor's Counsel shall be by one or both parties as agreed or allocated by the Court after a noticed hearing. [Effective 7/1/19]

F. CATEGORIES OF CRIMES OR OTHER MATTERS

1. Class 1: All homicides, whether capital or non capital, and all offenses having a maximum sentence of life or life without possibility of parole, or in the discretion of the Court, an aggregate state prison sentence of thirty (30) years or more.

2. Class 2: All crimes for which the upper term of punishment is five (5) years or more, but less than Class 1.

3. Class 3: All other felonies and juvenile matters where the petition seeks jurisdiction under Welfare and Institutions Code Sections 300, 601, and 602. [Effective 7/1/03]

4. Class 4: All misdemeanor and civil cases. [Effective 7/1/03]

G. MINIMUM EXPERIENCE REQUIREMENTS FOR APPOINTED ATTORNEYS

1. Class 1: Certified criminal law specialist or equivalent.

2. Class 2: Those who, as chief counsel, have handled twenty (20) crimes charged as felonies, five (5) of which were submitted to a jury for a decision: five (5) of which included contested Superior Court factual hearings such as Penal Code Section 1538.5 or Penal Code Section 995 motions; and the remainder of which proceeded to disposition. A maximum of ten (10) juvenile cases charged as felonies may be counted toward the requirement of the twenty (20) cases.

3. Class 3: Those who, as chief counsel, have handled five (5) felonies or twenty-five (25) cases charged as a misdemeanor, any two (2) felony or misdemeanor cases submitted to a jury for decision and any two (2) of which included a contested factual hearing under Penal Code Section 1538.5, and all of which have proceeded to disposition. [Effective 7/1/03]

4. Class 4: All attorneys. [Effective 7/1/03]

5. Upon a proper showing, a person may be eligible for a class by virtue of a showing of equivalent experience as determined by the Presiding Judge. Notwithstanding that an attorney meets the minimum qualifications for a particular class, the Court may exercise its discretion in the assignment of any particular attorney to a particular case. [Effective 7/1/03]

RULE 60.2 SCHEDULE OF REIMBURSABLE HOURLY RATES FOR PUBLIC DEFENDERS ASSIGNED TO A CRIMINAL CASE [Effective 7/1/05]

Class 1 (Class A2 Felonies):	$75.00	All non-capital homicides, and all offenses having a maximum sentence of life or life without possibility of parole, or in the discretion of the Courts, an aggregate state prison sentence of thirty (30) years or more.
Class 2 (Class B Felonies):	$65.00	All crimes for which the upper term of punishment is five (5) years or more, but less than Class 1.
Class 3 (Class C Felonies):	$60.00	All other felonies and Juvenile matters.
Class 4 (Misdemeanors):	$50.00	Misdemeanor and Civil cases.

[Effective date 7/1/05]

RULE 60.3 SUBSECTION DELETED [Effective 7/1/17]

RULE 70.00 TRAFFIC

RULE 70.1 SUBSECTION DELETED [Effective 1/1/11]

RULE 70.2 FAILURE TO APPEAR/FAILURE TO PAY FINE

The Court will not release a DMV hold for three (3) weeks if fines for Failure to Appear or Failure to Pay Fine are paid for with a personal check. Defendant may pay the full amount of the Failure to Appear and abstract fee by cash, cashiers check or money order, sign a promise to appear for the balance of charges on a case, and have the DMV hold released in the interim. [Effective 7/1/03]

RULE 70.3 SUBSECTION DELETED [Effective 1/1/11]

RULE 70.4 OFFICIAL COURT FILE

Pursuant to Government Code section 68150 and Title 2, Division 4 (Court Records) of the California Rules of Court, the court may create, maintain, and preserve the court record in any form or forms of communication.

Effective with cases initiated on or after July 1, 2011, the electronic court record is the official court record for all traffic cases.

(Drafters Note: The court is authorized by statute to reproduce any record from electronic means without the need for a local rule. The absence of a local rule in that regard does not invalidate the certified record. This local rule is established to help educate the public on the use of the electronic file in traffic cases and the absence of similar rules in other case types in no way restricts the court's ability to implement or use electronic records in those case types.)

[Effective 1/1/12]

RULE 80.00 PROBATE

[Effective 7/1/07]

RULE 80.1 GENERAL PROBATE RULES

RULE 80.1.1 SCOPE OF RULES

A. Except as specifically provided in this chapter, the Local Rules found in Chapters 10.0 *et. seq.* and 20.0 *et. seq.* apply to all probate, conservatorship, and guardianship proceedings. [Effective 7/1/07]

RULE 80.1.2 TELEPHONIC APPEARANCES

A. Telephone appearances for matters heard on the probate, conservatorship and guardianship calendars are governed by C.R.C. 3.670 and Local Rule 20.8. [Effective 7/1/14]

B. Telephone appearances for law and motion matters filed in probate, guardianship and conservatorship cases are governed by Local Rule 20.8 when such motions are set on the civil law and motion calendar. If such motions are set on the probate, conservatorship or guardianship calendar, this rule shall apply. [Effective 1/1/13]

RULE 80.1.3 NON-STIPULATIONS TO COMMISSIONER

A. When a regularly scheduled probate, conservatorship, or guardianship calendar is heard by a Commissioner, the parties must file written notice indicating whether or not they stipulate to the Commissioner. Failure to file such notice of stipulation or non-stipulation at least five (5) court days prior to the hearing date for the matter will be deemed a stipulation to the Commissioner for all purposes other than trial. [Effective 7/1/07]

RULE 80.1.4 CALENDAR NOTES

A. Calendar notes will be available approximately five (5) days prior to the hearing, and may be updated prior to the hearing. The calendar notes will include the procedural status of the case, including procedural defects, will indicate whether an appearance is required, and may include additional information to assist the parties to prepare for the hearing. If no appearance is required but an interested person appears to oppose the petition, the court will ordinarily continue the hearing and allow the opponent to file and serve written opposition. The calendar notes are not a tentative ruling in the merits.

The calendar notes are accessible at the court's website, www.placer.courts.ca.gov. If internet access is not available, counsel and parties may call (916) 408-6119 to access the notes. [Effective 1/1/13]

RULE 80.1.5 **SUBSECTION DELETED** [Effective 1/1/19]

RULE 80.1.6 **SUBSECTION DELETED** [Effective 1/1/19]

RULE 80.1.7 **CONTINUANCES**

A. Continuance of initial hearing. The petitioner may request to continue the initial hearing on any matter by contacting the probate clerk.

When the request to continue is made at least fifteen (15) calendar days prior to the initial hearing, the clerk may approve the continuance request. If the notice of hearing was previously served, an amended notice of hearing must be served. Except for good cause shown, the amended notice must be served at least ten (10) days before the original hearing date.

When the request to continue is made fewer than fifteen (15) calendar days prior to the initial hearing, the request must be reviewed by the court. The initial hearing will ordinarily remain on calendar, and any continuance will be ordered in open court. [Effective 1/1/13]

B. Continuances of subsequent hearings. All other requests to continue hearings must be reviewed by the court. The next hearing will ordinarily remain on calendar, and any further continuance will be ordered in open court. [Effective 1/1/13]

C. Compliance with required notice. Nothing in this rule shall excuse any party from complying with the notice requirements of the Probate Code or the California Rules of Court. [Effective 1/1/13]

RULE 80.1.8 **PROBATE ACCOUNTS**

A. For any account filed pursuant to Probate Code Section 2620, petitioner may lodge the required financial statements with the Court. The Court will retain the lodged documents until the Court has approved the account, at which time the lodged documents will be returned to the depositing petitioner, guardian, conservator, or successor fiduciary appointed by the Court. Any documents lodged pursuant to this rule shall be accompanied by an envelope to return the documents, with sufficient prepaid postage affixed thereto. [Effective 1/1/12]

RULE 80.2 **DECEDENT'S ESTATES** [Effective 7/1/07]

RULE 80.2.1 **ESTATES WHICH DISTRIBUTE TO INTER VIVOS TRUST**

A. When a Petition to Administer Estate seeks to admit to probate a will which includes a distribution to an inter vivos trust, the petitioner must give notice of the hearing to all trustees, successor trustees, and beneficiaries (as defined in Probate Code § 24 (c)-(d)). The petitioner must also file with the petition either

an authenticated copy of the trust or an affidavit or declaration by a party or counsel which identifies the trustees, successor trustees, and beneficiaries (as defined in Probate Code § 24 (c)-(d)). [Effective date 1/1/13]

RULE 80.2.2 **SUBSECTION DELETED** [Effective 1/1/13]

RULE 80.3 **CONSERVATORSHIPS** [Effective 7/1/07]

RULE 80.3.1 ~~**REVIEW HEARINGS**~~ **CONSERVATORSHIP ACCOUNTS**

A. ~~Notice of all review hearings and accountings must be provided to the court investigator at least fifteen (15) calendar days prior to the hearing date. The address of the Court's investigator is: 3090 Fite Circle, Suite 102, Sacramento, CA 95827~~. **Unless otherwise ordered by the court, notice of hearing for each conservatorship account together with a copy of the account shall be given to the probate court investigator at least fifteen (15) days prior to the hearing on the account. Contact information for the court investigator is available from the Civil Division. [Effective 7/1/19]**

RULE 80.3.2 **PETITIONS SEEKING ORDERS RELATING TO MAJOR NEUROCOGNITIVE DISORDERS**

A. If a Petition to Appoint a Conservator of the Person seeks orders related to major neurocognitive disorder treatment or placement under Probate Code Section 2356.5, Petitioner shall file an *ex parte* application to appoint counsel for the conservatee, along with a proposed order which leaves the name and address of the court appointed counsel blank, at the time the Petition is filed. [Effective 7/1/07; Revised 7/1/18]

RULE 80.3.3 **LIMITED CONSERVATORSHIPS**

A. When a Petition to Appoint a Limited Conservator is filed, Petitioner shall file an *ex parte* application to appoint counsel for the conservatee, along with a proposed order which leaves the name and address of the court appointed counsel blank, at the time the Petition is filed. [Effective 7/1/07]

RULE 80.4 **GUARDIANSHIPS** [Effective 7/1/07]

RULE 80.4.1 **PROPOSED GUARDIAN; FINGERPRINTING**

A. Where a Petition for Guardianship has been filed, proposed guardians shall undergo a fingerprint background check. Proposed guardians shall submit to the background check by completing Form BCIA 8016 and having fingerprints taken at a Public Applicant Live Scan Site, as certified by the State Department of Justice. Fees charged by Public Applicant Live Scan Site providers vary and are the responsibility of the proposed guardian. The results of the background check shall be sent directly to the Superior Court of Placer County and will be used by the Probate Investigator in the completion of required reports to the

court. The court will provide the petitioner with the information required to ensure the results are sent to the Court. [Effective 1/1/16]

RULE 80.5 **TRUST MATTERS** [Effective 7/1/07]

[Reserved.]

RULE 90.0 DEFINITION OF A JUDGE'S VACATION DAY, REQUIRED BY RULE 10.603, CALIFORNIA RULES OF COURT

A day of vacation for a judge of the Superior Court of California, County of Placer, is an approved absence from the Court for one full business day. Other absences from the Court listed in Rule 10.603, California Rules of Court, section (C) (2) (H) are excluded from this definition. [Effective 1/1/08]

RULE 100.0 APPELLATE DIVISION AND APPEALS

RULE 100.1 USE OF COURT FILE IN LIEU OF CLERK'S TRANSCRIPT (CRC Rules 8.833(a), 8.863(a), 8.914(a)

100.1.1 The original trial court file shall be used in any limited jurisdiction civil, misdemeanor, or infraction appeal in lieu of a clerk's transcript. [Effective 1/1/09; Amended 7/1/15]

RULE 100.2 SUBSECTION DELETED [Effective 7/1/15]

RULE 100.3 SUBSECTION DELETED [Effective 7/1/15]

RULE 100.4 BRIEFS

100.4.1 Format of Briefs**.** All filed briefs must comply with the requirements of CRC Rules 8.883(c) and 8.928(c). [Effective 1/1/09; Amended 7/1/15]

100.4.2 Copies of Briefs [CRC Rules 8.882(e)(2), 8.927(c)(2)]. All parties shall provide three copies of any brief when filing a brief in the appellate division. [Effective 7/1/15]

RULE 100.5 PREPARATION OF CLERK'S TRANSCRIPT ON APPEAL

The charge for preparation of the Clerk's Transcript on Appeal, pursuant to Government Code section 68926.1 and California Rule of Court rule 8.122, shall be $40 per hour for all clerk's time spent in preparation of the Clerk's Transcript other than time spent making copies. The cost of copies shall be as set forth in Government Code § 70627(a). [Effective 1/1/11]

RULE 100.6 USE OF ELECTRONIC RECORDINGS IN TRAFFIC INFRACTION APPEALS

A. Pursuant to California Rules of Court rule 8.915(a) and 8.917(c) and Placer Superior Court Local Rules 100.6 (B), an appellant in a traffic infraction matter may elect to proceed with a record of the oral proceeding through the use of the official electronic recording of the proceedings. The appellant must attach a copy of the stipulation required under California Rule of Court, rule 8.917(c) to his/her notice of appellant election. [Effective 7/1/11]

B. Pursuant to California Rules of Court rule 8.916(d)(6)(A) the trial court judge may order that the original of an official electronic recording of the trial court proceedings, or a copy made by the court, be transmitted to Appellate Division as the record of oral proceedings in traffic infraction cases without being transcribed and in lieu of correcting a proposed statement on appeal. Such order may be made whenever the judge believes so doing would save court time and resources. [Effective 7/1/11]

C. Pursuant to California Rules of Court rule 8.917, the original of an official electronic recording of the trial court proceedings, or a copy made by the court, may be transmitted to the Appellate Division as the record of oral proceedings in traffic infraction cases without being transcribed. [Effective 7/1/11]

RULE 100.7 ORAL ARGUMENT

Each party shall file Local Form PL-APP001 *Notice re Oral Argument* at least five court days prior to the scheduled date for oral argument to inform the appellate division whether the party desires to waive oral argument. [Effective 7/1/15]

LIST OF CURRENTLY EFFECTIVE RULES – JULY 1, 2019

10.0	**GENERAL**	
10.1	SCOPE OF RULES	Eff. 7/1/01
10.2	EFFECTIVE DATE	Eff. 7/1/02/Rev. 7/1/19
10.3	EFFECTS OF RULES	Eff. 7/1/01/Rev. 7/1/05
10.4	DEPARTMENTS	Eff. 7/1/02/Rev. 7/1/19
10.5	USE OF FACILITIES, FILES & DOCUMENTS	Eff. 7/1/01
10.6	SANCTIONS	Eff. 7/1/02
10.7	NORTH LAKE TAHOE SESSIONS	Eff. 7/1/01/Rep. 7/1/11
10.8	EX PARTE ORDERS	Eff. 7/1/02/Rev. 1/1/19
10.9	FILING OF DOCUMENTS	Eff. 7/1/02/Rev. 7/1/18
10.10	PLACE OF FILING	Eff. 7/1/02/Rev. 7/1/11
10.11	APPLICATION FOR WAIVER OF COURT FEES	Eff. 7/1/01/Rep. 1/1/14
10.12	COURT FILES	Eff. 7/1/01/Rev. 1/1/13
10.13	DEPOSITS INTO COURT TRUST	Eff. 7/1/01/Rev. 7/1/10
10.14	COURT INTERPRETERS	Eff. 7/1/01/Rev. 1/1/04
10.15	COURT REPORTERS	Eff. 7/1/03/Rev. 1/1/19
10.16	USE OF DVD/VCR PLAYERS BY ATTORNEYS	Eff. 7/1/05
10.17	STANDARD OF PROFESSIONAL CONDUCT	Eff. 7/1/09/Rev. 1/1/13
10.18	ELECTRONIC RECORDINGS, COPIES	Eff. 7/1/10
10.19	RECORDING DEVICES IN CLERK'S OFFICE	Eff. 1/1/11
10.20	MOTIONS TO BE RELIEVED AS COUNSEL	Eff. 7/1/15
10.21	ELECTRONIC COMMUNICATIONS WITH JUDGES	Eff. 7/1/15

10.22	ELISORS	Eff. 1/1/16
10.23	DIVISION OF JURY SELECTION	Eff. 1/1/17
10.24	REMOTE APPEARANCES	Eff. 1/1/19
10.25	CRIMINAL PROTECTIVE ORDERS AND RESTRAINING ORDERS	Eff. 7/1/19
20.0	**CIVIL AND SMALL CLAIMS**	
20.1	CIVIL CASE MANAGEMENT	Eff. 7/1/01/Rev. 7/1/15
20.1.1	CIVIL CASES SUBJECT TO THESE RULES	Eff. 7/1/01/Rev. 7/1/15
20.1.2	CLASSIFICATION OF CASES	Eff. 7/1/01/Rev. 7/1/15
20.1.3	GENERAL CIVIL CASES	Eff. 7/1/01/Rep. 7/1/15
20.1.4	GENERAL CIVIL - COMPLEX CASES	Eff. 7/1/01/Rep. 7/1/15
20.1.5	CHANGE IN CLASSIFICATION	Eff. 7/1/01/Rev. 7/1/15
20.1.6	FILING AND SERVICE OF PLEADINGS	Eff. 7/1/01/Rev. 7/1/15
20.1.7	CIVIL CASE MANAGEMENT CONFERENCES	Eff. 7/1/01/Rev. 1/1/19
20.1.8	CASE MANAGEMENT CONFERENCE STATEMENT	Eff. 7/1/02/Rev. 1/1/18
20.1.9	ARBITRATION	Eff. 7/1/01/Rev. 7/1/08
20.1.10	SETTLEMENT CONFERENCES	Eff. 7/1/02/Rev. 7/1/17
20.1.11	SANCTIONS	Eff. 7/1/01/Rev. 7/1/15
20.1.12	CONTINUANCES	Eff. 7/1/01/Rev. 7/1/15
20.1.13	SANCTIONS	Eff. 7/1/01/Rev. 7/1/15
20.2	CIVIL LAW & MOTION PROCEDURES	Eff. 7/1/04/Rev. 7/1/15
20.2.1	REQUIRED CONFERENCE BEFORE FILING	Eff. 7/1/01
20.2.2	DROPPING AND CONTINUANCES	Eff. 7/1/02/Rev. 1/1/04
20.2.3	TENTATIVE RULINGS (A)	Eff. 7/1/01/Rev. 7/1/13

20.2.3	TENTATIVE RULINGS (B)	Eff. 7/1/02/Rev. 7/1/13
20.2.3	TENTATIVE RULINGS (C)	Eff. 7/1/04/Rev. 7/1/13
20.2.3	TENTATIVE RULINGS (D)	Eff. 1/1/14/Rev. 7/1/15
20.2.4	PAGE LIMITATIONS	Eff. 7/1/01/Rep. 7/1/15
20.2.5	ORDERS AFTER HEARING; COMPLIANCE	Eff. 7/1/01/Rev. 7/1/15
20.2.6	APPLICABILITY OF RULE 20.2	Eff. 7/1/01
20.3	SETTLEMENTS	Eff. 7/1/01/Rev. 7/1/15
20.4	MOTIONS IN LIMINE	Eff. 1/1/11/Rev. 7/1/15
20.5	CONTINUANCES	Eff. 7/1/01/Rev. 7/1/15
20.6	CIVIL TRIAL CONFERENCE	Eff. 7/1/05/Rev. 7/1/15
20.6.1	MOTIONS IN LIMINE	Eff. 1/1/11/Rev. 7/1/15
20.7	ATTORNEY FEES IN DEFAULT ACTIONS	Eff. 7/1/03/Rev. 7/1/15
20.8	TELEPHONIC APPEARANCES - CIVIL	Eff. 7/1/02/Rev. 7/1/14
20.9	EXERCISE OF PREEMPTORY CHALLENGE	Eff. 7/1/01/Rep. 7/1/15
20.10	ADULT ADOPTIONS	Eff. 7/1/05
20.11	INSTALLMENT PAYMENTS	Eff. 1/1/07
20.12	FILING OF LETTERS IN CIVIL CASES	Eff. 7/1/15
20.13	UNLAWFUL DETAINER CASES	Eff. 7/1/15
20.14	ASSOCIATION OF COUNSEL	Eff. 7/1/15
21.0	SMALL CLAIMS	Eff. 7/1/06/Rep. 7/1/15
21.1	CLERK’S SERVICE OF PLAINTIFF’S CLAIM	Eff. 1/1/07/Rev. 7/1/15
21.2	NOTICE OF ENTRY OF JUDGEMENT	Eff. 1/1/07/Rev. 7/1/15
21.3	RETURN OF DOCUMENTS	Eff. 1/1/07/Rev. 7/1/18

22.0	CEQA PETITIONS	Eff. 7/1/08/Rev. 7/1/15
23.0	VEHICLE FORFEITURE UNDER VC § 14607.6	Eff. 1/1/14
30.0	**FAMILY LAW**	
30.1	MEDIATION & CCRC	Eff. 7/1/02/Rev. 1/1/19
30.2	MEET AND CONFER REQUIREMENTS	Eff. 7/1/01/Rev. 1/1/19
30.3	TEMPORARY SUPPORT ORDERS	Eff. 7/1/01/Rev. 1/1/17
30.4	STANDARD DISCOVERY	Eff. 7/1/01/Rep. 1/1/17
30.5	COMPUTATION OF PERCENTAGE	Eff. 7/1/01/Rep. 1/1/11
30.5.1	APPOINTMENT OF CUSTODIAL EVALUATION	Eff. 7/1/01/Rev. 7/1/17
30.6	COURT ORDERED EVALUATIONS	Eff. 7/1/01/Rev. 7/1/19
30.7	AGREEMENTS AND STIPULATIONS	Eff. 7/1/01/Rep. 7/1/14
30.8	ORDERS AFTER HEARING	Eff. 7/1/01/Rep. 1/1/17
30.8.1	REVIEW HEARINGS	Eff. 1/1/12/Rep. 1/1/17
30.9	PRETRIAL CONFERENCES	Eff. 7/1/01/Rep. 1/1/17
30.10	FAMILY LAW FACILITATOR	Eff. 7/1/01/Rev. 1/1/07
30.11	EX PARTE APPLICATIONS FOR ORDERS	Eff. 7/1/05/Rep. 7/1/09
30.11.1	REQUEST FOR EMERGENCY ORDERS	Eff. 7/1/09/Rep. 1/1/17
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30.13	FAMILY CENTERED CASE RESOLUTION STATUS CONFERENCES	Eff. 1/1/17/Rev. 7/1/19
30.14	TRIAL ASSIGNMENT CALENDAR	Eff. 7/1/08/Rev. 7/1/19
30.15	MANDATORY SETTLEMENT CONFERENCES	Eff. 7/1/08/Rev. 7/1/19

30.16	TRIAL CONFIRMING CONFERENCES	Eff. 7/1/08/Rev. 7/1/19
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40.2	MISDEMEANOR SETTINGS	Eff. 7/1/01/Rev. 7/1/12
40.3	FELONY SETTINGS	Eff. 7/1/01/Rev. 7/1/12
40.4	CRIMINAL LAW & MOTION	Eff. 7/1/01/Rev. 7/1/03
40.5	DISCOVERY OF COUNTY PROBATION FILES	Eff. 7/1/06
40.6	REAL PROPERTY BONDS	Eff. 7/1/01/Rev. 7/1/12
40.7	DECLARATION OF CONFLICTS OF INTEREST	Eff. 7/1/06/Rev. 7/1/08
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50.1	AUTHORITY	Eff. 7/1/01/Rev. 7/1/13
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50.3	STANDARDS FOR COUNSEL	Eff. 7/1/01/Rev. 7/1/13
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100.6 USE OF ELECTRONIC RECORDINGS Eff. 7/1/11

100.7 ORAL ARGUMENT Eff. 7/1/15

Superior Court of the State of California
For the County of Placer
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APPENDIX A
LOCAL COURT FORMS

Form #	*Case Type*	*Form*	*Optional or Mandatory*
PL-AP001	Appeals	Notice Re Oral Argument	Mandatory
PL-AP002	Appeals	Request for Continuance: Small Claims Appeal Hearing	Optional
PL-AP003	Appeals	Proposed Statement on Appeal	Optional
PL-AP004	Appeals	Request for Extension of Time	Mandatory
PL-CR002	Criminal	Waiver of Personal Presence	Optional
PL-CR003	Criminal	Defendant's Motion	Optional
PL-CR003i	Criminal	Defendant's Motion Instructions	Optional
PL-CR004	Criminal	Prop. 47 Petition	Optional
PL-CR005	Criminal	Prop. 47 Response	Optional
PL-CR006	Criminal	Prop. 64 Petition	Optional
PL-CR007	Criminal	Prop. 64 Response	Optional
PL-CV001	Civil	Notice of Time and Place of Trial	Mandatory
PL-CV002	Civil	Notice of Restricted Access	Mandatory
PL-CV003	Civil	Addendum to Name Change Packet	Mandatory
PL-CV005	Civil	Order: No Further Expedited Jury Trial Proceedings	Optional
PL-CV006	Civil	Notice of Mediation of Cases on Civil Harassment Calendar	Mandatory
PL-CV007	Civil	ADR Information Sheet	Mandatory
PL-CV008	Civil	Civil Bench Warrant	Mandatory
PL-CV009	Civil	Sister State Judgment, Pursuant to CCP 1710.25	Mandatory
PL-CV010	Civil	Satisfaction of Judgment by Clerk and Declaration	Mandatory
PL-CW001	Courtwide	Copy Request	Optional
PL-CW005	Courtwide	Request for Interpreter (Civil & Family Law)	Mandatory
PL-CW007	Courtwide	Request for Court Reporter	Optional
PL-CW008	**Courtwide**	**Application for Appointment as Counsel for Minor Children in Family Court Cases**	**Mandatory**
PL-FCS001	FCS	Family Court Services Work Sheet	Mandatory
PL-FCS003	FCS	Private CCRC Stipulation & Order Form	Mandatory
PL-FCS004	FCS	Private CCRC Qualifications Form – Short	Mandatory
PL-FCS005	FCS	Non-Professional Visitation Monitor Declaration of Qual.	Optional
PL-FCS006	FCS	Courtroom Worksheet	Mandatory
PL-FCS007	FCS	Petition for Confidential Child Custody Mediation	Optional
PL-FL001	FL	Request for Default Setting	Optional
PL-FL004	FL	Declaration: Notice to Opp. Party – ERH or OST	Mandatory
PL-FL005	FL	Continue, Drop, Reserve Form	Optional
PL-FL006	FL	At Issue Memorandum	Mandatory
PL-FL007	FL	Statement of Issues and Contentions	Optional
PL-FL008	FL	Statement of Issues and Contentions, Child Support and Visitation	Optional
PL-FL009	FL	FLStip. & Order Setting Trial Dates	Mandatory

PL-FL012	FL	Family Law Minute Stip & Order	Optional
PL-FL013	FL	Notice of Hearing for Emergency Request & OST	Mandatory
PL-FL015	FL	Written Stipulation and Agreement	Optional
PL-FL016	FL	Request for Telephonic Appearance – Family Law	Mandatory
PL-FL016i	FL	Family Law Telephonic Case Type List	Optional
PL-FL017	FL	Child Custody Agreement and Court Order	Optional
PL-FL018	**FL**	**Drop/Continue Family Centered Case Resolution Status Conference**	**Optional**
PL-FL019	FL	Request for Additional FCCR Status Conference	Optional
PL-FL020	FL	Trial Evidentiary Hearing Information Sheet	Optional
PL-FL021	FL	Request for Elisor	Optional
PL-FL021i	FL	Request for Elisor Information Sheet	Optional
PL-JV002	JUV	Certificate of Competency – Juvenile Dependency Court	Mandatory
PL-JV003	JUV	Prop. 64 Petition	Optional
PL-JV004	JUV	Prop. 64 Response	Optional
PL-JV005	JUV	Declaration for Access to Uniform Parentage Act Parents	Mandatory
PL-PR001	Probate	Court Investigator Information Sheet	Optional

[Effective 7/1/19]

APPENDIX B
JUVENILE STANDING ORDERS (RULE 50.2)

Effective Date	Subject of Order
03/06/14	Travel to the State of Nevada (W&IC§362(a).)
02/05/14	Timelines for the Filing of CASA Reports (W&IC§§100 et seq., 356.5; CRC Rule 5.655.)
02/05/14	Reciprocal Discovery in Juvenile Delinquency Proceedings
03/14/13	Disclosure of Juvenile Court Case Files (W&IC§827; CRC Rule 5.552.)
08/05/02	Children being held in temporary facilities, prior to detention hearings, may undergo a health evaluation and related services at the first possible treatment opportunity.

Copies of Standing Orders are attached.

[Effective date 7/1/14]

FILED
Superior Court of California
County of Placer
Court Executive Office
MAR 06 2014
Jake Chatters
Executive Officer & Clerk
By: _____, Deputy

SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER
SITTING AS THE JUVENILE COURT

	No. 14-006
STANDING ORDER OF THE JUVENILE COURT	TRAVEL TO THE STATE OF NEVADA (W&IC§362(a).)

Pursuant to court's authority under Welfare and Institutions Code section 362(a), and as otherwise authorized by law, a minor's care provider may authorize travel by the minor to the State of Nevada for a period of less than fourteen (14) consecutive days. The minor's care provider shall consult with the Department of Health and Human Services prior to any travel to the State of Nevada. The Department shall file a "Notice of Travel" in compliance with Placer Court Local Rule 50.18 for any travel to the State of Nevada. Any travel to the State of Nevada for a period of less than 18 hours without an overnight stay is exempted from Local Rule 50.18 and does not need prior approval from the Department of Health and Human Services.

DATE: 3-6-14

PRESIDING JUDGE OF THE JUVENILE COURT
COLLEEN M. NICHOLS

FILED
Superior Court of California
County of Placer
Court Executive Office
FEB 05 2014
Jake Chatters
Executive Officer & Clerk
By: _____, Deputy

SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER
SITTING AS THE JUVENILE COURT

	No. 14-004
STANDING ORDER OF THE JUVENILE COURT	TIMELINES FOR THE FILING OF CASA REPORTS (W&IC§§100 et seq., 356.5; CRC Rule 5.655.)

Pursuant to Welfare and Institutions Code sections 100 et seq., 356.5, California Rules of Court, Rule 5.655, and as otherwise authorized by law, all CASA reports shall be filed with the court at least three (3) court days prior to the next court hearing date. The CASA program supervisors shall be responsible for copying and serving the CASA reports. The CASA report shall also be served to the following parties at least two (2) court days prior to the next court hearing date: (1) Placer County Counsel's Office; (2) the social worker assigned to the juvenile dependency case; (3) any court liaison officer of the Department of Health and Human Services; (4) the child's counsel; (5) counsel for each parent and/or guardian; and (6) counsel for any tribe involved in the proceeding.

DATE: 2-5-14

PRESIDING JUDGE OF THE JUVENILE COURT
COLLEEN M. NICHOLS

FILED
Superior Court of California
County of Placer
Court Executive Office
FEB 05 2014
Jake Chatters
Executive Officer & Clerk
By: _____, Deputy

SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER
SITTING AS THE JUVENILE COURT

No. 14-003

STANDING ORDER OF THE JUVENILE COURT

RECIPROCAL DISCOVERY IN JUVENILE DELINQUENCY PROCEEDINGS

Pursuant to the court's inherent discretionary authority as recognized in *Robert S. v. Superior Court* (1992) 9 Cal.App.4th 1417, and as otherwise authorized by law, all parties in juvenile delinquency cases pending before the Juvenile Court shall comply with the reciprocal discovery provisions pursuant to Penal Code section 1054 et seq.

DATE: 2-5-14

PRESIDING JUDGE OF THE JUVENILE COURT
COLLEEN M. NICHOLS

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER
JUVENILE DIVISION

FILED
Superior Court of California
County of Placer
MAR 14 2013
Jake Chatters
Executive Officer & Clerk
By: S. Rogers, Deputy

STANDING ORDER OF THE JUVENILE COURT	NO. 02-006 DISCLOSURE OF JUVENILE COURT CASE FILES (W&IC§827; CRC Rule 5.552.)

Juvenile court case files are confidential and may not be accessed, obtained, or inspected by a civil or criminal subpoena. Access to such records is governed primarily by Welfare & Institutions Code section 827 and California Rules of Court, Rule 5.552. This standing order addresses only documents in the possession of the juvenile division of the Placer County Superior Court. This standing order does not address documents sought that are in the possession of any governmental agency.

The persons identified in Welfare & Institutions Code section 827(a)(1)(A) through (O) are authorized to inspect the juvenile court case files without having to file a *Request for Disclosure of Juvenile Case File* (JV-570). All persons authorized under subsections (a)(1)(A) through (O) must file a *Declaration for Access to Juvenile Court Case File* (Local Form) with the juvenile court. The original declaration may be submitted to the Juvenile Division located at 11270 B Avenue, Auburn, California 95603. Proper identification must be provided prior to giving access to any person wishing to inspect and/or receive copies of juvenile court records.

The persons authorized under subsections (a)(1)(A) through (F), (H), and (I) are allowed to both inspect and receive copies of the juvenile court case file without further order of the court. Any such person seeking copies of the case file must first provide adequate identification and pay the costs for any copies.

The persons authorized under subsections (a)(1)(G), and (J) through (O) are only allowed to inspect juvenile court case files. These persons must appear in person with adequate

identification and a properly executed declaration. Any such person seeking copies of the case file must petition the court by filing a *Request for Disclosure of Juvenile Case File* (JV-570).

DATE:

Colleen Nichols
PRESIDING JUDGE OF THE JUVENILE COURT

PLACER COUNTY COUNSEL
HEALTH & HUMAN SERVICES DIVISION
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Attorneys for Petitioner Placer County
Department of Health & Human Services

FILED
PLACER COUNTY
SUPERIOR COURT OF CALIFORNIA

AUG - 5 2002

JOHN MENDES
EXECUTIVE OFFICER & CLERK
By _____ Deputy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF PLACER

No. 02-003
STANDING COURT ORDER

THE COURT, having weighed the interests of confidentiality and privacy in the light of the need for comprehensive information relating to the health, safety and welfare of children being placed in temporary care, their families, current residents and staff, hereby authorizes the following in the best interest of children and in furtherance of justice:

Children being held in temporary facilities, prior to detention hearings, may undergo a health evaluation and related services at the first possible treatment opportunity. These services authorized include evaluations and testing for physical, mental, dental or psychological services. Testing is permitted to determine the extent of injury or illness, and services may be provided for the purpose of stabilization that include, but are not limited to, medical/dental treatment, post-exposure immunizations, x-rays, screening for TB, STD's, STI's, therapeutic counseling and follow-up routine care

In the event non-routine care is warranted, all reasonable efforts to obtain parental consent shall occur prior to seeking a court order.

DATED: AUG - 5 2002

Judge of the Superior Court

FRANCES KEARNEY