

**PROPOSED CHANGES TO LOCAL RULES OF COURT
TO BE EFFECTIVE JANUARY 1 2020**

RULE 10.02

ARREST AND SEARCH WARRANTS

All requests for ~~arrest and~~ search warrants must be presented to the District Attorney's Office for review prior to being presented to a judge and must be approved as to form by a prosecutor who has reviewed and approved the request. Search warrants for driving under the influence (DUI) cases which use the pre-approved template for a DUI blood draw search warrant do not require District Attorney approval. (Adopted 1/1/17, *amended effective 1/1/2020*)

**CHAPTER 26.
RULES FOR ARBITRATION**

RULE 26.00

INTRODUCTION

(a) The uniform system of arbitration in the San Luis Obispo County Superior Court hereby provides that the following actions be arbitrated:

(1) Upon stipulation, any action regardless of the amount in controversy.

(2) Upon filing of an election by the plaintiff, any action where the plaintiff agrees that the arbitration award must not exceed \$50,000.

(3) All **unlimited civil** actions where the amount in controversy does not exceed \$50,000 to any plaintiff. (*Amended effective 1/1/20*)

(b) (Repealed 7/1/01)

(c) Exempt Actions

(1) Actions that include meritorious prayers for equitable relief.

(2) Class actions.

(3) Small claims actions.

(4) Unlawful detainer proceeding where possession is in issue.

(5) Any action found by the court to be not amenable to arbitration on the ground that arbitration would not reduce the probable time and expense necessary to resolve the litigation.

(d) Any action where the amount in controversy does not exceed \$25,000. (Amended 7/1/02)

RULE 26.01

SANCTIONS FOR NON-PARTICIPATION

All parties to an action, together with their attorneys, if any, must attend and participate in good faith in court ordered mandatory arbitration proceedings. If a party fails to attend and participate in good faith in a court ordered mandatory arbitration proceeding and thereafter that party requests a trial pursuant to Rule 1616, an order to show cause must issue to such party. At the hearing, the court must find whether the non-participation constituted bad faith, frivolity, disobedience to a lawful order or was intended solely for the purpose of causing unnecessary delay. A belief, even held in good faith, that the arbitration will not result in a final disposition of the litigation is not a justification for non-participation and will not negate an assertion of bad faith non-participation.

RULE 26.02

COMPENSATION OF ARBITRATOR

(a) The parties to a court ordered arbitration in civil matters must compensate the arbitrator selected in the amount of \$250.00 for his or her services as an arbitrator. The cost must be born pro rata by the parties. Any party proceeding in forma pauperis must be exempt from paying his or her pro-rata share, and the arbitrator's compensation must be abated by that amount.

~~(b) Arbitrators of controversies where the amount in controversy does not exceed \$25,000 must be paid \$200.00 by the court. (Amended 7/1/02) (Subd (b) amended effective 1/1/2020)~~