RULES OF THE SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN LUIS OBISPO

Effective July 1, 2026

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CHAPTER 1 – COURT RULES ADMINISTRATION

RULE 1.00 ADOPTION AND AMENDMENT OF RULES

These rules are adopted pursuant to Government Code Section 68070, subject to amendment at any time by a majority of the judges of the court. Except as hereafter provided, they must be effective only to the extent that they do not conflict with California statutes or with the California Rules of Court. Rules previously adopted by this court are hereby repealed by the adoption of these rules. (Eff. Prior to 7/1/92)

RULE 1.01 ESTABLISHMENT OF COURT POLICIES AND PROCEDURES

The court may establish policies and procedures relating to all court matters including but not limited to such matters as policy and procedures, probate and trial manuals. (Eff. Prior to 7/1/92)

RULE 1.02 PUBLICATION AND PRINTING OF RULES

Upon adoption by the Court, court rules and amendments thereof must be filed with the California Judicial Council and the Clerk of the Court as provided by statute. One copy of all rules and amendments must be provided to the law library of each California county through the auspices of the Judicial Council, and also furnished for publication to the Los Angeles Daily Journal, as the major Southern California legal newspaper. In consideration of the availability of court rules in the Daily Journal court rules service and all law libraries, the Court will not print or further publish such rules for distribution to parties or counsel. (Eff. Prior to 7/1/92)

RULE 1.03 NAME OF COURT

This court must be known as the Superior Court of California, County of San Luis Obispo. (Amended 7/1/02)

RULE 1.04 CONSTRUCTION AND APPLICATION OF RULES

(a) These rules are supplementary to and subject to the California Rules of Court. They must be construed and applied so that they do not conflict.

(b) These rules have no retroactive effect.

(c) These rules must be liberally construed to secure the efficient administration of the business of the Court and to promote and facilitate the administration of justice by the Court.

(d) Chapter, Rule and Subdivision Headings do not affect the scope, meaning, or intent of the provisions of these rules.

(e) If any rule is held invalid, all valid parts that are severable from the invalid parts remain in effect. If a rule is held invalid in one or more of its applications, the rule remains in effect in all valid applications that are severable from the invalid applications.

(f) Construction of Terms

As used in these rules, unless the context or subject matter otherwise requires:

- **(1)** "Must" is mandatory, and "may" is permissive.
- **(2)** The past, present, and future tenses each include the other tenses.
- **(3)** The masculine, feminine, and neuter genders each include the other genders.
- **(4)** The singular and plural numbers each include the other.

(g) Definitions of Words Used in these Rules of Court

- **(1)** The definitions set forth in the California Rules of Court apply with equal force and for all purposes to these rules, unless the context or subject matter otherwise requires.
- **(2)** "California Rules of Court" means the rules of court administration, practice, and procedure adopted by the Judicial Council of California.

(3) "County" means the County of San Luis Obispo, State of California.

(4) "Court" means the Superior Court of California, County of San Luis Obispo and includes:

- **(a)** Any judge who is appointed or elected a member of this Court.
- **(b)** While serving this Court, any judge, including a retired judge, who is assigned by the Chairperson of the Judicial Council to serve this court.
- **(c)** Any commissioner or referee who is appointed by the judges of this court.
- **(d)** While serving this court, any retired commissioner who is assigned to serve the court by the presiding judge pursuant to Government Code Section 72190.
- **(e)** While serving this court, any member of the State Bar of California ordered to act as a temporary judge pursuant to Article VI, Section 21, of the California Constitution and Rule 532 of the California Rules of Court.

(5) "Judicial Officer" includes any judge who is appointed or elected a member of this Court and any commissioner or referee who is appointed by the judges of this court.

(6) "Paper" includes all documents, except as otherwise provided in the California Rules of Court.

(7) "Person" includes corporations, associations, public entities, and all other entities, as well as natural persons. (Amended 7/1/02)

(8) All references to attorney or counsel shall also refer to self-represented litigants (also known as pro per parties or pro per litigants). Self-represented litigants shall be treated in the same manner as if represented by counsel. All references in these rules apply equally to self-represented litigants unless otherwise noted.

(Subd (g) amended effective July 1, 2026.)
Rule 1.04 amended effective July 1, 2002.

RULE 1.05 AMENDMENT AND REPEAL OF RULES

These rules may be amended or repealed, and new rules may be adopted, at a meeting of the judges, provided that written notice of the proposed amended, repealed, or new rules is given to all judges at least seven days before the meeting. Rules may be amended or repealed and new rules may be adopted, by a majority vote of the judges attending and eligible to vote. (Eff. Prior to 7/1/92)

RULE 1.06 COMPLIANCE, SANCTIONS

If any counsel, a party represented by counsel, or a party if in pro se, fails to comply with any of the requirements of these rules, the court on motion of a party or on its own motion may strike out all or any part of any pleading of that party, or, dismiss the action or proceeding or any part thereof, or enter a judgment by default against that party, or impose other penalties of a lesser nature as otherwise provided by law, and may order that the party or his or her counsel to pay to the moving party the reasonable expenses in making the motion, including reasonable attorney fees. (The court recognizes that if the failure to comply with these rules is the fault of counsel and not of a party, any penalty must be imposed on counsel and must not adversely affect the party's cause of action or defense thereto.) (Amended 7/1/02)

CHAPTER 2 – COURT ORGANIZATION AND PERSONNEL

RULE 2.00 MEETINGS OF JUDGES

(a) Annual Meetings

An annual meeting of the judges must be held before or during the first two weeks of November of each year at a time and place to be designated by the presiding judge or a majority of the judges.

(b) Notice Of Meetings: Quorum

Written or verbal notice of meetings must be given, by the secretary of the presiding judge or otherwise, to each judge not less than five days before an annual meeting or 24 hours before a special meeting. A majority of the judges of the court must constitute a quorum for the transaction of court business at a meeting.

(c) Special Meetings

Additional judges meetings must be held at a time and place designated by the presiding judge or a majority of the judges.

(d) Parliamentary Law Applicable to All Meetings

Except as otherwise provided by law, the California Rules of Court, or these rules, the conduct of all meetings of judicial officers and committees of this court must be governed by the most recent edition of Robert's Rules of Order. (Amended 7/1/02)

RULE 2.01 PRESIDING JUDGE AND ASSISTANT PRESIDING JUDGE

(a) Election, Tenure and Removal

At the annual meeting held before or during the first two weeks of the November of an odd calendar year, a majority of the judges appointed to the Court must elect, by secret ballot, a presiding judge and an assistant presiding judge. The presiding judge and assistant presiding judge must each serve for a term of two years commencing on the first day of the next even calendar year (January 1) and ending on the last day of the subsequent odd calendar year (December 31). A presiding judge or assistant presiding judge may be removed from office by a majority of the judges of the Court, voting by secret ballot, at a special meeting.

If a judge is unable to personally attend any annual or special meeting held pursuant to this section, the judge may attend by telephone conference or by video conference. In the event of a telephonic or video appearance, the judge must register his or her vote by sending a ballot by email, fax or text message to the Court Executive Officer. The judge's vote shall be held in confidence by the Court Executive Officer and not disclosed to the other judges. If technological difficulties arise from a telephonic or video appearance, the judge assumes the risk that his or her vote will not be tallied.

(b) Selection and Succession

Selection of the presiding judge and assistant presiding judge must be made on the basis of administrative qualifications and interest rather than by rotation or seniority, as provided by Rule 10.602 of the California Rules of Court. The assistant presiding judge must, subject to the elective process herein provided, be selected with the anticipation that he or she will succeed to the office of presiding judge at some future time. There must, however, be no limitation on the number of successive terms that may be served by presiding judge or assistant presiding judge.

(c) Duties

The presiding judge must perform the duties enumerated in Rule 10.603 of the California Rules of Court. In addition, with the concurrence of a majority of the judges and after election, the presiding judge must designate in November of each year the calendar assignments for each judge and court commissioner, for the ensuing calendar year commencing on December 1. The assistant presiding judge must perform such duties as may be assigned from time to time by the presiding judge, and in the absence of the presiding judge must exercise the powers of the presiding judge.

(d) Judicial Schedules

The presiding judge must adopt a process for scheduling judges' vacations and absences from court for attendance at schools, conferences, workshops, or to participate in Judicial

Council or other authorized committees or community outreach activities, and must prepare a plan for these vacations and absences from court.

(1) Vacation Defined

For the purposes of this section and subsection (c) of Rule 10.603 of the California Rules of Court, a day of vacation is defined as any day when a judge schedules a full days absence from the Court with the presiding judge, which is not an absence planned by the presiding judge for attending an authorized education program, conference or workshop for judges, or to participate in Judicial Council or other authorized committees or community outreach activities. Absences from the Court due to illness are not considered vacation time off.

(e) Acting Presiding Judge

In the absence or inability to act of both the presiding judge and assistant presiding judge, the powers of the presiding judge must be exercised by a judge designated by the presiding judge to be the acting presiding judge.

(f) Grand Jury

The presiding judge, or one of the judges designated by the presiding judge, must impanel and have charge of the proceedings of the grand jury and must act as the liaison between the court and the grand jury. All indictments must be presented to the presiding judge or such judge as the presiding judge may from time to time designate.

(g) Vacancy in Office

(1) Vacancy of Presiding Judge

If the office of the presiding judge becomes vacant, or the presiding judge, because of disability, is unable to discharge the duties of the office, the assistant presiding judge must succeed to the office of presiding judge for the unexpired term of the presiding judge.

(2) Vacancy of Assistant Presiding Judge

If the office of assistant presiding judge becomes vacant, the presiding judge must conduct a special election at a meeting of judges of the court to select an interim assistant presiding judge to serve the unexpired term of the assistant presiding judge.

(3) If the offices of both the presiding judge and the assistant presiding judge become vacant, the last former presiding judge who is still a member of the court must become the acting presiding judge and must serve as such until the vacant offices are filled by election. The acting presiding judge must conduct a special election to elect a presiding judge and assistant presiding judge to serve the unexpired terms of the presiding judge and assistant presiding judge, respectively. (Amended 1/1/12)

RULE 2.02 COURT COMMISSIONER

The judges of the court may appoint persons as court commissioners pursuant to Government Code section 70141. The judges of the court may appoint persons as juvenile referees pursuant to Welfare and Institutions Code section 247. The duties of such person(s) must be appropriate for subordinate judicial officers and/or as prescribed by statute. (Amended 1/1/08)

RULE 2.03 COURT LOCATIONS

(a) The Superior Court of California, County of San Luis Obispo will regularly sit at the following court locations:

Courthouse Annex
1035 Palm Street, San Luis Obispo, CA 93408
901 Park Street, Paso Robles, CA 93446
214 S. 16th Street, Grover Beach, CA 93433
Juvenile Services Center, 1065 Kansas Avenue, San Luis Obispo, CA 93408
Veterans Hall, 801 Grand Street, San Luis Obispo, CA 93408

(Subd (a) amended effective July 1, 2023; previously amended January 1, 2012)

(b) Designation of Headquarters

The San Luis Obispo location will be deemed the headquarters for administrative purposes. Each location will have concurrent county-wide jurisdiction. In addition, the court may conduct sessions at any appropriate location within the County of San Luis Obispo at the direction of the judge presiding at such hearing.

RULE 2.04 COURT ADMINISTRATION

(a) There must be one employee of the court who must be known as the Court Executive Officer. This officer is also the Clerk of the Court and is responsible for all civil case functions, administrative functions, and criminal case and traffic case functions. This officer is also the Jury Commissioner. There must also be one employee of the court who must be known as the Assistant Court Executive Officer. This officer must be appointed by a majority vote of the judges.

(b) Except as otherwise directed by the presiding judge, the duties of this officer must be as set forth in Rule 10.610of the California Rules of Court. (Amended 1/1/06)

RULE 2.05 COURT PERSONNEL

(a) Definition

All persons appearing on the payroll of the Court as permanent employees must be considered Court personnel and state trial court employees as defined in the Trial Court Employment Protection and Governance Act [Chapter 7 (commencing with Section 71600) of Title 8 of the California Government Code).

(1) Judges

Only persons elected or appointed to the office of the Superior Court of California, County of San Luis Obispo shall be considered judicial personnel.

(2) Officers

Court commissioners, referees of the juvenile court, traffic referees, court attorneys, and the court executive officer are the officers of the court.

(3) Employees

All court personnel who are neither judges of the court nor court officers will be considered court employees.

(b) Conditions of Service

(1) All officers and employees of the court must be subject to the Superior Court of California, County of San Luis Obispo, Personnel Rules and Procedures. (Amended 7/1/02)

RULE 2.06 COURT EMPLOYMENT CONFLICT OF INTEREST CODE

(a) Adoption of Code

This rule must constitute the Court's Conflict of Interest Code as required by Government Code Section 87300, and hereby incorporates by reference California Administrative Code, Title 2, Section 18730 ("Standard Code") and any amendments to it.

This court also in adopting the court personnel rules and procedures adopts the conflict of interest provisions set forth in those rules.

(b) Place of Filing Statements of Economic Interest

Pursuant to Section 4(c) of the Standard Code, designated employees must file statement of economic interests with the Human Resources Department of the Superior Court of California, County of San Luis Obispo.

(c) Appendices to the Standard Code

The Court adopts the following appendices to the Standard Code. (Amended 1/1/11)

APPENDIX I – DESIGNATED CLASSIFICATIONS

DESIGNATED EMPLOYEE, CONTRACTOR OR CONSULTANT CLASSIFICATIONS

Position	Disclosure Category
Court Executive Officer	1,2,4
Assistant Court Executive Officer	1,2,4
All Directors	1,2,4
All Operations Officers	1,2,4
Family Law Facilitator	3,4
All Court Attorneys	3,4
All Department Managers	1,2,4
All Analysts	1,2,4
Accountant I/II	1,2,4
Consultant – as designated by the Court Executive Officer*	

*Consultants for this purpose are individuals assisting the Court in carrying out managerial functions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The Executive Officer may designate in writing that a particular consultant is hired to perform a range of duties requiring compliance with the disclosure requirements described in this section. The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

(*Appendix I amended effective January 1, 2023; previously amended January 1, 2011, July 1, 2022.)*

APPENDIX II – DISCLOSURE CATEGORIES

Category 1. Employees or consultants assigned to this disclosure category shall report interests in real property located within San Luis Obispo County or within two miles of San Luis Obispo County.

Category 2. Employees or consultants assigned to this disclosure category shall report investments in business positions and income from business entities engaged in the manufacture, sale, lease or provision of supplies, materials, equipment, real property and services of the type used by this Court within the past two (2) years.

Category 3. Employees or consultants in a designated classification assigned to this disclosure category shall report all investments, sources of income, interests in real property, and positions in business entitled as follows:

If during a reporting period a designated employee in this category did not participate in, or was not required to disqualify himself or herself from participating in, a case or other assignment in which he or she had a financial interest as defined by section 87103 of the Government Code, the employee shall sign a statement to that effect under penalty of perjury. This statement shall be filed as the statement of economic interests required by section 4(c) of the Standard Code. An employee who disqualified himself or herself from participating in a case or assignment in which he or she had a financial interest shall disclose the case or assignment and the disqualifying interest and file the statement with the Court Executive Officer.

Category 4. The name and address of the donor of any gift valued at $50.00 or more must be reported; a description and estimated value of the gift must also be reported. Reportable gifts include gifts from business entities or individuals providing services which contract with or furnish goods or services to the designated employee or otherwise solicit business from the designated employee. If the donor may be affected by any decision made or participated in by such designated employee, gifts are reportable if received from any source under which the designated employee is required to report income and/or investments. No designated employee shall accept gifts from any single source in any calendar year with a total value of more than two hundred and fifty dollars ($250.00). (Government Code §89503(c))
(Amended 1/1/11)

RULE 2.07 GIFTS

No court employee shall accept, solicit, or agree to accept any gift, favor or anything of value based upon any understanding, either explicit or implicit that the official actions, decisions, or judgment of any court employee would be influenced thereby. (Amended 7/1/11)

RULE 2.08 COURT SECURITY AND CONDUCT

(a) Security

Security in the courtroom will be maintained by the Sheriff of the County of San Luis Obispo.

(b) Weapons

(1) No person, other than a currently employed peace officer or authorized court personnel shall bring any weapon into any courtroom. Authorization for court personnel must be given only by the presiding judge.

(2) No party to a case, including a currently employed peace officer shall possess any weapon in a courtroom.

(3) All persons in possession of a weapon, even if authorized, must disclose such fact to the bailiff of the courtroom before entry and in any event as soon as possible after entry.

(c) Dress

No person will appear in court without a shirt, or barefoot or wearing a tank top (or tube top or crop top), shorts or a hat.

(d) Restricted Areas

The following areas of the court premises are reserved for the exclusive use of the judiciary and court staff:

(1) San Luis Obispo

The offices of the clerk of the court in Rooms 220 and 385, chambers and adjoining hallways, and the gated and fenced parking area.

(2) Paso Robles Branch

The office of the clerk for the criminal, civil, and small claims divisions and chambers.

(3) Grover Beach

The office of the clerk of the court in the modular building; the cashier's office and chambers in the courthouse; the gated and fenced parking area and area in between the modular and courthouse building.

(Subd (d)(3) adopted effective January 1, 2022)

(4) Juvenile Services Center

Chambers and Office of the Clerk of the Court.

These areas described above are limited to the judiciary and court staff. Members of the public, law enforcement, attorneys and their staff and other individuals are specifically prohibited from entering these areas unless directed to enter by a staff member for the purpose of conducting court business. Court staff will be responsible for enforcing these restrictions by requesting anyone other than court staff to leave. Bailiffs of the court are to remove individuals who violate this court order and report violations to the presiding judge.

(Subd (d) amended effective July 1, 2026.)
Rule 2.08 amended effective January 1, 2004.

RULE 2.09 REMOTE COURT APPEARANCES VIA VIDEOCONFERENCING

(a) Program Overview

(1) A judicial officer may set a hearing to be conducted by a remote court appearance via videoconferencing (hereinafter referred to as "remote video appearance(s)"), as permitted by law.

(2) During a remote video appearance, some or all of the participants in the hearing

may appear at the hearing remotely by utilizing a videoconferencing platform (such as Zoom or WebEx). This includes the judicial officer, court staff, attorneys, parties, witnesses, court interpreters, and other participants. The participants who appear remotely will connect to the hearing through an electronic device, such as a desktop computer, laptop computer, cellular telephone/smartphone, or other mobile electronic device.

When a matter is set to be heard by remote video appearance, the Court will provide the participants with instructions in advance for joining the videoconference. Participants shall ensure that the electronic device is equipped with both a camera and a microphone to participate in the remote video proceeding, unless the Court has authorized another means of participating.

(3) The Court may consider alternative arrangements for participation in the hearing when a litigant or participant does not have access to the technology to participate in a remote video appearance.

(4) All attorneys, parties, and other participants making remote video appearances must connect to the court session at least five (5) minutes before the scheduled court appearance in order to participate in a pre-hearing check with the courtroom clerk.

(5) Existing rules and procedures regarding the making of the record by a court reporter or electronic device, or for obtaining a transcript after the hearing, apply to remote video appearances. Participants may not record or broadcast the remote video appearance except in compliance with California Rules of Court, Rule 1.150. A violation of this local rule may result in the imposition of sanctions as set forth in subsection (f) of Rule 1.150.

(6) The Court may terminate the remote video appearance if participants do not comply with the following rules regarding procedure and decorum.

(b) Appearance Procedure

Participants using a videoconferencing platform in remote video appearances, including attorneys, parties, and other participants must:

(1) Ensure that they have sufficient battery power for the entire remote video appearance, including having a charger readily available, and access to enough cellular data and/or Wi-Fi for the duration of the remote video appearance;

(2) Eliminate, to the greatest extent possible, all ambient and/or distracting noise from the participant's location;

(3) Ensure consistent lighting, avoiding rooms with bright windows and/or back-lighting, so that the participant can be seen;

(4) Mute their phones and/or not speak until it is their turn to speak or their case is called;

(5) Speak directly into the microphone on the electronic device used to connect to the court session; and

(6) Speak slowly, avoid interrupting others, and identify themselves each time they speak.

(c) Decorum

Participants in a remote video appearance must:

(1) Participate in the remote video appearance with the same degree of courtesy, decorum, use of appropriate language, and courtroom etiquette as required for a personal courtroom appearance; and

(2) Dress appropriately in the same manner as they would for a personal appearance in court, without sunglasses and/or hats.

Rule 2.09 adopted effective May 11, 2020.

CHAPTER 3 – COURT CALENDARS AND DISTRIBUTION OF COURT BUSINESS

RULE 3.00 DISTRIBUTION OF BUSINESS BY PRESIDING JUDGE

The business of the court must be distributed by the presiding judge in accordance with Rules 205 through 208 of the California Rules of Court. (Amended 7/1/02)

RULE 3.01 ASSIGNMENT OF CASES

(Repealed 7/1/02)

RULE 3.02 JUDGES' SUBMISSION LIST

Any judge, including assigned, retired or pro tem, having a matter under submission for more than 90 days, including the presiding judge, shall handle no further business until such matter is concluded and a decision is filed. This provision is mandatory and will be followed without exception unless a majority of the judges specifically authorize otherwise.
The court clerk must maintain a list of all matters submitted for decision by each of the judges or judges pro tem of this court which must contain the name of the judge, the date of the order of submission, and the name and number of the case. This submission list must be revised not less than monthly and must be circulated to each judge. (Amended 1/1/09)

RULE 3.03 COURT CALENDARS

(a) Daily Calendar
The Clerk of the Court will post a daily calendar for all court proceedings at convenient locations at the beginning of each court day.

(b) Civil and Family Law and Motion Calendars
The civil law and motion calendar includes but is not limited to orders to show cause, defaults, demurrers, discovery motions, motions on notice, matters involving receiverships, injunctions, supplemental proceedings and other matters which may be assigned. The family law and motion calendar must include domestic relations matters, custody, support, domestic violence, and all other related matters.

(c) Special Settings
A judicial officer who presides over a calendar that is set for a specific time may set a calendar matter before himself or herself, or before another judicial officer, at such other time as may be set aside by the assigning judicial officer, or to the special set calendar of any other judicial officer. (Amended 7/1/03)

RULE 3.04 APPEARING REMOTELY AT NON-EVIDENTIARY HEARINGS

Unless an in-person appearance is expressly ordered by the Court or otherwise required by law, attorneys and self-represented parties may appear at non-evidentiary hearings via remote technology rather than in person. By doing so, litigants will be deemed to have requested a remote appearance. No written request or advance notice to the Court or other parties of the intention to appear remotely is required prior to the time of the hearing.

If for any reason the Court does not allow a remote appearance, the hearing shall be continued to a date when the parties will be ordered to appear in person.

This Rule applies to all civil cases, which includes all cases except criminal cases, and to all non-evidentiary hearings in those cases. Non-evidentiary hearings are those in which oral testimony

will not be received, such as (a) hearings on motions, demurrers, and ex parte applications; (b) case management proceedings such as case management conferences, status conferences, trial setting conferences, and trial readiness conferences; and (c) hearings in response to orders to show cause other than those for contempt.

Local Rule 7.13 is suspended until this rule is repealed.
Rule 3.04 amended effective September 1, 2023; adopted effective March 16, 2022.

CHAPTER 4 – COURT PLEADINGS, FORMS AND DOCUMENT FORMAT

RULE 4.00 ORGANIZATION

Pleadings, documents, declarations and other papers, must comply with California Rules of Court. (Eff. 1/1/98) The latest version of applicable printed forms of petitions, orders and other documents approved by the Judicial Council must be used in all cases, unless otherwise permitted or directed by the court. If a form is inadequate for a given circumstance, an addendum may be attached to the form. When no applicable form has been so approved, counsel should draft their own documents. (Amended 7/1/02)

RULE 4.01 SUBSTITUTION OF PARTY IN PRO PER

No substitution of a party in propria persona for an attorney of record representing him, whether by stipulation or order, shall be valid for any purpose unless the address of such party, where he may be served by mail, shall appear in the stipulation or order except as authorized by statutes dealing with the confidentiality requirements of Domestic Violence. See California Rule of Court 3.1115 and 3.1362. (Eff. Prior to 7/1/92)

RULE 4.02 CONFORMED COPIES

When counsel requests copies of documents filed to be conformed and returned by mail, such request must be accompanied by a self-addressed and postage prepaid envelope. A maximum of two copies of all documents presented will be conformed. (Amended 7/1/02)

RULE 4.03 PLEADINGS AND RECORDS IN AN EMINENT DOMAIN ACTION INVOLVING MORE THAN ONE PARCEL OF PROPERTY CONFORMED COPIES

(a) Pleadings
In an eminent domain action involving more than one parcel of property, the plaintiff's complaint must set forth, in addition to the matters required by Section 1250.310 of the Code of Civil Procedure, numbers or symbols to identify each of the parcels of the property. A defendant's answer, demurrer, or written appearance must set forth in the space below the number of the case and in parentheses, the parcel numbers or symbols that identify the property claimed by him.

(b) Copy of Pleadings
Within ten days after service of each defendant's pleading, the plaintiff must file a duplicate copy of his complaint, summons, lis pendens, and other pertinent documents. A defendant who claims more than one parcel of property must file a copy of his pleading for each parcel claimed by him. A copy of such pleading must be filed by the Clerk of the Court in the appropriate parcel files.

(c) Register
The Clerk of the Court must include in the register, opposite the name of each defendant, the numbers or symbols that identify the property in which he is alleged to have an interest.

(d) Parcel Files

The Clerk of the Court must file the pleading of each of the defendants in separate file folders following the file folder that contains the original complaint. All the file folders must have the same tab position and hear the number of the action. Following the number of the action, the file folder of each defendant must set forth the parcel numbers or symbols identifying the property claimed by him. Thereafter, all papers pertaining to that property must be filed in that file folder.

(e) Waiver of Requirements

The court may, for good cause shown, order any paper to be filed without a parcel number or symbol.

(Amended 1/1/09)

CHAPTER 5 – COURT FILES AND EXHIBITS

RULE 5.00 EXHIBITS

(a) Reproduction

All exhibits attached to any pleading or document filed with the Court must comply with California Rules of Court, Sections 2.100 and 3.1110. Wherever the exhibit represents an original writing that has printing, typing, communication or representation on each side of the original, the exhibit should be either single-sided or if double-sided the back shall be inverted (tumbled).

(b) Foreign Languages

Exhibits written in a foreign language must be accompanied by a verified English translation.

(c) Incorporation by Reference

No pleading shall incorporate pleadings or other documents or portions thereof that are filed in another separate legal action without attaching a copy or setting forth the pertinent portion in the pleading that incorporates it.

(d) Pagination

Exhibits with multiple pages must be paginated unless paginated in the original.

(e) Tabs

The first page of each exhibit must be marked with a tab that protrudes from the page, at the bottom.

(f) Depositions, Interrogatories or Transcripts

Copies and/or portions of depositions, interrogatories or transcripts must not be filed or received except as provided for in Rule 7.04.

(g) Court Discretion

The court, in its discretion, may disregard any exhibit that does not comply with the above.

(h) Criminal Case Exhibits

Pursuant to Penal Code section 1417.3, subdivision (a), if an exhibit by its nature is severable and upon court order, the clerk must retain a portion of the exhibit not to exceed 3 lbs. by weight or 1 cubic foot by volume and return the balance of the exhibit to the district attorney or counsel offering the same. The clerk must substitute a full and complete photographic record of any exhibit or part of any exhibit which is returned to counsel. The party to whom the exhibit is being returned must provide the photographic record.

Whenever feasible, photographs, technical reports or identical dummy objects must be used in lieu of the original.

No hazardous or toxic material, including but not limited to, firearms, weapons, controlled substances, paraphernalia or packaging containing residues of those substances and no other items that the trial court may deem hazardous or toxic are to be brought to the courtroom or received in evidence except as provided by Penal Code section 1417.3,

subdivision (b). Such exhibits must be introduced in the form of a photographic record, if possible. If the court finds good cause exists to depart from this procedure, hazardous or toxic exhibits may be brought into the courtroom and introduced. However, following introduction of the exhibit, the person previously in possession of the exhibit must take responsibility for it and the court is not required to store the exhibit.

All controlled substances received in evidence must be clearly labeled as to the type and amount of substance, preferably with the analyst's report on the outside of the envelope.

Hazardous or toxic exhibits are defined to include, but are not limited to the following:

(1) Any container containing a flammable liquid such as gasoline, kerosene, lighter fluid, paint thinner, ethyl, ether, etc.
(2) Any type of explosive powder.
(3) Any explosive chemical such as a toluene, ethane, etc.
(4) Any explosive device such as a pipe bomb, hand grenade, etc.
(5) Any flammable device such as a Molotov cocktail.
(6) Any canister containing tear gas, mace, etc.
(7) Any corrosive liquid.
(8) Any rags soaked with any flammable liquid which are still damp or wet.
(9) Any controlled substances, paraphernalia or packaging containing residues of controlled substances.
(10) Firearms and weapons.

(Subd (h) amended effective July 1, 2026.)
Rule 5.00 amended effective January 1, 2009; previously amended effective January 1, 2004.

RULE 5.01 ENTRY OF COURT ORDER IN MINUTES

(Repealed 1/1/19; Amended 7/1/13)

RULE 5.02 COURT RECORDS

(a) Removal of Papers
No papers shall be removed from the files or replaced therein except by the Clerk of the Court. The Clerk of the Court must not deliver any papers filed except for purposes of inspection in the office of the Clerk of the Court, to the possession of any person other than an attache of the court unless so ordered by the court.

(b) Return of Exhibits
Except as otherwise provided herein no exhibits shall be released from the possession of the Clerk of the Court except on order of the court and the giving of a receipt therefore.

(c) Copying and Reproducing Official Court Records
Only judicial officers and authorized court personnel may photocopy or otherwise reproduce original, official, court case records or exhibits. Any such copying or reproduction for public distribution shall be done only by or under the direct supervision of such authorized personnel, subject to any established court charge for these services. Personal photographing or other reproduction of original court records by the public is not permitted. This rule does not apply to the printing or reproduction of documents that may be posted or otherwise made available in electronic form on the court's websites. (Amended 1/1/06)

RULE 5.03 PRIORITY FILING SYSTEM

It must be the duty of counsel, in all documents presented for filing as part of the official Court file, to indicate the date and time of any pending court trial or hearing to which the documents may be pertinent, or to specify that there is no hearing date or trial date set, directly below the caption describing the nature of the document.

When filing a proof of service that pertains to a particular hearing date, a face sheet must be attached that shows the department, hearing date and time.

The Clerk of the Court must process court filings on a priority basis, insuring that all documents are properly entered and filed in the appropriate court file with all due promptness following receipt. The Clerk of the Court must further give all necessary processing priority to documents with pending court trial or hearing dates, insuring that documents reach the court file prior to delivery of the file to the court for hearing, or as soon thereafter as is reasonably possible in consideration of the date of receipt. (Amended 7/1/02)

RULE 5.05 REMOVAL OF EXHIBITS

By order of a judge, commissioner, juvenile court referee or juvenile court traffic hearing officer of this court, any exhibit may be returned by the court clerk to the witness or party by whom it was produced after the substitution of a photostatic copy therefore; provided, however, that such order may dispense with such substitution in the case of an original record, paper or object taken from the custody of a public officer which is being returned to such officer, or in the case of an exhibit used only in making proof against a party whose default has been entered, or when a photostatic copy is impracticable, in which case a receipt must be given, or when a written stipulation of all the parties consenting thereto is filed. (Amended 7/1/02)

RULE 5.06 REMOVAL OF FILES

No files shall be removed from the possession of the clerk unless permitted by order of the court. All files in the courtroom must remain in the possession of the clerk unless ordered by the court. (Amended 7/1/02)

CHAPTER 6 – BONDS AND UNDERTAKINGS

RULE 6.00 ENDORSEMENT BY CLERK [REPEALED]

(Repealed 7/1/03)

CHAPTER 7 – CIVIL (LAW AND MOTION) HEARINGS PROCEDURES

RULE 7.00 CALIFORNIA RULES OF COURT

The provisions of California Rules of Court, are expressly applicable to law and motion practice in the Superior Court of California, County of San Luis Obispo. Particular attention should be paid to the mandatory time requirements of Rules 3.1300, 3.1306, 3.1320, 3.1326, 3.1176, 3.1150, and 3.1342. (Amended 1/1/08)

RULE 7.01 DEMURRER/MOTION TO STRIKE

On the first page, immediately below the case number, and after the information required by California Rules of Court, rule 3.1320(e), the demurrer must state the date of filing of the pleading to which it is directed.
Rule 7.01 amended effective January 1, 2024; effective prior to January 1, 1992.

RULE 7.02 FILING PAPERS

Failure to comply with California Rules of Court, rule 3.1110(b) may result in the paper reaching Legal Research too late for consideration.
Rule 7.02 amended effective January 1, 2024; previously amended January 1, 2008.

RULE 7.03 POINTS AND AUTHORITIES [REPEALED]

Rule 7.03 repealed effective July 18, 2023; amended effective January 1, 2008.

RULE 7.04 HANDLING AND RETURN OF EXHIBITS

Depositions and exhibit packages will be received and retained without filing by the clerk of the court. Counsel submitting such documents must indicate in the caption or on the face page if they are to be returned or in the alternative destroyed when the motion has been resolved. Counsel submitting such documents must include a postage prepaid self-addressed envelope with which to return the exhibits.

After resolution of the motion, all exhibits so retained must be returned by the clerk to the party submitting them or destroyed if a postage prepaid self-addressed envelope was not provided. If the motion was resolved after opposition, the clerk must hold the documents for the applicable period within which a party may request review of the court's ruling, not to exceed sixty-one (61) days. If review is sought, the clerk must further retain such documents until the review process has concluded.

Any party to the motion proceeding may orally move the court at time of the hearing to file the exhibits, or any of them, and, upon a showing of good cause, such motion will be granted.
Rule 7.04 amended effective January 1, 2024; previously amended July 1, 2002.

RULE 7.05 INCOMPLETE MOTIONS [REPEALED]

Rule 7.05 repealed effective July 18, 2023; amended effective January 1, 2008.

RULE 7.05.1 ASSIGNMENT OF HEARING DATES AND DUTY TO GIVE NOTICE

(a) When a motion is filed, the Clerk's Office will assign all motion hearing dates. After the Clerk's Office has assigned the motion for hearing, the moving party shall provide notice of the hearing date, time and location to all interested parties. The moving party shall file proof of service of the motion at least five (5) court days prior to the date set for the hearing. Failure to file proof of service of the motion with the assigned hearing information shall result in a continuance of the motion.

(b) The Clerk's Office will accept reservations only for the following motions: (1) ex parte applications; (2) motions pursuant to Code of Civil Procedure section 128.5; and (3) motions pursuant to Code of Civil Procedure section 128.7.

Rule 7.05.1 amended effective January 1, 2026; adopted effective January 1, 2024.

RULE 7.06 REQUESTS TO CONTINUE MOTION HEARING DATES

(a) Continuance Requests Before Service of the Motion
If a moving party is unable to appear on the assigned hearing date and has not yet served the motion, the moving party may obtain a new hearing date by submitting a Request & Order to Continue Motion (local form CV008).

(b) Continuance Requests After Service of the Motion

Any requests to continue law and motion matters after service of a motion, may be made in any manner provided by law, e.g., by stipulation or ex parte application. After a motion has been served, the Clerk's Office is not authorized to continue a matter without a Court order. Any requests to continue matters after service of a motion must be made at the earliest possible opportunity, no later than two (2) court days before the hearing.

(c) Required Fee

Requests to continue motions set on the law and motion calendar should be directed to the Clerk's Office with the appropriate fee unless the filing party has a fee waiver on file.

(Subd (a) amended effective January 1, 2024.)

(Subd (b) amended effective January 1, 2024.)

(Subd (c) amended effective January 1, 2024.)

(Subd (d) repealed effective January 1, 2024.)

Rule 7.06 amended effective January 1, 2024.

RULE 7.07 WITHDRAWING MOTIONS FROM AND RESTORATION OF MOTIONS TO THE LAW AND MOTION CALENDAR

A law and motion matter that has gone off calendar may be restored thereto only upon noticed motion except in an extraordinary situation to be determined by the court in its discretion.

(a) Withdrawing Motions From The Law And Motion Calendar

To withdraw a motion from the Court's law and motion calendar, the moving party shall file a Request to Withdraw Motion (local form CV009). Only the moving party may request to withdraw a motion. Requests to withdraw a motion from the law and motion calendar should be directed to the Clerk's Office.

(b) Timing of Request to Withdraw a Motion

Requests to withdraw motions from the calendar must be made at the earliest possible opportunity, no later than two (2) court days before the hearing. Requests to withdraw motions from the law and motion calendar cannot be made after a tentative ruling has been issued.

(c) Restoring a Motion to The Law And Motion Calendar

A law and motion matter which was withdrawn by the moving party, or taken off calendar by the Court, may be restored to the law and motion calendar only by written notice served in compliance with Code of Civil Procedure section 1005 or as determined by the Court in its discretion.

(Subd (a) adopted effective January 1, 2024.)

(Subd (b) adopted effective January 1, 2024.)

(Subd (c) adopted effective January 1, 2024.)

Rule 7.07 amended effective January 1, 2024; effective prior to July 1, 1992.

RULE 7.08 EVIDENCE

All evidence in a law and motion matter must be presented by verified pleadings, affidavits, and declarations unless the court, on notice and for good cause shown, shall order the taking of oral evidence; in which case, the matter may be specially set for hearing by the clerk. (See Code of Civ. Proc., § 2002; Cal. Rules of Court, rule 3.1306.)

Rule 7.08 amended effective January 1, 2024; previously amended January 1, 2008.

RULE 7.09 LENGTHY HEARING

(Repealed 7/1/03)

RULE 7.10 DISCOVERY [REPEALED]

Rule 7.10 repealed effective July 18, 2023; amended effective July 1, 2002.

RULE 7.11 CONSOLIDATION

(Repealed 7/1/01)

RULE 7.11.1 TENTATIVE RULINGS

Prior to the day of the hearing, any civil department may issue a tentative ruling on any law and motion matter, in the sole discretion of the assigned judge. If a tentative ruling is issued prior to the day of the hearing it will be issued in conformance with the tentative ruling procedures set forth in California Rules of Court, rule 3.1308(a)(2). The tentative ruling, if any, will be available at the court's website no later than 4:00 PM the day prior to the hearing.

This rule does not preclude posting a tentative ruling the day of the hearing pursuant to CRC Rule 3.1308(b), nor does it mandate a tentative ruling be issued on all law and motion matters.
Rule 7.11.1 amended effective July 1, 2026; previously amended effective January 1, 2012, January 1, 2022.

RULE 7.12 EX PARTE HEARINGS

A party seeking an ex parte order shall serve the application and all supporting papers on all other parties no later than 10:00 a.m. on the day preceding the hearing, unless good cause exists for non-service of notice. In addition, the application and all supporting papers shall be filed, together with applicable filing fees, by no later than 2:00 p.m. on the day preceding the hearing. (Amended 7/1/14)

RULE 7.13 TELEPHONIC APPEARANCES

(a) Program Overview

(1) The CourtCall Telephonic Appearance Program ("CourtCall") organizes a procedure for telephonic appearance by attorneys as a reasonable alternative to personal appearances in appropriate cases and situations. CourtCall is fully voluntary and no attorney is required to utilize CourtCall. Rather, CourtCall is available at a reasonable fixed fee to use when circumstances are appropriate.

(2) Designated courts conduct hearings on calendar in the usual manner, with the only difference being that hearing order preference is given to cases with CourtCall Appearances, unless the court exercises its discretion to call cases in a different order.

(3) Hearings are conducted in open court or in private as the Court may designate. All attorneys making CourtCall Appearances call a designated toll free teleconference number a few minutes before the calendar is scheduled, to check in with the clerk. Attorneys remain on the court's speaker phone-telephone line and hear the same business that those present in the court may be hearing. Attorneys not participating telephonically appear in person. The court calls cases for hearing. All attorneys on a case participate in the hearing. All present in the courtroom hear the discourse of those making CourtCall Appearances.

(4) CourtCall Appearances are scheduled, in writing, in advance, by counsel serving on all other counsel and pro-se parties and delivering (via fax, mail, or personal delivery) to CourtCall, LLC, not less than five (5) court days prior to the hearing date, a Request for CourtCall Appearance form and by paying the stated fee for each CourtCall appearance.

(b) Participation in CourtCall Appearances

(1) Courts

(a) Judges and Commissioners may volunteer to participate in CourtCall. Each participating court must give calendar hearing order preference to cases which include attorneys making CourtCall appearances, except under unusual circumstances as determined by the court.

(b) Subject to the court's right to amend this list, the following matters are currently deemed unsuitable for CourtCall appearances.

(1) Judgment Debtor Examinations;

(2) Mandatory Settlement Conferences;

(3) Hearings at which oral testimony may be presented;

(4) Hearings in which oral argument is anticipated to exceed 15 minutes.

(c) The court reserves the right, at any time, to reject any Request for CourtCall appearance. When the court rejects a request, it must order a refund of deposited telephonic appearances fees and notify CourtCall, LLC.

(d) The court shall also reserve the right to halt the telephonic hearing on any matter and order the attorneys to personally appear at a later date and time, in which case no refund is permitted.

(e) If a matter is continued prior to the actual hearing date the prior filing of a Request for CourtCall appearance form must remain valid for the continued date of the hearing.

(f) Existing rules and procedures regarding the making of the record by a court reporter or electronic device or obtaining a transcript after the hearing must apply to hearings at which CourtCall appearances are made. No recordings may be made or telephonic appearances except in compliance with California Rule of Court 1.150.

(2) Attorneys

(a) Attorneys electing to make a CourtCall appearance must serve on all other parties in the case the Request for CourtCall appearance form, fax a copy of the form to CourtCall, LLC and pay the CourtCall appearance fee in the method prescribed, not less than five court days before the hearing date.When the Request for CourtCall appearance is made at the same time as the filing of the hearing document or response, in addition to the Request for CourtCall appearance form, the words "CourtCall Appearance Requested" must be printed below the department, date, and time of the hearing on the first page of the papers filed with the court.

(c) Appearance Procedure

(1) An attorney making a CourtCall appearance must:

(a) Eliminate to the greatest extent possible all ambient noise from the attorney's location;

(b) Be required, during the attorney's appearance, to speak directly into the telephone handset;

(c) Not call in with cellular or cordless telephone devices or through a personal computer.

(2) An attorney making a CourtCall appearance must call the court's designated toll free teleconference line approximately 5 minutes prior to the scheduled hearing time and check in with the clerk. An attorney calling after the check-in period must be considered to be late for the hearing and must be treated by the Court in the same manner as if the attorney had personally appeared late for the hearing.

(3) An attorney appearing telephonically must state his or her name for the record each time the attorney speaks and must participate in the appearance with the same degree of courtesy and courtroom etiquette as is required for a personal appearance. An attorney must not utilize the "hold" button, as it is not within the policy of the Court to wait for an attorney to rejoin the line. (Amended 7/1/03)

RULE 7.14 SUMMARY JUDGMENT/SUMMARY ADJUDICATION OF ISSUES

(Repealed 7/1/01; See CRC 3.1350)

RULE 7.15 FAILURE TO COMPLY WITH CHAPTER 7 RULES

Pursuant to the provision of California Code of Civil Procedure Section 575.2 and the rule making authority of this court, in the event that any attorney, or any party represented by counsel or any party appearing in propria persona fails to comply with any of the requirements of Chapter 7 or any order made pursuant to the rules set forth therein, the court may, upon motion of another party or upon its own motion, do any one or more of the following:

(a) Strike out all or any part of any pleading of that party;
(b) Dismiss the action or proceeding or any part thereof;
(c) Enter a judgment by default against that party;
(d) Impose other penalties of a lesser nature as otherwise provided by law;
(e) Order attorney fees and/or costs incurred by other parties unnecessarily as a result of the failure of the party or his or her attorney to comply with these rules to be paid by the party and or his or her attorney;
(f) Order that party or his or her attorney to pay the moving party the reasonable expenses in making the motion, including reasonable attorney fees;
(g) Order that party or his or her attorney to pay to the court the reasonable expenses of the court; and
(h) No penalty will be imposed without prior notice to and opportunity to be heard by the party against whom the penalty is sought to be imposed. (Amended 7/1/03)

RULE 7.16 ADMINISTRATIVE MANDAMUS PROCEDURES

Unless the administrative record is lodged in compliance with California Rules of Court, rule 3.1140, the scheduled hearing in a case brought under Code of Civil Procedure, section 1094.5, will be ordered off calendar. The pages of the administrative record must be numbered consecutively. Any references to the administrative record in either the supporting or opposing points and authorities must include an appropriate reference to a specific page or pages of the record. (Amended 7/1/02)

RULE 7.17 REPORTING OF PROCEEDINGS

The court does not provide for regular reporting of hearings on motions on the civil law and motion calendar. (Amended 7/1/17))

RULE 7.18 DEFAULT SETTINGS

When a default hearing is required for judgment, such as where service is by publication or attorneys' fees are sought pursuant to contract, such hearing must be requested using the local form, *CVDF010*. (Amended 7/1/03)

RULE 7.19 ORDERS AFTER HEARING

Except as noted in Rules 7.9 and 7.12, all orders must be submitted to the civil division, Room 385, after the hearing. The date, time and department must be in the caption of the order. Orders must be in compliance with the California Rules of Court, Rule 3.1312. The judge's name must appear below the signature line and at least two lines of text must be on the signature page. (Amended 1/1/08)

RULE 7.20 NOTICE OF RULING [REPEALED]

Rule 7.20 repealed effective July 18, 2023; amended effective July 1, 2002.

RULE 7.21 PETITIONS FOR CHANGE OF NAME AND FOR CIVIL HARASSMENT

The Court requests that parties seeking restraining orders or court-ordered name changes provide completed proposed orders after hearing at the time of filing their petitions. (Eff. 1/1/08)

RULE 7.22 RESERVATIONS [REPEALED]

Rule 7.22 repealed effective July 18, 2023; amended effective July 1, 2023; adopted effective January 1, 2011.

RULE 7.23 DISCOVERY MOTIONS

Any discovery motion filed pursuant to Code of Civil Procedure sections 2030.290, 2031.300, or 2033.280, must be labeled "Discovery – No Initial Responses." All other discovery motions must be labeled "Discovery – Other." The appropriate label must be included on the first page, below the information required by California Rules of Court, rule 3.1110(b).
Rule 7.23 adopted effective January 1, 2024.

CHAPTER 8 – MANDATORY CIVIL SETTLEMENT CONFERENCES

(Repealed 7/1/02)

CHAPTER 9 – CIVIL TRIAL CALENDAR POLICIES AND PROCEDURES

RULE 9.00 CASE MANAGEMENT AND DISPOSITION POLICIES

(a) In accordance with Government Code Section 68607, it is the policy of the court to manage all cases from the time the complaint is filed until a final disposition has been achieved. It is the policy of the court to assign civil cases to one judge for all purposes at the time the complaint or first pleading is filed. It is also the policy of the court to promote early dispositions through alternative dispute resolution techniques.

(b) It is the policy of this court to follow the case-disposition goals set forth in Sections 2.1 and 2.3 of the Standards of Judicial Administration. All cases will be assigned to one of the following case management plans based upon the factors set forth in these rules:

- **(1)** Plan 1: 90% of all cases must be disposed of within 12 months from the date the complaint is filed;
- **(2)** Plan 2: 98% of all cases must be disposed of within 18 months from the date the complaint is filed; and
- **(3)** Plan 3: 100% of all cases must be disposed of within 24 months from the date the complaint is filed.

(c) Continuances

It is the policy of this court that when a matter has been calendared, the date may not be changed without a showing of good cause. Court hearings and appearances are appointments with the court and may not be changed without the consent of the judicial officer assigned to manage the case. Continuances of law and motion matters must be

managed by the court attorneys. The court clerk is not authorized to continue a matter or take off calendar, except by direction of the judicial officer assigned to the case.

(d) Modifications

Nothing in these rules shall be interpreted to prevent the court from issuing an order modifying the application of the above policies if the interest of justice require the modification. (Amended 7/1/03)

RULE 9.01 CASE EXEMPT FROM CIVIL CASE MANAGEMENT

These rules shall not apply to proceedings as defined in CRC 3.712. (Amended 7/1/02)

RULE 9.02 UNINSURED/UNDERINSURED MOTORIST CASES

(a) Temporary Exemption From Fast Track

When plaintiff's counsel determines that the defendant is an uninsured/underinsured motorist and that an uninsured/underinsured motorist claim will be made against the plaintiff's insurer, a declaration captioned "Request for Temporary Exemption – Uninsured/Underinsured Motorist Case" must be filed which sets forth the following:

(1) A statement that the plaintiff has uninsured motorist's coverage;

(2) The name of the insurer and the limits of the coverage; and

(3) A statement that counsel believes that the limits of coverage are adequate to compensate for known losses or damage, that plaintiff will promptly pursue the remedies provided by the insurance contract and that it is counsel's intention to assign the claim to the insurer or dismiss the pending action upon conclusion of the uninsured motorist claim.

(b) Resolution Required Within One Year

In any case designated as an Uninsured/Underinsured Motorist case, the plaintiff and the plaintiff's insurer must settle or arbitrate the dispute. The case must be calendared for a Status Conference 180 days after the designation. The court shall maintain jurisdiction of the case until completion of the mediation and/or arbitration.

(c) Mediation Prior to Arbitration.

At the request of any party or on the court's own motion, the court may order mediation before arbitration.

(d) Appointment of Arbitrator.

Any party seeking arbitration may petition the court to appoint a neutral arbitrator. In the event the parties cannot agree upon an arbitrator, each side shall submit two names for consideration by the court. The Court maintains a list of attorneys practicing in San Luis Obispo County who have agreed to arbitrate these cases for their hourly rates, and will provide the names of those individuals upon request. (Amended 1/1/19)

RULE 9.03 SANCTIONS FOR FAILURE TO COMPLY WITH LOCAL RULES

(a) Except for good cause shown, sanctions may be imposed upon any person who:

(1) Fails to comply with any local rule or order of the court, other than a prior order to pay sanctions;

(2) Fails to submit any form or report required by the court; or

(3) Fails to appear at any case management conference or any other scheduled event; or court-ordered arbitration.

(b) Sanctions may include, but are not limited to, payment of monetary sanctions to the court, payment of the opposing party's reasonable expenses and attorney's fees, dismissal of the action or striking an answer and entering a default. (Amended 7/1/02)

RULE 9.04 WAIVER OF RULES

(a) No procedure or deadline established by these rules or by court order may be waived or extended by stipulation or agreement of the parties unless the waiver or extension is permitted by Government Code section 68616 or by the court.

(b) Any party may seek relief from any procedure or deadline imposed by these rules or court order by filing a noticed motion describing the relief sought and the facts upon which the application is based. The motion must be supported by appropriate declarations showing the factual basis for the motion and that injustice to a party will result if the relief is not granted. (Amended 7/1/02)

RULE 9.05 LAW AND MOTION

(Repealed 1/1/05)

RULE 9.06 PRELITIGATION MEDIATION

(Reserved Eff 7/1/00)

RULE 9.07 MEDIATION

(a) The court may order the parties to participate in mediation before a neutral mediator. California Evidence Code sections 1115 et seq., shall govern the proceedings.

- **(1)** Within 20 days from the date the Court orders mediation, the plaintiff must serve notice of the mediation to all interested parties, unless the Court provides notice to the parties;
- **(2)** The mediator's fees should be divided according to the agreement of the parties;
- **(3)** Within 10 days after the completion of the mediation, the mediator is encouraged to file a report notifying the Court if the case has settled conditionally, or unconditionally.The following persons are required to attend Court-ordered mediation in person, or by remote video technology, unless otherwise agreed to by the parties, or excused by the Court or the mediator for good cause:
- **(1)** The parties;
- **(2)** The parties' attorneys;
- **(3)** The insurer's representatives with settlement authority; and
- **(4)** Any other persons whose consent or authority is necessary to resolve the disputed issues.

(c) The parties may request mediation at any stage of the proceedings. Such requests should be directed to the judge assigned for all purposes.

Rule 9.07 amended effective June 25, 2020; previously amended effective July 1, 2002

RULE 9.08 JUDICIAL ARBITRATION

(a) The court may order the parties to participate in non-binding judicial arbitration before a neutral arbitrator appointed by the court. Matters referred to non-binding judicial arbitration must be conducted in the manner set forth in California Rules of Court 3.810 et seq.

(b) The Court does not have an administrative committee. The Presiding Judge, per Rule 3.813, performs the functions and has the power of an administrative committee. (Amended 7/1/03)

RULE 9.09 SETTLEMENTS

(a) Binding Arbitration
When the parties stipulate to binding arbitration, the case must be dismissed. The court will reserve personal and subject matter jurisdiction to enforce the terms of the arbitration agreement and to enter a judgment confirming the arbitration award. (Amended 7/1/02)

RULE 9.10 CIVIL CASE MANAGEMENT POLICY

(Repealed 7/1/01)

RULE 9.11 FORMS TO BE ISSUED BY THE CLERK WHEN THE COMPLAINT IS FILED

(a) Upon filing a complaint, the plaintiff shall receive the following from the Court:
- **(1)** Notice of Assignment and Case Management Conference (The Case Management Conference will be set within approximately 180 days of the filing of the original complaint for all cases except for limited general civil.);
- **(2)** A blank Case Management Statement [Judicial Council Form CM-110] (available upon request from the Clerk's Office or on the Court's website at https://www.slo.courts.ca.gov/forms-filing); and
- **(3)** An ADR Policy Statement (local form CVDC04, available upon request from the Clerk's Office or on the Court's website at https://www.slo.courts.ca.gov/forms-filing/local-forms).

Rule 9.11 amended effective July 1, 2025.

RULE 9.12 SERVICE OF SUMMONS AND COMPLAINT

(a) The plaintiff must serve the Summons and Complaint on all defendants within 60 days. The following documents must be attached to the complaint or served at the same time the complaint is served:
- **(1)** Civil Case Management Policy;
- **(2)** Notice of Assignment and Case Management Conference;
- **(3)** A blank Case Management Statement; and
- **(4)** The court's ADR Policy Statement.

(b) A Proof of Service must be filed with the court within ten days after the complaint is served on any defendant unless a responsive pleading has been filed.

(c) The following documents must be attached to and served with any cross complaint that names new parties:
- **(1)** Civil Case Management Policy Statement;
- **(2)** Notice of Case Management Conference;
- **(3)** A blank Case Management Statement; and
- **(4)** ADR Policy Statement.

(Amended 1/1/05)

RULE 9.13 CASES TRANSFERRED FROM OTHER JURISDICTIONS

(a) Upon receipt of the file, the Clerk must assign the case to a judge for all purposes and must provide the plaintiff with a copy of the court's Civil Case Management Policy, a Notice of Assignment and Case Management Conference, a Case Management Statement, and the court's ADR Policy Statement.

(b) Upon receipt of the documents listed in 9.13A, the plaintiff must serve a copy of each document upon each other party to the action. Plaintiff must file a certificate that the documents were served on each defendant within 10 days of receipt of the documents form the clerk.

(c) A Case Management Conference will be set within 45 days from the filing of the action in this court. (Amended 1/1/05)

RULE 9.14 RESPONSIVE PLEADINGS

(a) Each party served must file and serve responsive pleadings within the time required by law. The parties may stipulate to an extension of not more than fifteen days beyond the date the response would otherwise be due.

(b) Entry of Default.

- **(1)** Plaintiff is required within ten days after the time for filing a responsive pleading to request the entry of a non-responding party's default.
- **(2)** Default hearings and judgments need not be pursued in multi-defendant cases until the entire action against all responding defendants has concluded.
- **(3)** Parties may set aside a default by filing a stipulation and proposed order. An answer or other responsive pleading must be attached to the stipulation. (Amended 7/1/02)

RULE 9.15 CASE MANAGEMENT CONFERENCE

(a) The parties must confer in regard to case management issues no later than 30 days prior to the Case Management Conference (CRC 3.720).

(b) Each party must file and serve a completed Case Management Statement fiftee*n* days before the first Case Management Conference. If the questionnaire is filed less than fifteen days before the conference, a sanction will be imposed (CRC 3.720).

(c) Counsel must confer with their clients in regard to ADR prior to the conference. Counsel must be able to represent to the court whether mediation and/or arbitration is acceptable to their clients.

(d) At the first Case Management Conference, the court must assign the case to a case management plan by applying the factors listed in Rule 9.18. The court must also make other pretrial orders to facilitate the cost-effective resolution of the case. The orders may include the following:

- **(1)** Defendants and cross defendants, other than fictitiously-named defendants, who have not been served or appeared may be dismissed unless their default has been requested. The court for good cause may permit service of such defendants or cross defendants by a date certain.
- **(2)** It is the policy of the court to encourage and facilitate mediation of litigated disputes by trained and experienced neutral mediators. The court must make orders on stipulations to mediation by an approved mediator. The order must identify the mediator and the time within which the mediation must be completed. A second Case Management Conference may be set to review the result of the mediation.
- **(3)** The court must make orders on stipulations to binding arbitration or non-binding judicial arbitration. The court order must identify the arbitrator and the time within which the arbitration must be completed. A second Case Management Conference may be set to review the result of the arbitration.
- **(4)** The court must consider bifurcating or severing issues or causes of action and consolidating related cases.
- **(5)** The court must consider establishing a discovery plan that regulates the scope, timing and deadlines for completing discovery.
- **(6)** The court may make orders scheduling the exchange of information relating to expert witnesses under C.C.P. § 2034 and dispositions of expert witnesses unless the parties stipulate that no expert witnesses will be called to testify. The court will closely examine any claim that multiple experts are required.
- **(7)** The court may make orders scheduling the completion of law and motion matters contemplated by the parties. The trial date will not be adjusted to accommodate law and motion matters.
- **(8)** The court may make orders scheduling further Case Management Conferences.

(e) Counsel who appear at the first Case Management Conference must be familiar with the case and must be prepared to discuss case management issues. Counsel must have authority to agree to and select a mediator or arbitrator from the list of neutral mediators and arbitrators approved by the court. Counsel who fail to attend the case management conferences must be subject to one or more of the sanctions outlined in Rule 9.03.

(f) A trial date may be assigned at either the first or the second Case Management Conference. The date will be in the 12th month following the date the complaint was filed. A date for a mandatory settlement conference will also be set in the 11th month following the date the complaint was filed. (Amended 1/1/04)

RULE 9.16 SETTLEMENT CONFERENCE

(Repealed 7/1/01)

RULE 9.17 PRETRIAL PROCEDURES AND REQUIREMENTS

(Repealed and Renumbered as 27.02 Effective 7/1/01)

RULE 9.18 CASE EVALUATION FACTORS FOR CASE MANAGEMENT PLANS

The court must estimate the maximum time that will reasonably be required to dispose of each case in a just and effective manner. The court may reclassify the case to be a "Limited Jurisdiction Civil Case" and order the case managed under the rules applicable to such cases. The court must consider the following factors, and any other information the court deems relevant, understanding that no one factor or set of factors shall be controlling and that cases may have unique characteristics incapable of precise definition:

(a) Type and subject matter of the action;
(b) Number of causes of action or affirmative defenses alleged;
(c) Number of parties with separate interests;
(d) Number of cross complaints and the subject matter;
(e) Complexity of issues, including issues of first impression;
(f) Difficulty in identifying locating and serving parties;
(g) Nature and extent of discovery anticipated;
(h) Number and location of percipient and expert witnesses;
(i) Estimated length of the trial;
(j) Likelihood that some or all issues can be mediated or arbitrated;
(k) Statutory priority for the issues;
(l) Likelihood of review by writ or appeal;
(m) Amount in controversy and the type of remedy sought;
(n) Pendency of other actions or proceedings which may affect the case;
(o) Nature and extent of the law and motion proceedings anticipated;
(p) Nature and extent of the injuries and damages;
(q) Pendency of underinsured motorist claims; and
(r) Any other factor that could affect the timely and cost-effective disposition of the case. (Amended 7/1/02)

RULE 9.19 LIMITED CIVIL CASES

(a) Limited civil cases filed in branch courts must be assigned for all purposes to the judge assigned to the branch court;
(b) Trials of limited civil cases must be held in the branch courts; and
(c) Limited civil cases must be generally managed in the manner set forth in these rules. Either party may request that the matter be set for trial at any time during the pendency of the action. (Amended 1/1/09)

RULE 9.20 DECLARATION OF UNINSURED MOTORIST STATUS

(Repealed 7/1/01)

RULE 9.21 ALTERNATIVE DISPUTE RESOLUTION

(Repealed 7/1/01)

RULE 9.22 EXEMPTION FROM DELAY REDUCTION PROGRAM

(Repealed 7/1/01)

RULE 9.23 TRIAL SETTING CONFERENCE

(Repealed 7/1/01)

RULE 9.24 DIFFERENTIAL CASE MANAGEMENT RULES

(a) As required by California Rule of Court 3.711, the following differential case management rules must apply. Disposition under the following case-management plans must be from the date of filing: (Amended 7/1/02)
(1) Plan One, disposition within 12 months;
(2) Plan Two, disposition within 18 months; and
(3) Plan Three, disposition within 24 months.
It is presumed that all cases are subject to the disposition goal under case-management Plan One when the case is filed. The Court may modify the assigned case-management plan at any time for good cause shown.

(b) The court may in the interest of justice exempt a general civil case from the case-disposition time goals if it finds the case to be complex within the meaning of California Rules of Court 3.400 et. seq. and that exceptional circumstances are involved that will prevent the court and the parties from meeting the goals and deadlines imposed by the program. (Amended 7/1/02)

RULE 9.25 CASE PROCESSING TIME STANDARDS

(Repealed 7/1/01)

RULE 9.26 CONTINUANCE POLICY

(Repealed 1/1/09)

RULE 9.27 VENUE OF CIVIL PROCEEDINGS

Civil cases may be filed at any court location other than the Juvenile Services Center and the Veteran's Hall. The case must be assigned for all purposes to a judge sitting in a branch court, or to a judge sitting in the courthouse in San Luis Obispo, on the following basis:

(a) The case must be assigned to a judge sitting in the branch court or the San Luis Obispo Courthouse at the locations as set forth below, based on the principles set forth in sections 392 through 395 of the California Code of Civil Procedure. The term “location” must be substituted for “county,” “city and county” or “judicial district” where those terms are used in the statutes.

(b) San Luis Obispo Courthouse: San Luis Obispo, Avila Beach, Cayucos, Los Osos, Morro Bay, Grover Beach, Arroyo Grande, Nipomo, Oceano, Pismo Beach, and unincorporated areas south of the Ontario Grade in between and south of the Cuesta Grade.

(c) Paso Robles Branch: Paso Robles, Atascadero, Cambria, Santa Margarita, Templeton, and unincorporated areas north of the Cuesta Grade.

(d) The first pleading filed in a civil action must contain an allegation that establishes the proper venue of the action.

(e) Unlimited jurisdiction civil cases will be assigned only to the San Luis Obispo Courthouse or the Paso Robles Branch.

(f) The court to which any action has been assigned may be changed upon a showing of good cause or upon the court's own motion. (Amended 1/1/12)

RULE 9.28 SMALL CLAIMS PROCEEDINGS

(a) Venue

(1) An action in small claims is to be filed and heard at the location set forth below, based on the defendant's residence or principal place of business, unless otherwise ordered by the court.

San Luis Obispo Courthouse: San Luis Obispo, Avila Beach, Cayucos, Los Osos, Morro Bay, Grover Beach, Arroyo Grande, Nipomo, Oceano, Pismo Beach and unincorporated areas in between and south of the Cuesta Grade.

Paso Robles Branch: Paso Robles, Atascadero, Cambria, Santa Margarita, Templeton, and unincorporated areas north of the Cuesta Grade.

(2) If the defendant's residence or principal place of business is outside the County of San Luis Obispo, then the case must be assigned to a judge by using the principles set forth in sections 392 through 395 of the California Code of Civil Procedure. The term "location" must be substituted for "county," "city and county" or "judicial district" where those terms are used in the statutes.

(b) Costs

Costs for personal service are in the discretion of judicial officer if the plaintiff has not first unsuccessfully attempted service by certified mail.

(c) Continuances

Continuances of small claims proceedings will be granted by the court only if the request is in writing, is made at least ten (10) calendar days before trial and/or upon a showing of good cause.

(d) Post Judgment Motions

(1) The court will schedule all small claims post judgment hearings not less than ten (10) calendar days after the filing of the proper papers.

(2) Post judgment hearings will be calendared at the same time as small claims cases are heard. (Amended 1/1/04)

(e) Exhibits

Exhibits retained by the court are held for 60 days from the date of mailing of the notice of final disposition and destroyed unless the party(s) contact the court to arrange for their return. (Eff. 1/1/12)

RULE 9.29 MANDATORY MEDIATION

(Repealed 7/1/01)

CHAPTER 10 – PROCEDURAL RULES: CRIMINAL AND TRAFFIC

RULE 10.00 FILING CRIMINAL COMPLAINTS AND CITATIONS

All criminal complaints, informations, and citations filed in the Superior Court of California, County of San Luis Obispo, must comply with the Court Filing Procedures. (Amended 7/1/15)

RULE 10.01 BAIL

(a) Requests for Increase or Reduction
When bail has been set by a judge before the initial Arraignment, all subsequent out-of-court requests for an increase or reduction of bail must be made to the judge who set such bail.

(b) More than One Request
Any person requesting a reduction or increase in bail must disclose all other applications for an increase or reduction.

(c) Relief From Forfeiture
A surety, surety insurer, bail agent, or a depositor of money or property may bring a motion to vacate a forfeiture and exonerate a bond pursuant to the provisions of Penal Code section 1305, subdivision (i). The motion shall be filed within 180 days of the date of forfeiture, or if notice of forfeiture was sent by mail, then within 185 days of the date of forfeiture.

(1) Form of Motion
A motion filed pursuant to this provision and the provisions of Penal Code section 1305 shall be in the form required by California Rules of Court, Rule 3.1112, or, in the alternative, may be brought by way of a properly completed Court approved form entitled Notice Requesting Discharge of Forfeiture and Exoneration of Bond, which may be obtained through the Clerk of the San Luis Obispo Superior Court, Criminal Division. Unless the grounds for relief from forfeiture are those provided for in Penal Code section 1305, subdivisions (c)(1) or (2), the motion or notice requesting discharge shall be supported by proper affidavit(s).

(2) Hearing Procedure
The motion or notice requesting discharge of forfeiture shall be considered by the assigned judge in chambers and may be calendared as provided for in paragraph (3) of this rule. Except as otherwise provided in paragraph (3), no appearance is required by the moving party or the prosecuting agency.

(3) Notice Requirements
If, after review of the motion or notice requesting discharge of forfeiture and the supporting affidavits, the Court believes that discharge of forfeiture and exoneration of the bond is not warranted, the Court will calendar the matter for hearing and the Clerk of the Court shall provide 10 days prior notice to the prosecuting agency.

(4) Assessment of Costs

(a) The Court shall assess the sum of $100.00 as a condition to exoneration of bail in all cases (said sum representing the Court's costs in processing the forfeiture and other matters related to the defendant's failure to appear).

(b) Where applicable, the following assessments shall be made when a defendant has been transported back to San Luis Obispo County at public expense (said sums representing the actual costs of returning the defendant to custody, in accordance with Penal Code section 1306):

(1) Los Angeles County Sheriff's bus service shall be assessed at $26.00;

(2) Security Air Transport Air Service shall be assessed at $226.00; and

(3) Other transportation costs shall be assessed at actual cost.

(d) Extensions of Time

A surety, surety insurer, bail agent, or a depositor of money or property may bring a motion to extend the 180-day relief from forfeiture period provided for in Penal Code section 1305. The motion shall be filed within 180 days of the date of forfeiture, or if notice of forfeiture was sent by mail, then within 185 days of the date of forfeiture. The motion shall be supported by proper affidavit(s) showing "good cause" for the extension. The matter shall be calendared for hearing within 30 days from the expiration of the 180 day period, conditioned upon the moving party providing 10 days prior notice to the prosecuting agency.

(e) Source of Bail Procedure

When a Source of Bail Order pursuant to Penal Code section 1275 has been signed by a judge in a case, the following procedure must be followed by the defendant in calendaring the matter for hearing to show that "no portion of the consideration, pledge, security, deposit, or indemnification paid, given, made, or promised for its execution was feloniously obtained:

(1) Declarations and Proof Required

The Request for Hearing must be accompanied by a declaration or offer of proof setting forth the following:

(a) The bail bondsman, if applicable;

(b) The source of the bond or bond premium, including name and address of person(s) proposing to pay said bond or bond premium, and

(c) The source of the security or pledge, including the name and address of the owner, and description of the property.

(2) Time for Filing

The declaration or offer of proof must be filed and personally served on the prosecuting agency no fewer than three court days before the hearing; for example, for a hearing on Friday at 8:30 a.m., the declaration or offer of proof must be served and filed by Tuesday at 5:00 p.m.

(3) Persons Required at Hearing

At the hearing, the defendant must produce the bail bondsman, the person proposing to pay the premium, and the person proposing to provide the security for examination and cross-examination.

Rule 10.01 amended effective July 1, 2026; previously amended effective July 1, 2018.

RULE 10.02 ARREST AND SEARCH WARRANTS [REPEALED]

Rule 10.02 repealed effective July 1, 2024; adopted January 1, 2017; amended effective January 1, 2020.

RULE 10.03 CALENDARING CRIMINAL PROCEEDINGS

(a) Location of Arraignment

(1) In-Custody

The initial court appearance or Arraignment for defendants who are in custody in the County Jail will be held at the San Luis Obispo Court location.

(2) Out-of-Custody

The initial court appearance or arraignment for defendants who are not in custody at the county jail and are charged with a felony or misdemeanor offense will be held at the San Luis Obispo Court location.

(3) Felony Cases

All defendants charged with a felony offense regardless of where the offense occurred must be arraigned at the San Luis Obispo Court location. Felonies on entry of a plea of not guilty will be set for a Preliminary Hearing in accordance with the requirements of Penal Code section 859b.

(b) Date of Arraignment

(1) Arresting agencies releasing persons prior to an arraignment calendar hearing must fix the date of the appearance of the person arrested in the proper location of this Court at a regularly scheduled arraignment calendar not more than four weeks for felony defendants and not more than 90 days for all other defendants from the date of such release. If a further appearance date has been set by the Court then the date of appearance fixed by the law enforcement agency must be that date.

(2) Whenever an arresting agency releases a defendant and sets a court appearance date it must notify the clerk of the department in which the defendant is to appear.

(c) Multiple Cases

(1) Felony Defendants

(a) Probation Violations

If a defendant is charged with a felony offense, all pending misdemeanor probation violations will be transferred to the department where the felony case is pending.

(b) Pending Misdemeanor Cases

If a defendant in custody is charged with a felony offense and a separate misdemeanor offense, all pending misdemeanor cases will be transferred to the department where the felony case is pending.

Rule 10.03 amended effective July 1, 2026.

RULE 10.05 CALENDAR EVENTS: MISDEMEANORS

(a) Arraignments

The prosecutor shall give counsel or a self-represented defendant a copy of the complaint as well as any police reports contained in the court file at the arraignment. Absent good cause, pleas shall be entered within the time frame provided by Penal Code section 990. Following entry of a not guilty plea, a case will be set for a Pretrial Conference.

(b) Motions

Any pretrial motions, except in limine motions, must be noticed and heard prior to trial.

(c) Pre-Trial Conferences

The assigned prosecutor and defense counsel must discuss the case and attempt to resolve the case at the Pre-Trial Conference.

(d) Trial Setting Conference

If there is not a disposition of the case, a Readiness Conference and Trial will be set. All discovery is to be complete by this conference and all additional investigation such as blood re-analysis, shall have been completed when the trial date is set.

(e) Court Trial

If a Court Trial is requested at the Arraignment, it will be set within four weeks. A Pre-Trial Conference will only be set upon request.

(f) Readiness Conference

The attorneys who will be trying the case shall appear at the Readiness Conference in the assigned department and at the Courtwide Readiness Conference.

(g) Continuance by Clerk

(1) A clerk of this Court may, upon the request of the defendant or counsel and with notice to the prosecuting agency, continue the initial arraignment of a defendant who is not in custody for up to seven calendar days.

(2) This authorization does not apply to any case in which a defendant has been charged with a felony.

(3) This authorization does not apply to any case in which a defendant has been released on bail or is charged with a crime of violence that may result in the issuance of a protective order pursuant to Penal Code section 136.2.

(h) Appearance by Counsel

Pursuant to statutory authority (Penal Code section 977(a)(1)) and case law, a defendant may appear by counsel if the accused is charged with a misdemeanor only, except as

provided in Penal Code section 977(a)(2) and (a)(3) or unless otherwise ordered to be present by the Court.

Appearance by counsel without the defendant being present shall be deemed an appearance on behalf of the defendant. The failure of counsel to have all necessary authority and authorization to act for the defendant at any appearance is grounds for the Court to order the defendant's personal presence at the next appearance. If a represented defendant is not present when the case is calendared for trial or other evidentiary hearing, the attorney of record shall notify the defendant of the date, time, and place of the trial or hearing.

Rule 10.05 amended effective July 1, 2026; previously amended effective July 1, 2018.

RULE 10.06 CALENDAR EVENTS: FELONIES

(a) Early Disposition Program

All felony arraignments, including supervision violation arraignments, will be heard in the Early Disposition Program department. Cases that do not settle will be assigned for all purposes to a specific department in the Criminal Team. The Criminal Team will be such judges as are assigned by the presiding judge. (Amended 1/1/08)

(1) Case Assignments: Assignment for All Purposes

Assignment to a judge for all purposes means assignment for all proceedings in the matter after initial arraignment on the complaint through trial and sentencing. For all purposes includes all court proceedings that apply in each case.

(2) Judicial Disqualification Motions

Any motions under Code of Civil Procedure section 170.6 must be filed within 10 days after the appearance of a party. Any motion under Code of Civil Procedure section 170.6 filed after being held to answer will be considered untimely, unless it is shown that the party did not have the opportunity to file it earlier.

(b) Calendar of Events

(1) Arraignment on Complaint

Arraignments must proceed in accordance with Penal Code sections 858, 859, 859a, 859b, and 860. The prosecutor shall provide initial discovery with the complaint. Disposition discussions are encouraged. Seven to ten days will normally be allowed for a defendant to retain counsel of his or her choice. Following entry of a not guilty plea, the case will be assigned to a department for all purposes and set for a Pre-Preliminary Hearing and Preliminary Hearing in the assigned department.

(2) Pre-Preliminary Hearing

A Pre-Preliminary Hearing will be held to confirm readiness for the Preliminary Hearing and to provide an opportunity for discussions of case disposition. At this hearing, the parties should consider applicable diversion procedures.

(3) Preliminary Hearing

The Preliminary Hearing must be held pursuant to Part 2, Title 3, Chapter 7 of the Penal Code. Preliminary Hearings will be set in the department to which the case is assigned for all purposes.

(a) Long Cause Preliminary Hearings

Long Cause Preliminary Hearings are hearings with a time estimate of over one court day. They shall be set in their assigned department but shall also be set for a Courtwide Readiness Conference the Friday before the hearing date to confirm the parties' readiness and the availability of court resources. Long Cause Preliminary Hearings may be heard in an available department other than the assigned department, but shall remain assigned to the assigned department for all purposes.

(b) Speedy Preliminary Hearings

Preliminary Hearings where no time waiver has been entered shall be set in the assigned department unless a court holiday prevents them from being heard in the statutorily required period. If that occurs, the case will be set for Preliminary

Hearing in another available department but shall remain assigned for all purposes to the originally assigned department.

(4) Arraignment on the Information

When a trial court holds a defendant to answer on one or more felony charges, the prosecution shall file an information in accordance with the requirements of Penal Code section 860. The Arraignment on the Information shall be held within 15 days of the holding order unless the defendant requests to be arraigned on the information outside of that time frame and it is in the interest of justice to do so.

(a) Attorney of Record

Pursuant to Penal Code section 987.1, counsel who represented a defendant at the Preliminary Hearing or at the time the defendant was otherwise held to answer must appear with the defendant at the time of the Arraignment on the Information. Any request to be relieved as an attorney of record must be made at this appearance. An attorney seeking to be relieved must bring with him or her all previously received discovery material, or otherwise be prepared to deliver such material forthwith to new counsel upon the substitution of counsel.

(b) Entry of Plea

A plea of not guilty must be entered if a defendant represented by counsel fails to plead or demur.

(c) Setting of Trial Dates

The following dates will be set after a plea of not guilty, including a plea of not guilty by reason of insanity, unless good cause is found pursuant to Penal Code section 1049.5:

(1) Trial, giving priority to any case entitled to priority by law; and
(2) Filing and service of motions and responses and hearing thereon.
(3) The parties may request that a matter be set for a Trial Setting Conference in lieu of being set for trial. They must be prepared to articulate good cause to not set a trial date.

(d) Pace of Litigation

In requesting and setting court dates, the parties and the court must be mindful of the felony case processing time goals set forth in the Standards for Judicial Administration. (See Standards of Judicial Administration 2.1, 2.2(j).)

(5) Trial Setting Conference

(6) Counsel must meet and confer prior to each Trial Setting Conference date and discuss, at a minimum, proposed trial dates, any possible steps toward resolution, and the status of discovery. Counsel must be prepared to meaningfully discuss these issues at each Trial Setting Conference. **(a) Motions**

Counsel must consult the court with opposing counsel included in communications for available dates prior to filing motions requiring an evidentiary hearing. All motions except motions in limine must be calendared at least one week before the Readiness Conference in the assigned department.

(b) Motion to Set Aside Information

A Motion to Set Aside the Information pursuant to Penal Code section 995 will be heard by the assigned department if that judge did not hear the Preliminary Hearing, and by another criminal department if the assigned judge issued the holding order.

(7) Readiness Conference

A Readiness Conference must occur prior to a Jury Trial. For each case set for Jury Trial for the following week, trial counsel must notify the court of trial readiness at the Readiness Conference, including matters of attorney availability, compliance with Penal Code section 1054 et seq, exhaustion of settlement negotiations between

trial counsel, and preparedness to argue motions in limine and conduct jury selection without delay upon confirmation of trial.

(8) Motions to Continue
All Motions to Continue matters set for Jury Trial shall be filed at least two days before the Courtwide Readiness Conference absent good cause.

(9) Motions in Limine
All motions in limine shall be filed by the start of the Courtwide Readiness Conference before the scheduled Jury Trial or by the deadline set by the trial department, whichever occurs first. The parties shall provide a courtesy copy to opposing trial counsel and the Court in that same time frame.

(10) Jury Trial
Trial will proceed pursuant to Part 2, Title 7, Chapter 2 of the Penal Code. Jury Trials will be assigned court resources based on the priorities set forth in Penal Code section 1048 and the last day for cases with no time waiver.

(11) Supervision Violation Hearing
Hearings on supervision violations must be heard as early as possible.

Rule 10.06 amended effective July 1, 2026; previously amended July 1, 2018.

RULE 10.07 LAW AND MOTION PROCEEDINGS

(a) Location
All motions except Penal Code section 995 motions will be held before the judge to whom the case is assigned. Upon filing a Motion to Set Aside the Information pursuant to Penal Code section 995, the motion will be assigned to another judge on the Criminal Team unless the assigned judge did not preside over the Preliminary Hearing.

(b) Notice of Motion
Each notice of motion and motion shall be in writing and filed in each case number, when multiple case numbers are involved. The notice of motion and motion shall state the grounds for the motion and specify the date, department, and time for the hearing as well as an anticipated time estimate for the length of the hearing. The notice of motion and motion, as well as any written opposition and reply, shall be served and filed pursuant to California Rules of Court, rule 4.111, subdivision (a), unless such requirement is shortened by court order or waived by the opposing party. All moving papers shall be served and filed with the notice of motion. All papers filed in law and motion matters, and all motion proceedings, must comply with the applicable statutes, California Rules of Court, and these Criminal Court Rules. Cited authority must conform to the California Rules of Court, rules 1.200 and 2.100 through 2.306. Failure of either the moving or opposing party to file and serve points and authorities in support of their arguments may be construed by the Court that the motion is without merit, or as a concession to the merits of the motion. References to exhibits or declarations must state the number or letter of the exhibit and the specific page, paragraph, or line number.
(Subd (b) amended effective January 1, 2025.)

(c) Motions to Join
All motions to join must be made in writing. Any party seeking to join in any motion must set out the relevant facts and law as it relates to the joining party.

(d) Date of Hearing
Any motion requiring a hearing must be noticed for a date certain after confirming such date with the court clerk in the assigned department prior to noticing the motion. The motion must be noticed and heard prior to the Readiness Conference for misdemeanors and felonies.

(e) Format
The first page of each motion must specify immediately below the number of the case:

(1) The date, time, and location, if ascertainable, of any scheduled or noticed hearing;
(2) The anticipated length of the hearing;
(3) The statutory basis for the motion;

(4) The nature or title of any attached document other than an exhibit; and
(5) The trial date, if set.

Documents bound together must be consecutively paginated.

(f) Penal Code Section 1538.5 Motions

(1) Motions to Unseal, Quash, or Traverse a Search Warrant

(a) Motions to unseal a search warrant affidavit or any part thereof shall identify the search warrant number associated with the affidavit.

(b) Motions to quash or traverse a search warrant will be heard before the judge who signed the warrant, if available, in accordance with Penal Code section 1538.5, subdivision (b). If that judge is not available, the motion will be set in the assigned department.

(c) When an accused is seeking to quash or traverse a search warrant, a copy of the search warrant and affidavit must be provided and attached to the moving papers except for any portions of an affidavit that remain sealed by order of the court.

(2) Motions to Suppress or Return Evidence

(a) Motions by defendant to suppress or return evidence on a felony case may be heard in conjunction with and at the same time as a Preliminary Hearing if restricted to the evidence to be presented by the prosecution at the Preliminary Hearing or on a date set after the filing of an information in a felony case or a complaint in a misdemeanor case.**Timing.** A written noticed motion to suppress or return evidence to be made at the Preliminary Hearing and any written opposition shall be filed in accordance with the time frames provided in Penal Code section 1538.5, subdivision (f). If a Penal Code section 1538.5 motion is made after an information is filed on a felony case or after the filing of a complaint on a misdemeanor case , all moving papers must comply with Rule 10.07(b).

(b) Contents. A written noticed motion pursuant to Penal Code section 1538.5 must specifically describe and list the evidence which is the subject of the motion to suppress; and must specifically state the theory or theories which must be relied upon and urged for the suppression of the evidence; and cite the specific authority or authorities which will be offered in support of the theory or theories and must set forth a statement of facts upon which such theories is based upon which suppression of the evidence is urged in accordance with Penal Code section 1538.5, subdivision (a)(2).

(c) Hearing. The defendant must be prepared to prove standing to object, and, in instances of warrantless searches, must be prepared to prove:
(1) That a seizure of the evidence took place; and
(2) That it was done without a warrant.

(g) Requests for Orders Shortening Time

Orders shortening time must be signed by the judge hearing the motion or a designee. The declaration in support of the request for an order shortening time must set forth good cause and must state facts concerning notice to, and the position of, opposing counsel, co-counsel, and counsel for co-defendants. Notice of an intent to request an ex parte order shortening time must be given to all parties no later than 10:00 a.m. the court day before the ex parte appearance, absent a showing of exceptional circumstances that justify a shorter time for notice.

(h) Subpoenas Duces Tecum

All subpoenas duces tecum in criminal cases must comply with Penal Code section 1326 Evidence Code section 1560, and—when applicable—Code of Civil Procedure section 1985.3, and must be returnable to the court. In the event materials that are the subject of a subpoena are received by a party, an attorney, or an attorney's agent or investigator directly from the subpoenaed party, the person receiving such materials must immediately lodge such materials with the Clerk of the Court. The materials must not be opened, reviewed, or copied by the recipient without a prior court order.

(i) Juvenile Records

In criminal prosecutions the district attorney has an affirmative duty to disclose exculpatory and potentially exculpatory information pursuant to Brady vs. Maryland, 373 U.S. 83 (1963). Prosecutors are authorized pursuant to Welfare and Institution Code Section 827(a)(1)(B) to inspect the case files of juveniles. In the case where the District Attorney Office has prosecuted the juvenile, they are already in possession of those files. Professional competence, and compliance with Brady obligations, with a view to the expeditious and effective ascertainment of the truth regarding the matters involved, the prosecutor's office shall first, in all cases, review the Welfare and Institutions Code, Section 600 case files and file a Welfare and Institutions Code, Section 827 petition in accordance with the law, with disclosure to the defense.

In cases where a foreign jurisdiction has information that would be discoverable pursuant to Brady, the prosecution shall, as near to the time of the filing as reasonably practicable, notify the defense attorney of the existence, or possible existence of Brady material, and the jurisdiction where it would be sought.

Rule 10.07 amended effective July 1, 2026; previously amended effective July 1, 2010.

RULE 10.08 CONTINUANCE POLICY

The welfare of the People of the State of California requires that all proceedings in criminal cases must be set for trial and heard at the earliest possible time. (Pen. Code, § l050.) Therefore, it is the policy of this court to maximize the use of judicial time and avoid continuances, resetting and unnecessary trailing of cases. Any motion to continue in a criminal proceeding must comply with Penal Code section 1050.

(a) Responsibilities of Counsel

(1) Counsel's attention is directed to Rules 1.1 and 1.3 of the Rules of Professional Conduct of the State Bar of California regarding competence and diligence of counsel.

(2) Counsel should not set a case if they are committed to another trial during that period or if they are going to be on vacation. This includes cases set in Superior Court and cases in different branches and departments of this Court. Counsel should not schedule other cases to begin if they have another matter set in this Court. Neither reason constitutes good cause for a continuance under Penal Code section 1050.

(3) Motions, pretrials and trials are to be heard at the time and date set.

(4) Substitute Counsel

An attorney who appears for another attorney is representing the defendant then before the Court. An attorney who makes such an appearance is required to do so competently. Such an attorney is expected to be prepared to carry out and perform any duties required at that calendar event; should a continuance be required it is counsel's responsibility to have complied with this policy and to know when the other attorney will be available to appear; if a case is not to be tried, counsel should have authority to dispose of the case. Should these rules not be complied with, sanctions may be applied against this attorney pursuant to sections 128.5 and 177.5 of the Code of Civil Procedure.

(5) Counsel should not delay in filing and serving proper motions. Failure timely to file or serve without good cause may result in the imposition of sanctions.

(6) Counsel should subpoena witnesses as soon as a case is set for hearing or trial.

(7) Counsel should not accept representation of a defendant unless there is sufficient time to adequately prepare before the next scheduled event. Counsel should not agree to appear for another attorney unless they are able to comply with Rule 10.08(a)(4).

(b) Motions to Continue

Motions to continue must comply with Penal Code section 1050. Courtroom events will be continued only when circumstances not within the control of the parties and which were not foreseeable at the time of setting the date of the event, necessitate a continuance. In ruling on motions to continue, the following factors will be taken into consideration:

(1) The time when the need for the continuance arose, and the diligence of counsel in bringing the need for a continuance to the attention of the Court and opposing counsel at the earliest possible date and in attempting to avoid a continuance;

(2) The proximity of trial, the age of the case, the established time limits for processing cases, and the nature of any previous continuances or prior orders entered in the case;

(3) The earliest possible date all parties and the court will be read to proceed;

(4) Whether the continuance may be avoided by substitution of attorneys or witnesses, or by the use of stipulations as to testimony, and

(5) The injury or inconvenience caused to the party not requesting the continuance.

(c) Good Cause

Continuances will only be granted on the showing by competent evidence of good cause. The facts proven justifying good cause and the length of continuance must be set forth on the record. Good cause is not shown by the following:

(1) Counsel's vacation or commitment to another trial or proceeding except as provided in Penal Code section 1050, subdivision (g),

(2) Failure of a client to adhere to a financial agreement with his attorney,

(3) Failure to expeditiously prepare for trial,

(4) A witness's vacation or attendance at school unless this is accompanied by a showing of the witness's unavailability, that the testimony is material and necessary, and that the party seeking the attendance exercised due diligence to secure the presence of the witness,

(5) Informal diversion,

(6) A civil compromise pursuant to Penal Code section 1378,

(7) Other pending cases, and

(8) Negotiations not yet completed.

(d) No Stipulated Continuances

No continuance will be granted solely because all parties agree to the continuance when there is not demonstrated good cause for the continuance.

(e) Trailing

Should it be necessary that cases be trailed for hearing or trial, they will be trailed to the next available setting unless the parties demonstrate good cause to trail the case to a different date. When a case is trailing, the defendant and all counsel, except in extraordinary circumstances, must be present when the case is called.

Rule 10.08 amended effective July 1, 2026; previously amended effective July 1, 2001.

RULE 10.09 PHOTOGRAPHING OR RECORDING COURT PROCEEDINGS

All photographing, recording and broadcasting in the courtrooms of this Court will be in accordance with California Rule of Court 1.150 as modified by the following:

(a) Prohibition of Use of Camera or Recording Equipment in Courthouse.

No one may use a camera or other recording equipment to photograph or record video or audio in any portion of the courthouse except as permitted by Rule 1.150 of the California Rules of Court, or in such area, as designated by the Presiding Judge, located in the common area on the third floor above the Jury Commissioner's Office known as the Third Floor Rotunda, or as permitted by order of a judge as set forth herein. This applies not only to the use of cameras, but also to the use of camera devices such as camera-enabled cellular telephones and other camera-enabled or digital image-capture devices of any kind.

Rule 10.09 amended effective July 1, 2026; previously amended effective January 1, 2010.

RULE 10.10 TRIALS

(a) Location
Jury Trials in all criminal cases will be held at the San Luis Obispo court location unless a motion for change of venue is granted.

(b) Jury Commissioner
Unless otherwise ordered by the trial court, the jury commissioner shall address hardship excuses prior to the random selection of jurors for jury panels to be sent to courtrooms for voir dire in accordance with California Code of Civil Procedure sections 204 and 218 et seq.

(c) Trial Court Rules
All parties, witnesses, and counsel shall comply with the rules of the Trial Court.

Rule 10.10 amended effective July 1, 2026; previously amended January 1, 2012.

RULE 10.11 SENTENCING

(a) Probation Modification

(1) Notice Requirements
The court requires at least 10 days' notice to calendar a motion for modification of probation. The request to place the motion on calendar must be made by the defendant or by counsel, and for all requests of modification of sentence, notice must be sent to the District Attorney's Office as well as the Probation Department in cases in which formal probation is granted before such request will be considered or calendared for hearing. Proof of such notice must be attached to the original request filed with the court. Failure to do so will result in the request being treated as an improper ex parte communication and the request will not be considered by the court until proper notice is given.

(2) Jail Time Modifications
Request for modification of jail time remand date may be calendared provided that not more than seven days have elapsed since the failure to appear at the jail and/or probation has not been revoked and a bench warrant issued. (Amended 1/1/08)

(b) Fine Payments

(1) Fine Payments by Installment
The Court will accept partial payments on criminal fines as ordered by a judicial officer. Court ordered payment plans will include specified due dates and minimum amounts of the payments.

(2) Cash Bail
In all cases wherein the defendant has posted cash bail and the court imposes a sentence which includes a fine payable in installments, any cash bail must be applied toward the fine. This must not relieve a defendant of making payment at such time and in such amount as ordered by the court, but must be credited to reduce the fine balance.

(3) Failure to Pay Fine
Fines due on traffic cases and criminal cases with summary or bench probation without Victim Restitution orders may be referred to a collection agency for non-payment. Penal Code section 1214.1 authorizes courts to "impose a civil assessment of up to one hundred dollars ($100) against a defendant who fails, after notice and without good cause, to appear in court for a proceeding authorized by law or who fails to pay all or a portion of a fine ordered by the court or to pay an installment of bail as agreed to under section 40510.5 of the Vehicle Code." It shall be the policy of this court that the civil assessment fees shall not be imposed pursuant to this statute.
(Subd (b) amended effective July 1, 2024; previously amended effective July 1, 2022)

(c) Conditional Sentence

Informal probation, summary probation, and bench probation are conditional sentences as defined in Penal Code section 1203.

(d) Jail Sentences - Credit for Time Served

Unless otherwise indicated by a sentencing judge, when a defendant is ordered to serve custody time in the county jail or state prison either as a sentence or condition of probation, the defendant must be deemed entitled to credit for any days actually served in custody and any days of conduct credits accrued by statute. Where possible, the sentencing judge must determine the total number of actual days to be credited to a defendant's time so that the date of admission and release from custody can be specified.

Rule 10.11 amended effective July 1, 2026; previously amended effective July 1, 2018.

RULE 10.12 TRAFFIC

(a) Traffic School

(1) Eligibility

This Court will permit those eligible pursuant to California Rules of Court, Rule 4.104, to attend a California Department of Motor Vehicle approved traffic school as a means of obtaining a confidential traffic school conviction.

(2) Procedure

The traffic citation or complaint will be reported to the Department of Motor Vehicles as a confidential traffic school conviction upon the presentation of any required fees by the date specified for completion.

(a) Traffic School may not be attended unless authorized by the Court.

(b) Continuance by Clerk

A clerk of this Court may upon the request of a defendant or counsel continue the initial arraignment of a defendant except for defendants released on bail.

(c) Counter Arraignment by Counsel

(1) The Clerk's office is authorized to accept local form Counter Arraignment by Counsel on infraction cases from retained attorneys.

(2) Counter Arraignment by Counsel forms cannot be modified. Modified forms will not be accepted.

(3) No motions may be submitted with a Counter Arraignment by Counsel form.

(4) Counter Arraignment by Counsel will include the following actions on the defendant's behalf:

(a) Waiver of formal arraignment.

(b) Waiver of time for trial.

(c) Entry of not guilty plea on all charges.

(5) The Clerk's office will take the arraignment off calendar and notify parties.

(*Former Subd (a)(2)(A) repealed effective January 1, 2022, Subd (a)(2)(B) relettered as Subd (a)(2)(A))*

(Previously amended effective July 1, 2018)

RULE 10.13 TIME STANDARDS

It will be the goal of the Court to dispose of cases within the following time limits.

Preliminary Hearing concluded within 30 days of first appearance and conviction or acquittal within 60 days of the date of filing the information or indictment.

Misdemeanor: Conviction or acquittal of defendant or dismissal of case within 90 days of first appearance. Attorneys substituting into a case will be expected to handle the case within these time standards. (Amended 7/1/02)

RULE 10.14 TRIAL BY DECLARATION

As provided in Vehicle Code Section 40902, a defendant may elect to have a trial by written declaration upon any alleged infraction violation of the Vehicle Code or any local ordinance

adopted pursuant to the Vehicle Code, which does not require a mandatory appearance. (Amended 7/1/18)

RULE 10.15 COUNTER ARRAIGNMENTS

(a) Counter Arraignment Defined
A counter arraignment is a procedure whereby a defendant charged with violations of law may offer a plea of guilty or no contest by contacting the clerk without the necessity of appearance in court. When an appropriate waiver of rights form has been executed by the defendant and approved by a clerk of the court, it is a judgment of the court.

(b) Charges Eligible for Counter Arraignment
Any infraction not requiring a mandatory appearance is eligible for a counter arraignment.

(c) Bail and Fine
The fine imposed after a counter arraignment must be equal to the bail as set in the bail schedule.

(d) Delayed Payments and Community Work Service
Upon entering a guilty plea the fine can be deferred for 90 days or the defendant can request monthly payments of $100 per month. Clerks have discretion to reduce the payment to $50 per month if defendant says he or she cannot afford the higher payment. The balance of the fine may be satisfied in whole or in part by performing community work service at the current rate published by the court.

(e) Community Work Service (CWS)

(1) Responsibility: A person choosing to perform community work service to satisfy a fine must complete the hours with a registered non-profit (501(C)(3)) organization as a service to the community. Proof of these hours must be submitted to the court in the required format outlined on the court's website.

(2) Hourly Rate: Pursuant to Penal Code Section 1209.5(c)(1), the hourly rate applicable to community service performed shall be double the minimum wage set for the applicable calendar year, based on the schedule for an employer who employs 25 or fewer employees. If the hourly rate for CWS includes cents, the court will round up to the next whole number.

Rule 10.15 amended effective January 1, 2026; previously amended July 1, 2018, January 1, 2022.

RULE 10.16 APPLICATION FOR WRIT OF HABEAS CORPUS OR CORAM NOBIS

An application for writ of habeas corpus, coram nobis, mandamus or prohibition in a criminal proceeding must be presented to the Criminal Department except petitions for writs of mandamus, prohibition, or review (certiorari) in a case charging a misdemeanor or infraction must be addressed to the Appellate Division of the court pursuant to Rule 14.05.

(a) Where to file Write of Habeas Corpus Petitions

(1) All Writ of Habeas Corpus Petition including Ad Litem must be filed through the Criminal Department.

(2) Petition for Writ of Habeas Corpus pursuant to W&I code 5275 must be filed with Civil Department.

(b) Attorneys must file Habeas Corpus petitions electronically. A link to one of the filers for this court is available at the link: http://www.odysseyefileca.com/service-providers.htm

(c) A writ petition must comply with all applicable statutes and the California Rules of Court.

(d) Writs involving Felony matters prior to the defendant being held to answer – In Felony cases where the ruling, order or other matter arose prior to the completion of the preliminary hearing, petitions for writs of mandate, prohibition, review, or any other

petition for extraordinary relief must be filed with the Appellate Division through the Civil Department.

Amended and relettered effective January 1, 2022, previously amended effective July 1, 2018

RULE 10.17 PETITIONS FOR DISMISSAL PURSUANT TO PENAL CODE SECTION 1203.4, 1203.4A, 1203.41, 1203.43, 1203.49

(a) Applicable Fees

(1) [Repealed pursuant to AB 134 effective July 1, 2023]
(Subd(a) amended effective July 1, 2022.)

(b) Misdemeanor and Infractions

(1) Petitions are initially handled ex parte. The matter will be placed on calendar only by order of the reviewing bench officer.

(2) Judicial Council forms CR180 and CR181 are required.

(3) Clerk will review the documents for completeness. If complete, the prosecuting attorney will be notified. The prosecuting attorney has 30 days to respond. After 30 days, the petition will be submitted to the assigned Bench Officer for review and signature.

(4) Notification is provided by email to attorneys or unrepresented defendants. If email is not available for an unrepresented defendant, a self-addressed, stamped envelope must be provided.

(c) Felonies

(1) A formal motion placing the matter on calendar is required on Penal Code Section 17(b), 1203.4, 1203.4(a), 1203.41, 1203.43, 1203.49 requests.

(2) The CR180 Judicial Council form can accompany the formal motion but cannot substitute for the motion. The CR181 Order for Dismissal must be submitted at the time of filing or at the motion court date.

Rule 10.17 amended effective July 1, 2019.

RULE 10.18 ANCILLARY CRIMINAL DEFENSE EXPENSES

(a) Ancillary Services

The right to ancillary services arises only when an indigent defendant demonstrates that funds are "reasonably necessary" for their defense. (Corenevsky v. Superior Court (1984) 23 Cal.3d 307.) This rule will refer to these reasonably necessary expenses as "ancillary defense expenses."

(b) Scope

This rule establishes the requirements for the payment of reasonably necessary expenses that appointed or retained counsel incur in defending persons who are indigent, and that self-represented defendants incur in their defense if indigent.

(c) Prior Approval Required

All funds expended for ancillary defense expenses must have prior approval by Court order. Funds approved for a specific purpose may not be expended for another use without prior Court approval. Claims for payment of ancillary defense expenses incurred without prior Court approval will not be paid.

(d) Required Submission

All requests for ancillary defense services shall be submitted by ex parte application to the Clerk of the Court for consideration by the Assistant Presiding Judge. The application must comply with the rules and guidelines for appointed ancillary defense services specified on the Court's website (https://www.slo.courts.ca.gov/ancillary-services).

Rule 10.18 adopted effective July 1, 2026.

CHAPTER 11 – CIVIL (PROBATE) RULES

PART ONE: GENERAL PROCEDURAL GUIDE

RULE 11.101 APPLICABILITY OF RULES TO ALL PROCEEDINGS

All rules in this Chapter apply to estate proceedings, guardianships, conservatorships, trusts, minor's compromises, special needs trusts, and "trusts funded by court order" under California Rule of Court 7.903, except as otherwise specifically noted except as otherwise specifically noted and to the extent not superseded by laws enacted after July 1, 2000. (Amended 7/1/09)

RULE 11.102 ADDRESSES AND TELEPHONE NUMBERS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN LUIS OBISPO
1050 Monterey Street
San Luis Obispo, CA 93408

Office	Address	Telephone
Clerk	1050 Monterey Street, Room 220 San Luis Obispo, CA 93408	(805) 706-3600
Court Investigator	1120 Mill Street	(805) 706-3608
Probate Examiner	1120 Mill Street	(805) 706-3608
Preapproved Matters		
	(Web Site)	www.slo.courts.ca.gov

Amended effective July 1, 2023, previously amended effective July 1, 2011.

RULE 11.103 PROBATE CALENDAR AND APPEARANCES BY COUNSEL

(a) The scheduling of the date and time for the Probate Calendar will be announced by the Court in December for the following year. Please contact the Clerk for further information at (805) 706-3600.

(b) Appearance by counsel will be required in the following matters:

- **(1)** A contested matter;
- **(2)** A hearing on a petition for confirmation of sale of property;
- **(3)** An appointment of guardian or conservator;
- **(4)** A compromise of a minor's claim;
- **(5)** An approval of a special needs trust of other "trust funded by court order" pursuant to California Rule of Court 7.903; and
- **(6)** When otherwise required by law or the Court.

Amended effective July 1, 2023, previously amended effective January 1, 2009.

RULE 11.104 TIME FOR FILING, SETTINGS, AND FILING FEES

(a) The provision of California Rules of Court, Division II, Civil Law and Motion Rules, Rules 3.1100-3.1312 inclusive are expressly applicable to probate proceedings (including but not limited to law and motion practice therein) in the Superior Court of California, San Luis Obispo County. Particular attention should be paid to the Rules regarding times for filing and service of motion papers (Rule 3.1300) and the necessity of filing points and authorities beyond citation of a jurisdictional provision of the Probate Code (i.e. sections 850 and 17200, etc.) that supports (or opposes) the Petitioner's requested relief. (California Rule of Court 3.1113). (Amended 1/1/09)

(b) All filings must be accompanied by the appropriate filing fee. Fees and exemptions are set forth in Government Code Sec. 26820 et seq. The words "Probate Code Sec. 10400" must be inserted in title of each subsequent paper to qualify for fee waiver under Independent Administration of Estates Act. (Government Code Sec. 26827.4.)
(Amended 1/1/09)

RULE 11.105 FORM OF PAPERS PRESENTED FOR FILING

(a) If a petition, order or other document to be filed is one for which the Judicial Council has adopted a mandatory form, the current form must be used. If that form is inadequate in a specific situation, an addendum may be attached. California Rule of Court 7.101. Non-conforming pleadings may be rejected by the Clerk. Papers presented for filing with the clerk must also conform to California Rules of Court 2.100 through 2.119 when Judicial Council forms do not exist.

(b) All probate filings must include an original and one (1) copy if petitioner/counsel requires a conformed copy.

(c) Unless petitioner/counsel provides the Clerk with a stamped, self-addressed envelope, copies of filed documents will be placed in a will-call pick up folder at the Clerk's office. (Amended 1/1/16)

RULE 11.106 HEARING DATE REQUIRED ON DOCUMENTS

The date, time and department of the hearing must be placed immediately below the case number on the first page of every document filed which relates to a matter set for hearing. Documents which do not conform with this rule will be rejected for filing. (Amended 7/1/02)

RULE 11.107 SIGNING AND VERIFICATION OF PLEADINGS

Repealed 1/1/05

RULE 11.108 AMENDMENTS TO AND AMENDED PLEADINGS

Repealed 1/1/05

RULE 11.109 PROBATE NOTES

The court will strive to post probate notes on the court's website at least three (3) court days before the scheduled hearing date. See Rule 11.102 for the website address. The Court reserves the right to post probate notes closer to the hearing date and, in some cases, probate notes may not be posted at all. It is the party's responsibility to check the website prior to the date of the hearing.

(a) If the matter is unopposed and recommended for approval in the probate notes, the order will be presented to the Court for signature and no appearance will be necessary. Please note, if the petitioner does not appear at the time the matter is called and objection is made, the Court will continue the matter for a reasonable time to allow for the filing of written objections. If written objections are not on file on or before the new hearing date, Cal. Rule of Court 7.801 shall apply.

(b) If the matter is not recommended for approval, the probate notes may set forth any defects. The probate notes may recommend a continuance of the matter for two (2) weeks or more for compliance. If a party wishes to file any supplemental items, the following procedures shall apply:

(1) In order to be considered at the calendared hearing, all documents must be filed no later than 3:00 p.m. two (2) court days prior to the hearing. The Court reserves the right to continue the matter for additional review time, even if documents were filed timely under this subsection. Probate notes may or may not be updated after the submission.

(2) Documents filed after the deadline will generally not be reviewed for the calendared hearing regardless of when the probate notes were posted. If no appearance is made, the Court will continue the matter for two (2) weeks or longer.

(3) Appearances are required in all matters for which probate notes are not posted or that do not indicate otherwise. (Amended 1/1/14).

RULE 11.110 CONTINUANCES

Written requests for continuances may be submitted in uncontested matters. In contested matters, a written stipulation of all affected parties is required. Such requests or stipulations must be submitted at least two (2) days before the hearing date. If a hearing is continued, the requesting party must serve notice of the continued hearing date unless otherwise ordered by the Court. (Amended 1/1/14).

RULE 11.111 CONTESTED MATTERS

(a) Oral Objections

If an oral objection to any matter before the Court is made by a person appearing at the hearing at the time a matter is called, the Court may continue the hearing for a reasonable time to allow the filing of written objections. If written objections are not filed within the prescribed time, the matter will proceed to hearing over the objection.

(b) Trial of Contested or Lengthy Matters

(Repealed 1/1/07).

RULE 11.112 LAW AND MOTION PROCEDURES

Demurrers and motions for summary judgment filed in probate matters will be set on the appropriate probate judge's Law and Motion Calendar. In addition, petitions requiring lengthy argument or evidence will not be heard on the regular Probate Calendar, but will be scheduled by the Court either on his/her law and motion calendar or on a specifically assigned hearing date. Refer to San Luis Obispo County Local Court Rules, Chapter 7 Civil (Law and Motion) Hearings Procedures and Probate Code Sec. 1000. (Amended 1/1/09)

RULE 11.113 EX PARTE PROCEDURES

(a) With the exception of a few pro forma matters that do not require a personal appearance by counsel (Order Appointing Court Investigator (GC-330), Ex Parte Order Regarding Completion of Capacity Declaration-HIPAA (GC-335), Ex Parte Application for an Order to Increase Bond (California Rules of Court 7.204 and 7.207) and the exceptions contained in California Rule of Court 3.1207), the Probate Court will not entertain any ex parte petition that does not comply with California Rules of Court 3.1200 through 3.1206, and is not accompanied by a declaration that makes "an affirmative factual showing . . . containing competent testimony based on personal knowledge of irreparable harm, immediate danger, or any other statutory basis for granting relief ex parte." California Rule of Court 3.1202(c).

(b) The court will not entertain ex parte petitions for appointment of any conservator or a guardian unless the required five (5) days notice has been given (Probate Code sections 2250(e) and 2250.2 through 2250.6), or the petitioner has shown both irreparable harm or immediate danger, and "good cause" for waiving the notice requirements.

(c) Counsel requesting the waiver or shortening of any notice time periods prescribed by the Probate Code must submit a Declaration of Due Diligence to the Court citing the specific notice provision at issue, setting forth facts relating to the efforts to give such notice, or facts supporting the conclusion that it was impossible to give such notice; and explaining the "good cause" for waiving or shortening the time.

(d) A party seeking an ex parte order must submit the application and all supporting papers and fees to the Clerk for filing no later than 2:00 p.m. on the day preceding the hearing. The Clerk may reject Petitions that do not comply with subsections (a) through (c) above.

(e) An ex parte order will not be granted unless accompanied by a verified petition (or a sworn declaration where applicable) containing facts and law to justify granting the requested relief.

(f) Ex parte petitions filed in decedent's estates for the sale of stock or personal property must allege whether the property is specifically bequeathed. If bequeathed, the consent of the specific legatee to the sale must accompany the petition.
(Amended 1/1/09)

RULE 11.114 FINANCIAL INSTITUTION ACCOUNT STATEMENTS

(a) Original Statements

The filing of original financial statements is required where necessary under the Probate Code. Original statements must be filed with the Court and will not be returned to the parties, unless otherwise ordered. If original financial institution statements cannot be obtained, the following methods are allowed:

(1) The submitting party may file photocopies of the original financial statements if:

(a) They verify that the originals cannot be obtained, and

(b) The photocopies are certified as true and correct copies by a sworn declaration of a competent witness.

(2) If neither original statements nor certified photocopies can be obtained, a certification of the financial institution account balance, on the date the probate account submitted for review ended, is acceptable. The certification must be made by a qualified representative of the financial institution for the particular financial account. The representative must list his/her full name, title and contact information as part of the certification.

(b) Reconciliation of Financial Institution Statements

Petitioner must file a reconciliation declaration when the reported balance on the financial institution account statement is not the same as stated in the schedule of property on hand. The declaration must explain the reason for the discrepancy between the balances listed. (Effective 1/1/14).

PART TWO: NOTICES

RULE 11.201 PREPARATION OF NOTICES

All notices required by the Probate Code to be given by the Clerk must be prepared by the attorney. (Amended 7/1/02)

RULE 11.202 ADDITIONAL NOTICE

Under the provisions of Probate Code Sec. 1202, the Court may require additional or further notice on any matter. Such notice will be required whenever it appears that the interest of any person may be adversely affected by the determination of the issues raised by the pleadings. (Eff. 7/1/00)

RULE 11.203 NOTICE: BY WHOM GIVEN

The Clerk must be responsible for publication of notice where required. The petitioner or the petitioner's attorney must prepare all notices required to be published and must provide the same by original and one (1) copy to the Clerk. Where notice by mail is required to be given, petitioner or petitioner's attorney must give the matter the notice and file a proper proof of service. If the Petitioner cannot locate a party for which service of notice is required, please file a declaration of diligent search under Cal. Rule of Court 7.52. Please see local form PR001 for a blank declaration. This form has been adopted for optional use. (Amended 1/1/13)

RULE 11.204 NOTICE BY PUBLICATION OF NOTICE OF PETITION TO ADMININSTER ESTATE

Repealed 1/1/11

RULE 11.205 NOTICE BY POSTING

The moving party must prepare and submit to the Clerk as many copies of the notice as the Clerk is required to post. The moving party must provide a blank proof of posting form with the notice for the Clerk and notify the Clerk, in a writing attached to the notice, that posting is requested. (Amended 1/1/16).

PART THREE: APPOINTMENT OF EXECUTORS AND ADMINISTRATOR

RULE 11.301 DECLINATION TO SERVE

If the person named in the decedent's will as executor declines to act as such, his written and signed declination to act must be filed with the Court unless evidence is produced that he is incompetent or refuses to act. (Amended 7/1/02)

RULE 11.302 MULTIPLE REPRESENTATIVES

If a petition is filed requesting letters be issued to two or more executors or administrators in which one or more of the named persons for whom letters are sought is not a petitioner, a consent to act, signed by each non-petitioning person for whom letters is sought, must be filed with the Court. (Amended 7/1/02)

RULE 11.303 INDIVIDUALS TO BE NAMED IN THE PETITION

In the petition for letters, each of the following must be listed and named:

(a) Each heir of the decedent, so far as known to or reasonably ascertainable by the petitioner, (including those who might be heirs by virtue of Probate Code Secs. 21114, 21115 and 6400 et seq.), setting forth their names, age addresses and relationships to the decedent.

(b) Each devisee and executor named in any will being offered for probate even if the gift to such person or the appointment of such executor has apparently been revoked.

(c) Trust beneficiaries, the trustee of a trust or guardian nominated in a will, and any other known trustee or guardian.

(d) If the decedent left no spouse or issue, the heirs of a predeceased spouse who would inherit as provided by Probate Code § 6400 et seq.

(e) If an individual identified in the petition for letters is deceased, the petition must set forth the date of death of that individual. (Amended 1/1/05)

RULE 11.304 COPY OF WILL TO BE ATTACHED TO PETITION FOR PROBATE

(a) A petition for letters must have an attested copy of the will attached at the time of filing the petition. The original will must be submitted at the time of filing unless previously lodged with the Court for safekeeping.

(b) If the will is holographic, in addition to a photocopy, a typewritten copy of the will must also be attached to the petition. (Amended 1/1/05)

RULE 11.305 PROOF OF WILL

(a) Unless there is a contest of a will, proof of a will must conform to the requirements of Probate Code Sec. 8220 et seq.

(b) In uncontested will proceedings, if the attestation clause is signed under penalty of perjury and meets the requirements of Probate Code Sec. 6110 et seq., the will is self proving and may be admitted to probate without an affidavit or declaration. Otherwise, if the will or codicil is witnessed, the moving party must file a Proof of Subscribing Witness with a copy of the will or codicil attached.

(c) If the testimony of a subscribing witness to a will or any other witness impeaches the due execution of the will, a continuance will be ordered; and the other subscribing witness or witnesses to the will who can with due diligence be found must be subpoenaed by the proponent to appear before the Court at the continuance date and testify respecting the execution of the will.

(d) The Court prefers that both formal witnessed wills and holographic wills be proven by declaration rather than by testimony. (Eff. 7/1/00)

RULE 11.306 BOND

(a) Bond must be obtained in all cases, except as otherwise provided by statute. (Probate Code §§ 8480 and 8481(a)(1)).

(b) If a verified petition for letters alleges that all beneficiaries or heirs have waived the filing of bond, and the petitioner requests appointment without bond, such waiver(s) must be in writing and timely filed prior to the hearing. Waiver of bond by heir(s) or beneficiary(s) pursuant to Probate Code § 8481(a)(2) will be considered by the Court and permitted on a case by case basis. Absent exceptional circumstances, the Court will require full statutory bond for any personal representatives residing out of state, as set out in Probate Code section 8571 and California Rules of Court, rule 7.201(b). A "nonresident personal representative" includes a nonresident at the time of appointment as personal representative, and any person who was a California resident at the time of appointment and later moves from California and resides outside the state. (Probate Code § 8570). In the exceptional circumstance where two or more personal representatives are appointed, one of which resides within the state, the Court will consider granting a request for waiver of bond.

(c) When a reduction of bond proceeding is initiated, counsel must obtain a proof of deposit confirming that the deposit of securities and/or money subject to removal from the depository is allowed only upon order of the Court. Such proof must be filed with the Clerk before the reduced bond is filed. The following Judicial Council forms are available at the Clerk's Office or can be found on the California Courts website at www.courts.ca.gov: MC-355, Order To Deposit Money Into Blocked Account, and MC-356, Receipt And Acknowledgment Of Order For The Deposit Of Money Into Blocked Account. *(Subd (c) amended effective July 1, 2023.)*

(d) Counsel should be cognizant of their duty to increase bond when required to do so under California Rule of Court rule 7.204. *Amended January 1, 2019.*

RULE 11.307 FORM REQUIRED FOR APPOINTMENT OF PERSONAL REPRESENTATIVE

The Judicial Council has adopted a form entitled "DUTIES AND LIABILITIES OF PERSONAL REPRESENTATIVE." Before letters are issued, the original form, signed by the personal representative stating that he or she had received and read the same, must be filed with the Court by the personal representative, other than a trust company or a public administrator Probate Code Sec. 8404. (Eff. 7/1/00)

RULE 11.308 PETITION FOR APPOINTMENT OF SPECIAL ADMINISTRATOR

(a) A petition for appointment of a special administrator may be granted by the Court pursuant to Probate Code sec. 8540. Letters of Special Administration should be sought ex parte only if the petition can fulfill the requirements of California Rules of Court 3.1200 through 3.1206 and Local Rule 11.113, *ante*. Moreover, all interested parties must be notified no later than 10:00 a.m. the court day before the ex parte appearance. The petitioner must contact the Clerk's Office to set a hearing. Ex parte applications must be made in compliance with California Rules of Court 3.1200through 3.1206. See Local Rule 11.113(c).

(b) The party seeking Letters of Special Administration must give notice of the application to the surviving spouse, the person(s) nominated as executor(s), other persons who seek or might be expected to seek letters, and any other person who appears to be equitably entitled to notice, unless on good cause shown the Court orders otherwise. The petitioner also must file a petition for permanent letters before special letters of administration must be issued, or there appears in the petition a showing of good cause why a petition for permanent letters has not been filed.

(c) In making the appointment, preference is given to the person entitled to letters testamentary or of administration. If it appears that a bona fide contest exists, the Court will consider the advisability of appointing the public administrator or a neutral person or corporation as special administrator. (Amended 7/1/02)

RULE 11.309 ANCILLARY PROBATE

(a) If a nondomiciliary decedent's will has been admitted to probate in a sister state or foreign nation, the will may be probated in an ancillary administration proceeding brought under Probate Code Sec. 12510 et seq.

(b) A petition to probate a foreign will must have attached a certified copy of the will and a certified copy of the order or decree admitting the will to probate outside this jurisdiction. If the will has been admitted to probate in a foreign country, the copies must be certified in the manner set forth in Sec. 1530 of the Evidence Code.
(Eff. 7/1/00)

PART FOUR: OTHER MOTIONS AND PETITIONS

RULE 11.401 PETITION FOR EX PARTE ORDER

Repealed 1/1/09.

RULE 11.402 PETITION FOR INSTRUCTIONS

(a) The use of a Petition for Instructions by personal representatives pursuant to Probate Code Sec. 9611, is limited to those matters where no other or different procedure is provided by statute.

(b) The Petition for Instructions should set forth the matter on which the personal representative desires instructions in precise detail. The petition must be accompanied by

a proposed order which set forth the instructions in clear and explicit language. (Eff. 7/1/00)

RULE 11.403 FAMILY ALLOWANCE

(a) Requests for a family allowance should be made in a timely fashion and conform with the requirements of Probate Code Sec. 6540 et seq. Ex parte petitions for a family allowance for the benefit of the surviving spouse and/or minor children will be accepted if presented before the filing of the Inventory. Ex parte petitions from a person other than the personal representative will not be accepted without the written consent of the personal representative.

(b) A Petition for Family Allowance made more than six (6) months after the personal representative has qualified must be noticed and placed on the regular probate calendar. A Petition for Family Allowance for the benefit of persons other than the surviving spouse and/or minor children will be heard on the regular probate calendar after notice has been given pursuant to Probate Code Sec. 6541(c).

(c) The duration of an order for family allowance must not exceed six (6) months. For good cause shown in writing, such orders may be renewed. The order must state the commencement date and the specified period of payments.

(d) The application for an allowance must include at least the following data:

- **(1)** The applicant's expenses and income from sources outside the estate;
- **(2)** An itemized list of the applicant's assets, and a statement of the appropriate value of each;
- **(3)** A general statement of the assets and of the liabilities of the estate;
- **(4)** A general statement of other applications (if any) on file for allowances; and
- **(5)** If the petitioner is someone other than the personal representative, the petition must be accompanied by either a consent to the allowance or a waiver of notice signed by the personal representative. (Amended 7/1/02)

RULE 11.404 PETITION FOR DISTRIBUTION ENTITLEMENT

Petition to determine entitlement to distribution of any part of an estate must be made in conformance with the requirements of Probate Code Sec. 11700 et seq. Notice must be given in the manner prescribed in Probate Code Sec. 11701. (Amended 7/1/02)

RULE 11.405 PROCEEDING FOR SPOUSAL PROPERTY TRANSACTION

As to petitions pursuant to §3100 et seq.:

(a) The petition must be supported by a declaration of a licensed physician or licensed psychologist within the scope of his or her licensure as to the capacity of the non-petitioning spouse (§810 et seq.).

(b) Counsel will be appointed for the nonpetitioning spouse if the petition proposes a substantial transfer to the petitioner.

(c) When the petition is predicated upon the nonpetitioning spouse's qualification for Medi-Cal benefits, notice shall also be given to the Director of the California Department of Health Services.

(d) In petitions to transfer assets, related to Medi-Cal eligibility, the petitioner shall provide the court with schedules showing such calculations as would be required in an administrative hearing to the extent that the Community Spouse Resource Allowance or the Minimum Monthly Maintenance Needs Allowance would be in issue. The court will not make orders modifying the Community Spouse Resource Allowance nor the Minimum Maintenance Monthly Needs Allowance but may make findings as to the proper amounts as needed to support the order.

(e) The court will not issue general support orders in petitions under §3100 et seq. (Eff. 1/1/05)

PART FIVE: ORDERS

RULE 11.501 PREPARATION OF ORDERS

For an order to be included in the file for signature at the time of the hearing, it must be submitted to the Clerk at the time the petition is submitted, or no later than five (5) court days prior to the hearing.

An order not presented for signature at time of the hearing must be presented within five (5) days thereafter and must include in the caption and in the first paragraph a recitation of the date, time and department of the hearing. (Amended 7/1/02)

RULE 11.502 WORDING

Orders must be worded so that their general effect may be determined without reference to the petition on which they are based. All orders must be complete in themselves. All matters actually passed on by the Court, including the relief granted, the names of persons and description of property (and if real property is involved, the legal description and common address thereof), amount of money affected, the terms of trusts, and the provisions of other agreements, must be set forth with the same particularity required of judgments in civil matters. (Amended 7/1/02)

RULE 11.503 CONTINUING PAYMENTS -- TIME LIMIT

The Court does not favor orders for continuing payments to run until the further order of the Court. All such orders must provide that payments commence as of a particular date and continue to a date certain. (Amended 7/1/02)

RULE 11.504 ORDERS CORRECTING CLERICAL ERRORS

If, through inadvertence, the minute order or the signed decree fails to state the order actually made by the Court, the Court will on motion, which normally must be supported by an affidavit or declaration, make an order correcting the mistake. The nunc pro tunc order should not take the form of a complete amended order but should be substantially in the following form: "Upon consideration of the affidavit or declaration of _____, to correct a clerical error, the _____ (title of the order to be corrected, giving the date thereof) is corrected on the Court's own motion by striking the following: "_____" and inserting in lieu thereof: "_____". The original order must not be physically changed by the Clerk, but must be used in connection with the nunc pro tunc order correcting it. To prevent further errors, not less than a complete clause or sentence should be stricken, even if it is intended to correct one word or figure. (Amended 7/1/02)

RULE 11.505 ORDER SHORTENING OR DISPENSING WITH NOTICE

A form Order Dispensing with Notice (GC-021) or an Order Prescribing Notice (GC-022) must be submitted to the Court before the petition is filed. The proposed order must be accompanied by a Declaration of Due Diligence explaining in detail the efforts made to effect service, and specific factual reasons supporting the request for the order. See California Rules of Court 7.1012 and 7.1062. The proposed order must also be accompanied by points and authorities in support of the order. If the particular probate Code provision governing notice provides that the time for giving notice cannot be shortened, the Court cannot and will not shorten the time. Probate Code § 1203(a). (Amended 1/1/09)

PART SIX: INVENTORY AND APPRAISAL

RULE 11.601 INVENTORY AND APPRAISAL - PERIOD TO FILE

(a) In decedent's estates: Probate Code Sec. 8800(b) requires that the Inventory and Appraisal must be filed within four (4) months after Letters are issued to a personal representative, or within such further time as the court may allow after a showing of good cause. If the personal representative neglects or refuses to file the Inventory and Appraisal within the time prescribed, the Court may revoke the personal representative's Letters and may impose personal liability upon the personal representative, including attorney's fees. Probate Code Sec. 8804. The Inventory and Appraisal must contain a statement that shows that the bond is sufficient. California Rule of Court 7.501.

(b) In guardianships and conservatorships: Probate Code § 2610(a) requires that the Inventory and Appraisal must be filed within 90 days after the court signs the order appointing the guardian or conservator, or within such further time as the court may allow after a showing of good cause. If the guardian or conservator fails or refuses to file the Inventory and Appraisal within the time prescribed, the court may remove the guardian or conservator, revoke their Letters, and may impose personal liability upon them. Probate Code §§ 2614.5 and 2615. The Inventory and Appraisal must contain a statement that shows that the bond is sufficient. California Rule of Court 7.501. After-acquired or newly discovered property must be inventoried and appraised in compliance with Probate Code § 2613.
(Amended 1/1/09)

RULE 11.602 STATEMENT REGARDING - BOND ON INVENTORY AND APPRAISAL

Repealed 1/1/05

RULE 11.603 GUIDE FOR PREPARATION OF INVENTORY AND APPRAISAL

The Inventory and Appraisal must conform to the requirements of Probate Code Sec. 8850, 8852 and Sec. 8900 et seq. Each inventory item must be clearly and concisely described in the manner described in the current version of the Probate Referees' Procedures Guide published by the California Probate Referees' Association. In the case of real property, the full legal description and common address must be included. (Eff 7/1/00)

RULE 11.604 PROPERTY TAX CERTIFICATION

Pursuant to Probate Code Sec. 8800(d), the personal representative must comply with the requirements of Revenue and Taxation Code Sec. 480. This must be satisfied by completing the Property Tax Certification section on the Inventory and Appraisal, or, by completing the Judicial Council Property Tax Certification form. (Eff 7/1/00)

PART SEVEN: CREDITORS CLAIMS

RULE 11.701 NOTICE TO CREDITORS

If, within four (4) months after the date letters are first issued to a general personal representative, the personal representative has knowledge of a creditor of the decedent, the personal representative must give notice of administration of the estate to the creditor. Probate Code § 9050. The notice must be completed on the form approved by the Judicial Council and if filed with the Court, must include a cover sheet in conformance with the Calif. Rules of Court Rule 3.220. Please see local form PR002 for a coversheet. This form has been adopted for optional use. (Amended 1/1/13)

RULE 11.702 FORM OF CLAIM

Claims must be submitted on the form approved by the Judicial Council. Pursuant to Probate Code Sec. 9150(b), the claimant must file the original claim with the Court and mail the personal representative a copy. (Eff 7/1/00)

RULE 11.703 REQUIRED ACTION

Repealed 1/1/05

RULE 11.704 LISTING OF CREDITORS' CLAIMS

Repealed 1/1/05

PART EIGHT: SALES

RULE 11.801 SALE OR ENCUMBRANCE OF SPECIFICALLY DEVISED OR BEQUEATHED PROPERTY

No specifically devised or bequeathed real property must be encumbered or offered for sale unless first approved by the Court after not less than fifteen (15) days notice to the specific devisee, or unless the consent of the devisee is on file. (Eff. 7/1/00)

RULE 11.802 APPRAISAL OF REAL PROPERTY WITHIN ONE YEAR

Real property must have been appraised within one year of the time of sale. Since the first appraisal reflects the value at the time of death of the decedent, if the date of death is more than one year prior to the date of sale, a reappraisal for sale is required. Probate Code Sec. 10309(a)(1). (Eff 7/1/00)

RULE 11.803 PUBLISHED NOTICE OF INTENTION TO SELL REAL PROPERTY

Unless excused by the provisions of Probate Code Sec. 10300, a publication of notice of intention to sell real property of the estate is required. (Eff. 7/1/00)

RULE 11.804 DESCRIPTION OF PROPERTY

All legal notices for the sale of real property and the petition for confirmation of sale must contain, in addition to the legal description, the common street address of the property. If there is no common street address, some indication of the location of the property must be included. (Eff. 7/1/00)

RULE 11.805 EXCLUSIVE RIGHT TO SELL REAL PROPERTY

If the personal representative does not have powers granted under the Independent Administration of Estates Act, the personal representative may apply for Court authority to grant a real estate broker an exclusive right to sell the estate's real property for limited periods of time. Probate Code Sec. 10150. The court may grant the petition upon proof of necessity or advantage to the estate. A copy of the proposed agreement with the broker must be attached to the petition. Said agreement must provide for the payment of a commission to the broker holding the listing upon court approval. Probate Code Sec. 10160 et seq. (Eff. 7/1/00)

RULE 11.806 CONFIRMATION OF SALE

Petitions to confirm sales of real property must be on the Judicial Council approved forms. (Eff. 7/1/00)

RULE 11.807 PRESENCE OF PURCHASER NAMED IN PETITION AT CONFIRMATION

(a) A sale to the increased bidder in Court could be set aside by the original purchaser who was justified in believing he did not have to appear in Court to protect his purchase. Counsel should inform the original purchaser of the time and place of hearing and advise him or his agent to be in Court on the day of sale.

(b) The original purchaser, or his/her agent if the original purchaser's address is not known, must be given notice of the petition to confirm sale of real property and proof of service of same must be filed with the Court prior to the date of confirmation of sale. (Eff. 7/1/00)

RULE 11.808 DEPOSIT TO ACCOMPANY OVERBID AND OVERBID FORMS

(a) No bid for the purchase of real property will be acceptable unless the personal representative or the attorney for the estate informs the Court that the bid is acceptable.

(b) When an overbid is made in Court, the overbidder must submit to the Court, at the hearing at the time the overbid is made, a certified or cashier's check, in an amount equal to ten (10) percent of the first allowable minimum overbid, or such lesser amount as the personal representative shall approve.When there is a successful overbid in open Court on a sale of real property, counsel must complete, and the successful bidder must sign, an overbid form which is available from the courtroom clerk and may be handwritten in this circumstance, and file the same. The Order Confirming Sale of Real Property will not be signed unless the form is filed. (Eff. 7/1/00)

RULE 11.809 CONDITIONAL SALES OF REAL PROPERTY

The Court will ordinarily not approve a sale of real property which is conditioned upon the occurrence of a subsequent event (such as change in zoning). However, if unusual and extraordinary circumstances exist and the necessity and advantage to the estate are set forth in detail, the Court may approve such a sale. (Eff. 7/1/00)

RULE 11.810 SALES OF REAL PROPERTY WHEN BUYER ASSUMES ENCUMBRANCE

Sales of real estate will not ordinarily be confirmed where the buyer assumes or takes subject to an existing encumbrance if the estate is subject to a contingent liability. The return should set forth the facts pertinent to such assumption agreement and any contingent liability. (Eff. 7/1/00)

RULE 11.811 BOND ON SALE OF REAL PROPERTY

Repealed 1/1/05

RULE 11.812 BROKER'S COMMISSION ON SALE OF REAL PROPERTY

(a) Upon the confirmation of the sale of real property, a broker's commission in excess of 6 percent of the gross sales price will not be allowed except in unusual cases when a larger commission is justified because of exceptional circumstances.

(b) A broker bidding for his own account is not entitled to receive or share in a commission.

(c) In overbid situations, broker's commissions must be determined in accordance with Probate Code Sec. 10160 et seq. (Eff. 7/1/00)

RULE 11.813 PERSONAL PROPERTY - APPRAISAL BEFORE SALE

Except in the case of perishable property or depreciating property, sales of personal property will not ordinarily be approved or confirmed unless the property has been appraised. When necessary, a partial inventory and appraisal may be filed for this purpose, or a letter appraisal obtained from the probate referee for the estate wherein he states that he has inspected the property and declares its value. (Eff. 7/1/00)

PART NINE: ACCOUNTS AND REPORTS

RULE 11.901 ACCOUNTINGS

(a) Form of Account

All accounts filed in probate proceedings, including estates, guardianships, conservatorships, special needs trusts and trust accounts must conform to the requirements of Probate Code § 1060 et seq. and 10900. Accounts must be typewritten or machine printed on letter-sized pages numbered at the bottom of each page and meet the requirements provided in Chapter 4 (commencing with Sec. 1060 of Division 3, Part 1 of the Probate Code).

(b) Summary of Account

Each account must state the period covered by the accounting, and contain a summary as set forth in Probate Code § 1061 et seq.

(1) Appendix B is a suggested Form of Summary of Account showing principal and income breakdowns as required if making a distribution to a trust.

(c) Accounts of Personal Representatives

All accounts of personal representatives must conform to the requirements set forth in Probate Code Secs. 1060 et seq. and 10900 and, as nearly as possible, in the forms suggested in Chapter 24 of California Decedent Estate Practice. (CEB) See also, the CEB Fiduciary Accounting Handbook.

(d) Filing of Submission of Accounts

Accountings submitted to the Court should be treated as follows:

(1) Probate Estate and non-court created trust accountings shall be electronically filed. Hearing dates will be set immediately upon filing.

(2) Conservatorship, guardianship and court created or supervised trust accounts shall be electronically filed. Accounting types filed under this subsection will be reviewed by the Probate Examiner/Court Attorney and set for hearing after review. The Court will provide notice of the hearing date to the moving party.

(3) See also Local Rule 31.05 for accounting documents which may not be filed electronically.

(Amended 1/1/2017)

RULE 11.902 TRUST AND SPECIFICALLY DEVISED PROPERTY

(a) If a part of the estate is distributable to a trustee with income accumulated during administration of the estate payable by the trustee to trust beneficiaries, receipts and disbursements during probate should be allocated between principal and income in the account.If property is specifically devised, the accounting should set forth both income received and expenses allocable to each such item of property separately so the net income or loss allocable to each specific devise can be ascertained. See Probate Code Sec. 12001 et seq. (Eff. 7/1/00)

RULE 11.903 WAIVER OF ACCOUNT

Repealed 1/1/05

RULE 11.904 VOUCHERS

Vouchers supporting accounts are not to be filed with the Clerk unless the Court orders them filed.

Eff. 7/1/00

PART TEN: FEES AND COSTS

RULE 11.1001 FEES AND COMMISSIONS IN GENERAL

(a) In General: All fees, commissions and compensation awarded to fiduciaries and their attorneys must be just and reasonable in amount. The Court will determine what is just and reasonable based upon the information that is required to be provided to the Court by California Rule of Court 7.702. (Amended 1/1/09)

(b) The Court will consider, but not be bound by, an agreement for fees for extraordinary services between the attorney and the client. (Amended 1/1/05)

(c) Statutory Compensation and Fees in Decedent's Estates: Those services described in Appendix D are "ordinary services" performed by a personal representative and/or an attorney in connection with a decedent's estate. The compensation prescribed by Probate Code § 10810 is intended to compensate for all of these services. No "extraordinary compensation" will be paid for performance of these services.

(d) Extraordinary Compensation and Fees in Decedent's Estates: A petition for extraordinary compensation must contain the information required by California Rule of Court 7.702. California Rule of Court 7.703 lists some types of activities which may serve as the basis for a request for extraordinary compensation. (Eff. 1/1/09)

RULE 11.1002 FEES AND COMMISSIONS IN ADVANCE

(a) Decedent's Estates

A petition for partial allowance on compensation for extraordinary services, filed prior to the petition for final distribution, must be consistent with the requirements set forth for statutory fees in California Rule of Probate Court 7.701. Ordinarily the last twenty-five (25) percent of statutory compensation and/or compensation for extraordinary services will not be allowed prior to approval of the final accounting; however, upon a proper showing that it would be beneficial to the estate or to the distribution (for example, reduction of income taxes in a given fiscal period), the twenty-five (25) percent reserve may be reduced or dispensed with.

(b) Guardianships and Conservatorships

Fees of guardians and conservators and their attorneys must be paid after the services have been performed to which they relate and require prior court approval upon a petition filed. Probate Code Sec. 2640 et seq. (See Rule 11.1006) Periodic payment of fees or commissions may be made only upon prior Court approval given upon a petition filed under Probate Code Sec. 2643. The periodic payments must only be paid after the services have been performed for which the fees were requested.

(c) Trusts

Fees of trustees and their attorneys must be paid after the services have been performed to which they relate, and upon showing of good cause, periodic compensation as the Court shall fix. Probate Code . 15682. (Amended 1/1/05)

RULE 11.1003 FEES AND COMMISSIONS DECEDENT'S ESTATES

Statutory fees and commissions will not be allowed for services rendered with respect to assets not subject to probate such as life insurance proceeds or annuities paid to a named person, or termination of life estates or joint tenancy. (Amended 1/1/2005)

RULE 11.1004 ORDINARY SERVICES COMPENSATED BY STATUTORY FEES

The Court views those services set forth in Appendix D as ordinary services for conducting probate proceedings by the personal representative and the attorney for which no extraordinary fee will be allowed. (Eff. 7/1/00)

RULE 11.1005 EXTRAORDINARY FEES AND COMMISSIONS IN ESTATES

Repealed 1/1/05

RULE 11.1006 COMPENSATION IN GUARDIANSHIPS, CONSERVATORSHIPS AND TRUSTS

(a) No petition for fees will be considered until the Inventory and Appraisal has been filed.
(b) The additional powers granted to a conservator or guardian under Probate Code Sec. 2591(p) do not confer authority for the conservator or guardian to pay fees to their attorney of record without first obtaining prior court approval.
(Amended 1/1/16)

RULE 11.1007 "ONE - FEE"

Repealed 1/1/05

RULE 11.1008 NOTICE TO PRIOR REPRESENTATIVE OR ATTORNEY

Repealed 1/1/05

RULE 11.1009 REIMBURSEMENT FOR COSTS ADVANCED

If counsel or the fiduciary seek reimbursement for costs, such costs must be itemized in the petition. (Eff. 7/1/00)

PART ELEVEN: DISTRIBUTION AND DISCHARGE

RULE 11.1101 PETITION OR STATUS REPORT REQUIRED - FILING TIME

Within one year from the date of issuance of letters in estates not required to file a federal estate tax return and within 18 months from the date of issuance of letters in estates where such return is required, the personal representative must either petition for final distribution of the estate or file a verified report of status of administration. If a report is filed, it must show the condition of the estate, the reasons why the estate cannot be distributed and closed, and an estimate of the time needed to close administration of the estate. Probate Code Sec. 12201. Please see local forms PR003 and PR005 for a Report of Status of Administration and Order on Status of Administration. These forms have been adopted for optional use. (Amended 1/1/13)

RULE 11.1102 REQUIRED ALLEGATIONS IN PETITION FOR PRELIMINARY AND FINAL DISTRIBUTION

In addition to other items required by law, a petition for preliminary and final distribution must contain the following:
(a) A full and complete description of all assets on hand, including the legal description and common address of real property. The descriptions may either be set forth in the body of the petition, or by an attached schedule incorporated by reference.
(b) An allegation as to the character of the property, whether separate or community, in all cases where its character may affect distribution.

(c) Facts specifically showing the entitlement of each recipient to the portion of the estate to be distributed to him or her. This must also include information concerning predeceased children and in the case of intestate succession, a list of heirs to permit the Court to determine if the laws of intestate succession have been properly applied. A general allegation that the estate is to be distributed in accordance with the terms of the will is not sufficient.

(d) The name of each distributee. State whether the distributee is an adult or minor. If the distributee is a minor, the age and date of birth must also be listed and a guardian, trustee, custodian or parent identified.

(e) A computation of attorney's fees and personal representative's commissions requested, or a statement of the waiver of such compensation.In addition to the rules set forth above, a petition for final distribution must contain the following:

(1) A schedule of claims showing the name of the claimant, the amount claimed, the date presented, the date allowed, the date paid if the claim has been paid and the amount paid. If any claim has been rejected, the date of service of notice of rejection of claim, if such notice was given, must be stated; and any known suit on the rejected claim must be identified.

(2) An itemization of costs unless itemized in the final accounting.

(3) A statement that the federal estate tax has been paid, or that the estate is too small to require payment of tax, or that installment payments have been provided for under IRS 6166. When proration of the federal estate tax is applicable, the accompanying account should include a schedule indicating the method by which the proration has been computed.

(4) A statement that decedent had not received health care under provisions set forth in Probate Code Sec. 9202 ; or a statement that (1) decedent had received such health care, (2) notice of decedent's death was given to the Director of Health Services in the manner and within the time required by Probate Code Sec. 9202, and (3) more than 4 months have elapsed since said notice was given, and that either no claim was filed by the Director during that period, or that the claim which the Director full and a dismissal of claim is on file.

(5) If interest or income accruing during administration is distributable pursuant to Probate Code Sec. 12000 et seq., a statement of the amount due and the method of calculation. See Rule 11.902.

(f) An allegation disclosing the existence or non-existence of any family or affiliate relationship between the fiduciary and any agent hired by the fiduciary during the account period as required by Probate Code §1064(a)(4).

(g) Please see local forms PR006 and PR007 for a First and Final Report of Personal Representative and Order on First and Final Report of Personal Representative. These forms have been adopted for optional use. (Amended 1/1/13)

RULE 11.1103 DISTRIBUTION TO MINORS

(a) If the decedent's will permits or if the sum does not exceed $20,000, and the Court determines that it would be in the best interest of the minor, the Court can order the distribution to a custodian for the benefit of the minor under the Uniform Transfer to Minors Act. Probate Code §§ 3900 - 3925.

(b) The court may permit distribution of personal property to a parent of a minor if the total estate of the minor, including the money and other property to be paid or delivered to the parent, does not exceed $5,000 in value. See Probate Code Sec. 3400. The written assurance required by Probate Code Sec. 3401 must be filed prior to the signing of the Order. The Order must indicate that the distribution is made pursuant to Probate Code Sec. 3401.

(c) If neither (a) nor (b) above applies, the Court must appoint a Guardian of the minor's estate to receive the distribution. If the sole asset of the guardianship is money (and not securities), real property, a note, or any other asset where the value of the principal could

diminish), the Court may be able to later terminate the guardianship under the circumstances in Probate Code § 3412(a). (Eff. 1/1/09)

RULE 11.1104 DISTRIBUTION TO NONRESIDENT BENEFICIARIES [REPEALED]

Repealed 1/1/16.

RULE 11.1105 DISTRIBUTION TO A TRUST

(a) If a distribution is to made to a trust, a statement by the trustee of trustee's willingness to accept the property under the terms of the trust must be filed with the petition for distribution. Lacking this, a declination to act must be filed, in which case it should be accompanied by a petition by the personal representative for the appointment of a substitute trustee.

(b) If the will provides for distribution of the estate, or portion thereof, to a trust created by the will, the trust provisions set forth in the will must be set forth as required under California Rule of Court 7.650.
(Amended 1/1/16)

RULE 11.1106 DISTRIBUTION TO AN ASSIGNEE

If distribution is to be made pursuant to an assignment of interest, the Court may on the motion of any person interested in the estate or on the motion of the public administrator or on its own motion inquire into the consideration for such assignment and into the circumstances surrounding the execution of such assignment. The signature of the assignor must be acknowledged. (Eff. 7/1/00)

RULE 11.1107 DISTRIBUTION PURSUANT TO AGREEMENT

If the distributees seek distribution in a manner other than that provided by the will or by the laws of intestate succession, that fact should be alleged, and a written agreement (signed by all involved distributees with signatures acknowledged before a notary public) must be filed.
If any such distributee is a minor or is under disability, the agreement must be signed by the minor's legal guardian. Either earlier Court approval of the agreement in the guardianship proceeding must be proved in the probate proceeding or a petition for approval of the agreement in both the guardianship proceeding and the probate proceeding must be brought on for hearing at the same time. (Eff. 7/1/00)

RULE 11.1108 PRELIMINARY DISTRIBUTION – BOND

If a preliminary distribution is made before four months have elapsed after letters are first issued, the Court must require that the distributees post a bond. Probate Code Sec. 11622. After such four month period has elapsed, the Court may require a distributee's bond in the amount the Court orders. (Eff. 7/1/00)

RULE 11.1109 PROCEDURE FOR OBTAINING AN ORDER FOR FINAL DISCHARGE

To obtain a final discharge for the personal representative, the following documents must be presented to the Clerk: all receipts of distributees, an affidavit for final discharge signed by the personal representative and an order of discharge obtained pursuant to the provisions of Probate Code Sec. 12250 or Sec. 12251. (Eff. 7/1/00)

PART TWELVE: ESTABLISHING FACT OF DEATH

RULE 11.1201 PROCEEDINGS TO ESTABLISH DEATH

(a) A verified petition to establish the fact of death must be filed in the name of the deceased person. Probate Code Secs. 200 - 204.

(b) The order can be obtained ex parte if the petition is accompanied by:

- **(1)** An affidavit by petitioner that petitioner has no reason to believe that there is any opposition to, or contest of the petition;
- **(2)** The proposed order.

Filings not accompanied by these documents must be set for hearing.

(c) There is no provision in the code for attorneys' fees in proceedings to establish fact of death. No request for attorney fees must be included in the petition, and if so included, will be disallowed. (Eff. 7/1/00)

PART THIRTEEN: PETITIONS SETTING ASIDE ESTATES, PROPERTY PASSING OR BELONGING TO SURVIVINGSPOUSE, AND COLLECTION OF SMALL ESTATES

RULE 11.1301 PETITION TO SET ASIDE UNDER PROBATE CODE SECS. 6600-6613

A petition to set aside a decedent's estate (net value under $20,000) under Probate Code Sec. 6600 et seq., must be filed in the proceedings for the administration of the decedent's estate. If such proceedings have not commenced, a petition to set aside may be filed concurrently with the petition for letters, or if no petition is being filed, a petition may be filed independently. (Eff. 7/1/00)

RULE 11.1302 PETITION RELATING TO PROPERTY PASSING OR BELONGING TO SURVIVING SPOUSE

(a) If the basis for determining that property should pass or be confirmed to the surviving spouse is that the property is community property or quasi-community property, in addition to the allegations required by Probate Code §13651, the following information should be included in the spousal property petition: (Amended 1/1/16)

- **(1)** Date and place of marriage;
- **(2)** Ownership of any real and personal property on date of marriage and a description and approximation of values;
- **(3)** Decedent's net worth at time of marriage;
- **(4)** Decedent's occupation at time of marriage;
- **(5)** A description of any property acquired after date of marriage by gift, devise, descent, proceeds of life insurance or joint tenancy survivorship, and dates of receipt and approximation of values;
- **(6)** The identification of any property described in 2 or 5 above which is still a part of this estate;
- **(7)** A copy (preferably a photocopy, showing signatures) of any document establishing the character of the property; and
- **(8)** Any additional facts upon which the claim that property is community or quasi-community property is based. (Amended 1/1/05)

RULE 11.1303 PROCEDURE FOR COLLECTION OF SMALL ESTATES

(a) The basis for collection of small estates not exceeding $150,000 is set out in Probate Code Sec. 13100 et seq. (personal property) and Sec. 13150 et seq. (real property). The basis for collection of an interest in decedent's real property that does not exceed $50,000 is set forth in Probate Code Sec. 13200 et seq.

(b) With respect to succession to real property for estates of decedents not exceeding $150,000 under Probate Code Sec. 13150 et seq., the successor of the decedent to an interest in real property must file a petition requesting an order determining that the petitioner has succeeded to the real property and that administration is unnecessary. Such petition must be on forms approved by the Judicial Council. (Amended 1/1/16)

PART FOURTEEN: INDEPENDENT ADMINISTRATION

RULE 11.1401 GENERAL

With respect to matters transacted pursuant to the provisions of the Independent Administration of Estates Act contained in Probate Code §10400 et seq., the following policies must apply:

(a) In any petition for distribution, a schedule of claims must be included as part of the petition, the name of the claimant, the amount claimed, the date presented, the date allowed, the date paid if the claim has been paid and the amount paid must be set forth. If any claim has been rejected, the date of service of notice of rejection of claim, if such notice was given, must be stated; and any known suit on the rejected claim must be identified.

(b) Although preliminary distribution may be made without accounting, sufficient facts must be set forth in the petition to allow the Court to ascertain that the estate is solvent.

(c) In any petition for distribution, all independent acts taken without prior Court approval must be set forth and described with particularity, and an allegation made that the 15-day notice of proposed action with attached notice of proposed action and proof of service must be filed with the Court. The petition for distribution must indicate whether or not objections or consents to the proposed action were served. If certain acts have been properly reported in a prior distribution, they need not be repeated.
(Amended 1/1/05)

RULE 11.1402 NOTICE AND PUBLICATION REQUIREMENTS

If the request for authority to administer the estate under the Independent Administration of Estates Act is made by separate petition, notice must be given in the same manner set forth in Probate Code Sec. 10451. (Eff. 7/1/00)

PART FIFTEEN: TRUSTS

RULE 11.1501 COURT JURISDICTION

(a) The Court has exclusive jurisdiction over the internal affairs of trusts, and has concurrent jurisdiction of (i) actions and proceedings to determine the existence of trusts, (ii) actions and proceedings by or against creditors or debtors of trusts, and (iii) other actions and proceedings involving trustees and third persons. Probate Code Sec. 17000.

(b) Proceedings concerning the internal affairs of trusts are set forth in Probate Code Sec. 17200.

(c) A copy of the trust must be an attachment to a Petition under Probate Code Sec. 17200 et seq. and should not be filed as a separate exhibit. (Amended 1/1/16)

RULE 11.1502 CONTINUING JURISDICTION

A trust created by a will is not subject to the continuing jurisdiction of the Court, unless:

(a) The testator provides otherwise, or

(b) The trust was created by a will executed before July 1, 1977, and not incorporated in a will or after July 1, 1977 and the trust has not been removed from continuing court jurisdiction. Probate Code Sec. 17300(a) and 17303. If the trustee is not a trust company, Probate Code Sec. 17352 provides that a pre-July 1, 1977 testamentary trust may be removed from continuing jurisdiction upon a petition filed pursuant to that section. If the petition is

granted, the Court may impose such conditions including a bond, as it deems necessary. If a trustee is a trust company, a testamentary trust must be removed from continuing jurisdiction pursuant to Probate Code Sec. 17351.(Eff. 7/1/00)

RULE 11.1503 TRUSTEES' ACCOUNTS

Repealed 1/1/05.

RULE 11.1504 BENEFICIARIES TO BE LISTED IN PETITION

Repealed 1/1/05.

RULE 11.1505 NOTICE TO BENEFICIARIES

Repealed 1/1/05.

RULE 11.1506 TRUSTS ESTABLISHED BEFORE DECREE OF DISTRIBUTION

(a) The Clerk must issue a certificate that the trustee is a duly appointed and acting trustee under the trust if the Court file shows the incumbency of the trustee, upon the trustee accepting its duties and responsibilities as such trustee and making application to the Clerk for such certificate and paying the appropriate fees. Probate Code Sec. 15603

(b) The trustee named in a will admitted to probate may be appointed before the decree of distribution is made, upon filing of an appropriate petition.

(c) Where a vacancy exists, a trustee not named in the will admitted to probate may be appointed upon the filing of a petition under Probate Code Sec. 15660. Written notice must be given to all beneficiaries by mail. A bond may be required of a trustee who is a nonresident or is not named in the will.

The order appointing the trustee in paragraphs (b) and (c) must contain all the terms of the trust and the trustee must have all the powers and duties in respect to the trust res set forth in the trust instrument.

If no trustee claims the trust res or can qualify to receive the same and there is no indication in the will as to where the proceeds are to go, a petition to determine heirship may be filed in the same manner as provided by Probate Code Sec. 17200 to determine to whom distribution must be made.(Eff. 7/1/00)

RULE 11.1507 FEES OF TRUSTEES AND THEIR ATTORNEYS

See Sec. 11.1001 et seq. of these rules. (Eff. 7/1/00)

PART SIXTEEN: GUARDIANSHIPS

RULE 11.1601 PETITION FOR APPOINTMENT OF GUARDIAN

(a) A petition for appointment of a general guardian of the person or estate of a minor or minors must be filed on Judicial council form GC-210, and the information on the form must be complete. Probate Code § 1510. If the petitioner also wishes to be appointed a temporary guardian, a petition for appointment of temporary guardian must also be filed on Judicial Council form GC-110.

(b) A petition for temporary guardianship will be heard ex parte only if the petitioner satisfies the requirements of California Rule of Court 7.1012 and Local Rule 11.113, and the following documents have been filed (an original and one copy) with the above petitions: (1) proof of service in compliance with Probate Code § 2250(e)(1), or a Declaration of Due Diligence explaining why an exception to the notice requirement "is necessary to protect

the proposed ward or his or her estate from immediate and substantial harm" (California Rule of Court 7.1012(b) and (e)); (2) a completed Order Dispensing with Notice (GC-021) for the Judge's signature; (3) a completed Duties of Guardian (GC-248); (4) a completed Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (GC-120); (5) a completed Confidential Guardian Screening Form (GC-212); (6) a completed Consent of a Proposed Guardian etc. (GC-211); (7) a completed Indian Child Inquiry Attachment (ICWA-101(A)); (8) a completed Child Information Attachment (GC-210(CA)); (9) a completed Order Appointing Temporary Guardian or Conservator (GC-140) for the Judge's signature; and (10) a completed Letters of Temporary Guardianship (GC-150). (See GC-505 - "Forms You Need to Ask the Court to Appoint a Guardian of the Person"; GC-510 - "What is 'Proof of Service' in a Guardianship"; ask a Clerk in Room 385 for this Court's Pro Per Guardianship Packet). The petitioner must give notice at least five days before the hearing in compliance with Probate Code § 2250(e)(1).

(c) The Court cannot waive the notice requirements of Probate Code § 2250(e) unless the petitioner can demonstrate that the waiver is "necessary to protect the proposed ward or his or her estate from immediate and substantial harm." California Rule of Court 7.1012.

(d) The petition must set forth with specificity the reason for the necessity of the establishment of a guardianship.

(e) The petition must state whether or not (1) the minor is a ward or dependent of the juvenile court; (2) adoption proceedings are ongoing; (3) custody of the child has been awarded in a family court proceeding; or (4) there is an open family law proceeding involving the child's parents. See Probate code §§ 1511 and 1512.

(f) When a petitioner is a relative, a copy of the petition and other papers filed therewith must be provided to the Court Investigator. See Rule 11. 1809. A copy of the petition only, must be provided to the San Luis Obispo Department of Social Services Child Protective Services. When the petitioner is a non-relative, a copy of the petition and other papers filed therewith must be provided to the San Luis Obispo County Department of Social Services but not to the Court Investigator. (Amended 1/1/09)

RULE 11.1602 INVESTIGATION AND REPORT BY COURT INVESTIGATOR

(a) When a relative of a minor files a Petition for Guardianship of the Persons or Estate, a Court Investigator must do an investigation that covers all of the information in Probate Code Sec. 1513(a). If any party contends that any parent is "unfit," as defined in Welfare and Institutions Code Sec. 300, and one or both of the parents contest the guardianship, Child Welfare Services will also be required to provide a Report under Probate Code Sec. 1513(b).

(b) When a non-relative of a minor files a Petition for Guardianship, a Court Investigator will not complete a Report. Instead, Child Welfare Services will be required to provide a Report under Probate Code Sec. 1543(a). [Former Local Rule 11.602(b) repealed 7/1/03] (1/1/16)

RULE 11.1603 GUIDE FOR GUARDIANS

The Judicial Council has approved a “Probate Guardianship Pamphlet” which provides basic information and may be obtained from the Clerk’s Office. (Eff. 7/1/00)

RULE 11.1604 SUPPORT OBLIGATION OF PARENTS

As parents are required by statute to support their children, the Court will not permit guardianship funds to be used for the minor's maintenance where one or both parents are living except upon a showing of the parent's financial inability or other circumstances which would justify the Court in departing from this rule in the best interests of the minor. In all cases where guardianship funds are to be used for the ordinary expenses of supporting a minor, and where there is a parent living who has the obligation to support the minor, the guardian must obtain Court approval prior to the expenditure of funds. A petition for authority to expend funds for support must be accompanied

by a detailed explanation (including financial statements, if necessary) of the parent's inability to support the child. (Eff. 7/1/00)

PART SEVENTEEN: CONSERVATORSHIP

RULE 11.1701 PETITION FOR APPOINTMENT OF CONSERVATOR

(a) A petition for appointment of a conservator of the person or estate must be filed on Judicial Council form GC-310, and the form must be complete. If the petitioner also wishes to be appointed a temporary conservator, a petition for appointment of temporary conservator must also be filed on Judicial Council form GC-111.

(b) A petition for temporary conservatorship will be heard ex parte only if petitioner satisfies the requirements of Local Rule 11.113, and the following documents have been filed (an original and a copy) with the above petitions: (1) proof of service in compliance with Probate Code Sec. 2250(e)(2), or a showing that an exception is necessary "to protect the proposed conservatee or his or her estate from immediate or substantial harm" California Rule of Court 7.1062); (2) a Declaration Supporting a Good Cause Exception to Notice, in the form prescribed by California Rule of Court 7.1062(e); (3) Confidential Conservator Screening form (GC-312); (4) Confidential Supplemental Information form (GC-312); (5) a completed Order Appointing Court Investigator (GC-330) for the Judge's signature; (6) an Ex Parte Application for Order Authorizing Completion of Capacity Declaration (GC-334); (7) a Citation for Conservatorship (GC-320); (8) a Citation (GC-320); (9) a Notice of Conservatee's Rights (GC-341), with the required attachment (GC-341(MA)); (10) a Duties of Conservator form (GC-348) signed by the proposed conservator; (11) a completed Order Appointing a Temporary Guardian or Conservator (GC-140) for the Judges' signature; and (12) a completed Letters of Temporary Conservatorship (GC-150).

(c) The petition shall state facts that establish: (1) good cause for the appointment of a conservator (Probate code Sec. 2250.2(b); and (2) why granting a conservatorship is the least restrictive alternative for the protection of the conservatee (Probate code Sec. 1800.3(b);

(d) The proposed temporary conservatee shall attend the hearing, unless the petitioner can present doctor's declaration that the proposed temporary conservatee "is unable to attend the hearing by reason of medical inability" (Probate Code Sec. 2250.4(b)0; or the Court Investigator has visited the proposed conservatee, and has reported to the court that the proposed conservatee is not willing to attend the hearing, and does not wish to contest the establishment of the temporary conservatorship, and does not object to the proposed temporary conservator.

(e) A separate copy of the petition and other papers filed must be provided to the Court Investigator's office at 1120 Mill Street, Suite A, as soon as possible. The Investigator is now required to do a Report pursuant to Probate Code § 2250.6 prior to the hearing on the petition for temporary guardianship, unless "it is not feasible to do so." In the latter case, the Report must be completed no later than three court days after the hearing. Counsel are required to understand the demands on Court personnel when counsel decides to file and schedule petitions for temporary conservatorship. Court personnel are being required to complete their obligations under the amendments to the Probate Code that took effect in 2007 and 2008 under an unfunded mandate.

(f) Counsel or the proposed conservator should promptly file the required Capacity Declaration (GC-335) with the Dementia Attachment (GC-335) if "dementia powers" are requested under Probate Code Sec. 2356.5. An individual should not be deprived of any freedom or property for any significant period of time without a medical showing to the Court that he or she is unable to "provide for his or her needs for physical health, food, clothing and shelter" and/or is unable to "manage his or her own financial resources, or to resist fraud or undue influence." Probate Code § 1821(a)(1) and (5).

(g) Please see local form PR008 for an Order Appointing Counsel for the Conservatee. This form has been adopted for optional use. (Revised 1/1/13)

RULE 11.1702 LETTERS OF CONSERVATORSHIP

(a) No Letters of Conservatorship (temporary or permanent) will be issued by the Clerk until the following have been filed: (1) a completed Duties of Conservator and Acknowledgment of Receipt of Handbook form (GC-348); (2) an adequate bond under Probate Code § 2320 and California Rule of Court 7.207 (if a conservatorship of the estate is involved); and/or an order to Deposit Money into Blocked Account (MC-355) and a Receipt and Acknowledgement of Order for the Deposit of Money into Blocked Account (MC-356), signed by the appropriate officer of the financial institution. Blocked accounts can be used to reduce the mandated bond only if the accounts are fully federally insured, and are in the form of "money" (CDs, etc.). Securities accounts should be blocked, if necessary, to prevent the unauthorized use of its assets, but blocked securities accounts cannot supplant bond, since the account value could decline to zero. See Probate Code §§ 1834-1835.

(b) If the Letters of Conservatorship are not issued and filed within forty-five (45) days after filing the Order Appointing Conservator, the conservator's powers will automatically be suspended and no letters must be issued by the Clerk until a further order is executed by the Court. (Eff. 7/1/09)

RULE 11.1703 HANDBOOK FOR CONSERVATORS

The Handbook for Conservators can be obtained online through the Judicial Council website, http://www.courts.ca.gov/documents/handbook.pdf. (Amended 1/1/16)

RULE 11.1704 MINIMUM STANDARDS FOR A CONSERVATORSHIP

(a) No conservatorship of the person or of the estate shall be granted by the court unless the court makes an express finding that the granting of the conservatorship is the least restrictive alternative needed for the protection of the conservatee. Probate Code § 1800.3(b)

(b) A conservator of the person must avoid any "actual and apparent conflicts of interest with the conservatee," set out in California Rule of Court 7.1059(a)(1)-(4)

(c) No conservatorship of the estate will be granted unless the petitioner also meets the minimum standards set out in Section 1801(b). All conservators of estates must comply with the "standards of conduct for the conservator of the estate" set out in California Rule of Court 7.1059, and must file accounts in accord with Probate Code §§ 2620 and 1060 et. seq., and California Rule of Court 7.575 (unless the conservator can demonstrate that he or she is exempt from accounting under Probate Code §§ 2628(a)).

(d) No order will be granted under Probate Code § 1880 until the petitioner has filed a complete and satisfactory Capacity Declaration (GC-335) with the Dementia Attachment (GC-335A), if dementia powers are requested. Probate Code §§ 1890, 2356 and 2356.5. (Amended 1/1/09)

RULE 11.1705 SUBSTITUTED JUDGMENTS IN CONSERVATORSHIPS

(a) A trust created by order of the probate court for the benefit of a minor or incompetent adult pursuant to Probate Code §2580 et seq.,3100 et seq. or 3600 et seq. will ordinarily be required to remain under the continuing jurisdiction of the court and contain the following provisions to be effective during the lifetime of the incompetent adult or during the minor's minority.

- **(1)** Trustee shall post bond for assets and income of the trust.
- **(2)** Trustee shall file accounting consistent with the requirements of Probate Code §2620 and Probate Code §1060 et seq.
- **(3)** Prior court approval shall be required for investments other than those listed in Probate Code §2574(a).

(4) Trustee shall obtain prior court approval for gifting, hypothecation, borrowing, loans, and sales of assets as would be required by a guardian or conservator of the estate.

(5) Prior court approval shall be required for payments of fees to attorneys, conservators, guardians and trustees.

(6) The trust shall pay for court approved court investigation costs, fees for guardians, conservators, their attorneys and court appointed counsel as well as other costs of administration approved by the court.

(7) There shall be no "no contest" clause in the trust instrument.

(b) The probate court will ordinarily appoint an attorney as guardian ad litem to represent the interests of the minor or incompetent adult in the proceeding to establish the trust.

(c) Where an inter-vivos trust has been established for the benefit of the proposed Conservatee or Ward before the filing of a petition to appoint a Conservator or Ward and where the Trustee and the Conservator or Guardian, as the case may be, are the same individual, the approval of a petition for Conservatorship or Guardianship may be conditioned upon satisfaction of the requirements set forth in this Local Rule. (Eff. 1/1/05)

PART EIGHTEEN: PROVISIONS COMMON TO GUARDIANSHIPS AND CONSERVATORSHIPS

RULE 11.1800 HEARING DATES

(a) Unless otherwise ordered by the Court, petitions for guardianships or conservatorships must be set for hearing by the Clerk six (6) weeks from the filing of the petition.

(b) If a temporary guardianship is granted ex parte, the hearing on general guardianship must be calendared for hearing within thirty (30) days from the date of granting the temporary guardianship. Probate Code Sec. 2250(d).

(c) If a temporary conservatorship is granted ex parte, the hearing on general conservatorship must be set for hearing by the Clerk six (6) weeks from the filing of the petition. (Eff. 7/1/00)

RULE 11.1801 PRIVATE PROFESSIONAL CONSERVATOR/GUARDIAN/TRUSTEE

(a) The court may not appoint a private professional conservator, guardian or trustee unless that person has fully complied with all of the requirements of Probate Code Sec. 2340 (as effective July 1, 2008) and California Rules of Court 7.1010 and 7.1060, and the professional has filed the required Declaration of Private Professional Guardian – Guardians (GC-005) and Declaration of Private Professional Conservator or Guardian – Continuing Education (GC-006). (Amended 1/1/09)

RULE 11.1802 APPOINTMENT OF TEMPORARY GUARDIAN OR CONSERVATOR [REPEALED]

Repealed 1/1/09.

RULE 11.1803 NOTICE

(a) Notice of all hearings must be provided on Judicial Council form GC-020, along with the required Proof of Personal Service (GC-020(P)) for all persons who must be personally served in guardianships under Probate Code Secs. 1511(a) and (b). That section provides: "The court may not shorten the time for giving the notice of hearing under this section." The following Judicial council publication is helpful: "What is "Proof of Service" in a Guardianship? (GC-510). Notice (GC-020) may be served by mail on those persons described in Probate Code Sec. 1511(d).

(b) The proposed conservatee must be personally served with a Citation (GC-320) and a copy of the petition. Probate Code Sec. 1824. The Notice of Hearing must be mailed to those persons described in Probate Code Sec. 1822. That section provides: "The court may not shorten the time for giving the notice of hearing under this section."

(c) A party seeking temporary Letters of Guardianship or Conservatorship must give notice of the application to the spouse, parents, proposed ward or conservatee, other persons who seek or might be expected to seek letters, and any other person who appears to be equitably entitled to notice, unless on good cause shown the Court orders otherwise. The Court will appoint a temporary conservator/guardian if it is shown that an emergency situation exists that requires immediate attention. A temporary conservator/guardian will be appointed without notice only in the most urgent situations. (Amended 1/1/09)

RULE 11.1804 BOND/BLOCKED ACCOUNT

(a) Except as provided by statute, every guardian and conservator must give a bond in the amount fixed by the Court. Probate Code Sec. 2320 and comply with requirements set forth in California Rules of Court, Title Seven, Chapter 5. Bond must be filed before issuance of letters. (Amended 7/1/03)

- **(1)** In a conservatorship proceeding, where the conservatee, having sufficient capacity to do so, has waived the filing of a bond, the Court in its discretion may dispense with this requirement or may permit the filing of a bond in an amount less than would otherwise be required under Probate Code Sec. 2320.

(b) The guardian or conservator may elect to place all or a portion of estate assets into a blocked account which would require prior Court approval to access such funds in lieu of, or, to reduce the bond amount. Probate Code Sec. 2328. Judicial Council form: MC-355, Order To Deposit Money Into Blocked Account, and MC-356, Receipt And Acknowledgment Of Order For The Deposit Of Money Into Blocked Account are available at the Clerk's office or can be found on the California Courts website at www.courts.ca.gov. *(Subd (b) amended effective July 1, 2023, previously amended July 1, 2002.)*

(c) One appointed as guardian of the person or conservator of the person need not file a bond unless required by the Court. (Amended 7/1/02)

RULE 11.1805 INVENTORY AND APPRAISAL

(a) An inventory and appraisal of the estate, as of the day of appointment, must be filed by the guardian or conservator, with the Clerk within ninety (90) days of appointment, in all cases where there is a conservator or guardian of the estate, even in a case where relief from the requirement of filing accountings may be sought under Probate Code Sec. 2628. When there are no assets known to or in the possession of the conservator or guardian, the inventory should so indicate. Probate Code Sec. 2610. The inventory and appraisal must be in the form of accounts for decedents' estates as set forth in these rules. See Rule 11.603

(b) After-acquired or newly discovered property must be inventoried and appraised pursuant to Probate Code Sec. 2613. (Eff. 7/1/00)

RULE 11.1806 ACCOUNTS

(a) An accounting must be filed by the guardian or conservator:

- **(1)** At the expiration of one year from the time of appointment and thereafter not less frequently than bi-annually unless otherwise ordered by the Court.
- **(2)** Upon the ward's 18th birthday.
- **(3)** Upon death of the ward or conservatee.
- **(4)** Upon death, removal, or resignation of the guardian or conservator.
- **(5)** Upon any other termination of the guardianship or conservatorship.
- **(6)** At such other times as the Court may order.

(b) Accounts must contain the information and be in the form required in Probate Code §§ 2620 and 1060-1064 and California Rule of Court 7.575 and must be in the form of accounts for decedents' estates as set forth in these rules. If the account shows expenditures not authorized by prior order of the Court, the guardian or conservator must provide supporting declarations or testimony with respect to such expenditures before the account must be approved. An explanation of any unusual items appearing in the account should be set forth in a statement included in the petition and account. (Amended 1/1/09)

(c) The guardian or conservator must set forth in a separate schedule all debts of the ward or conservatee known or anticipated by the guardian or conservator.

(d) The conservatee's current residence address must be set forth in each report or account.

(e) The petition and account must set forth a statement of the age, health/physical condition, activity/treatment program and whereabouts of the ward or conservatee.

(f) Where there are multiple wards or conservatees joined in a single proceeding an account must reflect a separate accounting for each of the respective wards or conservatee. (Amended 1/1/16)

RULE 11.1807 REPORT BY COURT INVESTIGATOR, PROBATE EXAMINER OR COURT ATTORNEY

(a) The Court Investigator, Probate Examiner or Court Attorney must review each account filed to ascertain the correctness of the account and whether the assets are being utilized in the best interests of the conservatee or ward. The Court Investigator, Probate Examiner or Court Attorney must file a confidential report of his or her findings with the Court.

(b) The Court Investigator's assessment shall be charged for all account reviews that do not require a home visit by the Court Investigator unless waived by the Court. In the event that a home visit is conducted, the assessment shall be charged by the Court Investigator only. (Amended 1/1/16)

RULE 11.1808 WAIVER OF ACCOUNTING -- WHEN PERMITTED

(a) The Court does not favor the waiver of any final accounting by a guardian or conservator. A minor may not waive an accounting. A minor who has attained majority will not be permitted to waive a final accounting except upon a showing of unusual circumstances, and then only if the minor is present in Court at the hearing on the petition for termination without an accounting.

(b) In the event that the court has dispensed with the necessity of an accounting pursuant to Probate Code §2628, the fiduciary must file a final report that contains allegations concerning whether the estate continued to satisfy all of the conditions required by Probate Code §2628(b) in lieu of filing a final account. The final report must set forth the assets on hand and the proposed disposition of those assets. Notwithstanding any order dispensing with the necessity of the account, the Court may, under appropriate circumstances, require the filing of an account.
(Amended 1/1/05)

RULE 11.1809 [REPEALED]

Repealed 1/1/17.

RULE 11.1810 ORDER FOR COURT INVESTIGATOR'S FEES

If Court Investigator's fees are due, the Court will not sign the order approving accounting or terminating the matter until the fee is paid or waived. Probate Code Sec. 1851.5. (Eff. 7/1/00)

RULE 11.1811 POWERS AND INVESTMENTS BY GUARDIAN OR CONSERVATOR

(a) It is the policy of the Court to grant only those additional powers necessary or proper under the circumstances in each case. The Court will not routinely grant the guardian or conservator the additional powers set forth in Probate Code Sec. 2591 except on showing of good cause. Any powers so granted must be set forth at length in the order and in the letters.

(b) The investment standard set out in Probate Code Secs. 16040(a) and 16045 et seq. relating to investments by trustees, is the standard in authorizing proposed investments by guardians or conservator.

(c) Subject to the limitations set forth in Probate Code Sec. 2574(b), the guardian or conservator may invest funds in those investments described in Probate Code Sec. 2574(a) without authorization of the Court. Investments in existence at the time of the creation of the guardianship usually may be maintained.

(d) The Court will not approve the investments of funds in unsecured loans, loans to a near relative, or bonds or obligations of foreign governments or corporations, whether payable in dollars or not. (Eff. 7/1/00)

RULE 11.1812 FINAL DISCHARGE

Each order for final discharge submitted to the Court for approval must be accompanied by an affidavit of the guardian or conservator stating that distribution has been made of all property and assets of the estate in accordance with the order for distribution, that all money, stocks, bonds, and other personal property have been delivered to the distributees as ordered by the Court, that receipts of the distributees are on file, and that all acts lawfully required of him, in his representative capacity, have been performed. (Eff. 7/1/00)

RULE 11.1813 TERMINATION OF GUARDIANSHIP OR CONSERVATORSHIP

Upon the filing of a petition to terminate any guardianship or conservatorship, the Court Investigator must make a report to the Court concerning the circumstances of the termination and his recommendations, if any. (Eff. 7/1/00)

RULE 11.1814 SPECIAL NEEDS TRUSTS

(a) The purpose of a special needs trust is to set aside a fund to meet the statutorily defined "special needs" of a "disabled person," while still maintaining that person's rights to receive needs based public benefits, such as Medi-Cal. 42 U.S.C. § 1382c(3)(A) and §1396p(d)(4)(A).

(b) In order to achieve this purpose, the "disabled person" must meet the requirements of Probate Code Sec. 3603, and the Trust itself must comply with the requirements of Probate code § 3604 and California Rule of Court 7.903. In particular, the form of the special needs trust that is proffered to the court for approval must contain all of the provisions set out in California Rule of Court 7.903(c). Special needs trusts are required to file accountings in the form and frequency required by Probate Code §§ 3620 and 1060-1064. If these rules are not explicitly followed, the California Department of Health or the Department of Social Security may terminate the trust, and the beneficiary may lose his or her public benefits. (Amended 1/1/09)

RULE 11.1815 REQUIRED SUPPORTING DOCUMENTS AT TIME CONSERVATORSHIP/GUARDIANSHIP PETITION FILED

In an effort to provide the investigations by the appropriate entity in a timely manner for hearings with every initial Petition for Probate Conservatorship of the person and/or estate or Petition for Guardianship of the person and/or estate, the petitioner must concurrently file the following documents listed below under subsections (a) or (b), as appropriate. Initial Petitions submitted without the supporting documents listed below shall be rejected by the Civil Clerk's Office until all of the necessary supporting documents, as indicated, are provided. An "Initial Petition" is defined as the first Petition for Conservatorship of the person and/or estate or first Guardianship of the person and/or estate, filed by a Petitioner, regardless of whether the filing is a temporary petition or general petition. Competing or subsequent Petitions for Conservatorship of the person and/or estate or Guardianship of the person and/or estate, filed by another Petitioner or nominating a different proposed guardian/conservator, must also provide the supporting documents listed below before the filing will be accepted by the Civil Clerk for filing. Other documents may be necessary to proceed at the time of the hearing, but only the documents listed below are required for the Civil Clerk's Office to file the Petition.

(a) Petitions for Conservatorships of the Person and/or Estate supporting documents;
- **(1)** Confidential Conservator Screening Form (Judicial Council Form GC-314)
- **(2)** Order Appointing Court Investigator (Judicial Council Form GC-330)

(b) Petitions for Guardianships of the Person and/or Estate supporting documents;
- **(1)** Confidential Guardian Screening Form (Judicial Council Form GC-212).

(Adopted 7/1/16).

PART NINETEEN: PROPERTY BELONGING TO MINORS

RULE 11.1901 DISPOSITION OF MINOR'S FUNDS

(a) A petition under Probate Code §§ 3410-3413 must set forth jurisdictional facts, state the amount to be paid and by whom, the amount of fees and reimbursement of costs requested, the relief requested, and a statement of the reasons that the requested relief will best serve the interests of the minor.

(b) The petition may be presented ex parte if the only relief sought (other than reimbursement of costs and award of attorneys' fees) is to deposit funds in a blocked account and the amount involved does not exceed $20,000. Otherwise, the petition must be noticed.

(c) Where the minor's funds are to be deposited into a blocked account, the order must provide that the person holding funds must distribute the ordered amount of fees and costs, if any, directly to the person(s) entitled thereto and disburse the balance to the selected depository, whose name and address must be specified. A hearing will be calendared in court to ensure compliance with the Court order and a personal appearance is mandatory if a receipt of deposit has not been filed Judicial Council Forms: MC-355, Order To Deposit Money Into Blocked Account, and MC-356, Receipt And Acknowledgment Of Order For The Deposit Of Money Into Blocked Account are available at the Clerk's Office or can be found on the California Courts website at www.courts.ca.gov. *(Subd (c) amended effective July 1, 2023, previously amended July 1, 2002.)*

RULE 11.1902 REQUEST FOR WITHDRAWAL OF FUNDS IN BLOCKED ACCOUNT

(a) All requests or petitions for withdrawal of minor's funds deposited in a blocked account must be made to the Court and may be presented ex parte in completed form. A statement must be presented with the petition verifying the amount of each item of the proposed expenditure. Local court form "Petition for Withdrawal of Minor's Funds" is available at the Clerk's office.

(b) If the funds requested are for the support and maintenance of the minor and the petitioner is a parent, the parent must file a declaration showing the parent's financial inability or other circumstances justifying the withdrawal. See Rule 11.1604

(c) No subsequent order for withdrawal will be signed by the Court until the trustee or guardian has complied with the directions of the Court contained in prior withdrawal orders. This means that all supporting vouchers ~~are~~ *and* required certifications and declarations must be on file with the Clerk.

(d) Judicial Council Form MC-357, Order For Withdrawal Of Funds From Blocked Account is available at the Clerk's Office or can be found on the California Courts website and must be presented in accordance with Local Court Rule 11.501. (Amended 1/1/16)

RULE 11.1903 WITHDRAWAL ON MINOR REACHING 18 YEARS OF AGE

When a petition for withdrawal of all the funds is based upon the minor's having reached majority, a birth certificate or other satisfactory evidence of age must be presented with the petition. (Eff. 7/1/00)

PART TWENTY: MINOR'S CLAIM

RULE 11.2001 SETTLEMENT OF MINOR'S CLAIM

Requests for approval of minor's compromise must be heard on the Probate Calendar. (Amended 1/1/05)

RULE 11.2002 ATTORNEY FEES IN MINOR'S COMPROMISE CASES

(a) **Costs**
Allowable costs (CCP 1033.5) paid or incurred by the attorney will ordinarily be deducted from the judgment/settlement prior to computation of fees. (Amended 4/1/95)

(b) **Structured Settlement**
If the petition for approval of a claim under § 3500(b) of the Probate Code relates to a structured settlement calling for future periodic payments, the petition shall state the cost of the annuity. (Amended 1/1/05)

RULE 11.2003 DISTRIBUTION

(a) If the petition is approved, the Court must direct whether the funds are to be paid to a parent, to a blocked account, or to a general guardian.

(b) If the settlement order provides for a deposit in a blocked account in lieu of appointment of a guardian, the Court must continue the matter on calendar for filed verification of compliance. A personal appearance is mandatory if proof of deposit is not on file Judicial Council forms: MC-355, Order To Deposit Money Into Blocked Account, and MC-356, Receipt And Acknowledgment Of Order For The Deposit Of Money Into Blocked Account are available at the Clerk's Office or can be found on the California Courts website at www.courts.ca.gov. *(Subd (b) amended effective July 1, 2023, previously amended July 1, 2002.)*

APPENDIX A: NEWSPAPERS OF GENERAL CIRCULATION

Repealed 1/1/11

APPENDIX B: SUMMARY OF ACCOUNT

LOCAL RULE 11.901(b)

The summary must be in a format substantially the same as
the following, except that inapplicable categories need not be shown:

SUMMARY OF ACCOUNT
With Principal and Income Breakdown

Petition is chargeable and is entitled to the credits, respectively, as set forth in this Summary of Account. The attached supporting schedules are incorporated herein by reference:

PRINCIPAL CHARGES

Property on Hand at Beginning of Account (or Inventories)	$_____
Additional Property Received (or Supplemental Inventories)	$_____
Gains on Sales (Schedule A)	$_____
Total Charges - Principal	$_____

PRINCIPAL CREDITS

Funeral Expenses (Schedule B)	$_____
Debts of Decedent (Schedule C)	$_____
Administration Expenses (Schedule D)	$_____
Losses on Sales (Schedule E)	$_____
Distribution of Assets per Court Order (Schedule F)	$_____
Estate and Inheritance Taxes (Schedule G)	$_____
Principal Assets on Hand (Schedule H)	$_____
Total Credits - Principal	$_____

INCOME CHARGES

Interest Received (Schedule I)	$_____
Dividends Received (Schedule J)	$_____
Rents Received (Schedule K)	$_____
Royalties Received (Schedule L)	$_____
Total Charges - Income	$_____

INCOME CREDITS

Accounting Fees Paid in Connection with Income (Schedule M)	$_____
Real Estate Taxes Paid (Schedule N)	$_____
Ordinary Repairs Paid (Schedule O)	$_____
Insurance Premiums Paid on Income Property (Schedule P)	$_____
Utilities Paid (Schedule Q)	$_____
Income Distributed (Schedule R)	$_____
Income on Hand (Schedule S)	$_____
Total Credits - Income	$_____

APPENDIX C: EXAMPLE OF STATUTORY FEE COMPUTATION

(RULE 11.1003)

(Repealed 1/1/05)

APPENDIX D: Local Rule 11.1004

Checklist: "Ordinary" Services

CEB - California Decedent Estate Practices §30.34

_____ Meeting with the client to review the will and discuss the petition for probate, assets and liabilities, beneficiaries, notices, etc.

_____ Preparing Petition for Letters of Special Administration, if ex parte (if contested, extraordinary fees to the attorney for the appointed special administrator may be petitioned for if shown to be beneficial to the estate).

_____ Preparing petition for probate and related papers to appoint the representative, including locating the will and beneficiaries.

_____ Ordering publication and mailing of Notice of Petition to Administer Estate.

_____ Preparing and service Notice to Petition to Administer Estate if in a county where mailing of notice not handled by legal newspaper or if additional beneficiaries discovered and a supplement must be filed.

_____ Preparing required supplements or declarations.

_____ Preparing separate petition for authority under the Independent Administration of Estates Act.

_____ Preparing Petition for Appointment of Successor Representative and Order for Limited Republication.

_____ Preparing Inventory and Appraisal.

_____ Preparing Petition for Family Allowance (although it is not the representative's duty to file such a petition, and attorneys' fees may be billed directly to the nonrepresentative petitioner).

_____ Handling debts and creditors' claims, including acceptance, rejection, and payment (unless disputes arise that require compromise or litigation.

_____ Preparing status report under Probate Code Secs. §§12200 - 12205, unless multiple reports are necessary.

_____ Preparing petition on interim accounts and reports.

_____ Preparing petition for fees.

_____ Preparing final account and report and petition for compensation, fees, extraordinary compensation, and final distribution.

_____ Preparing required notices.

_____ Preparing required attorney orders.

_____ Supervising distribution, preparation of receipts of distributees, and discharge of representative.

_____. Determining expenses, including local telephone calls, normal postage, and secretarial services.

CHAPTER 12 – JUVENILE CALENDAR PROCEDURES

RULE 12.00 DESIGNATION AND JURISDICTION

The department of the court designated to conduct juvenile proceedings must be known and referred to as the "Juvenile Court" and must exercise the jurisdiction conferred by Division 2, Part 1, Chapter 2 of the Welfare and Institutions Code. (Amended 7/1/02)

RULE 12.01 JUVENILE COURT

The presiding judge of the juvenile court must, with the concurrence of the other judges, establish policies and procedures relating to all juvenile court matters. The presiding judge of the juvenile court may appoint an advisory committee to assist in exercising these duties. The juvenile court must follow the juvenile court rules adopted by the Judicial Council of California. Local practice and procedures not otherwise inconsistent with the Judicial Council rules are set forth below. The presiding judge of the juvenile court must establish schedules, policies and procedures relating to all juvenile court matters calculated to improve the administration of justice in the juvenile court and make the most efficient use of the time of the court, the referee, counsel, probation officers and law enforcement personnel. In so doing, all possible consideration must be given to the welfare of the minors and the convenience of concerned parents and witnesses. (Amended 7/1/02)

RULE 12.02 FACILITIES FOR DETENTION OF MINORS

Minors taken into temporary custody as persons described by Sections 300 or 601 of the Welfare and Institutions Code must be delivered to and detained at San Luis Obispo County Department of Social Services shelter care homes for Section 300 minors, and to a San Luis Obispo County Probation Department designated non-secure detention facility for Section 601 minors. (Amended 7/1/02)

RULE 12.03 TRANSPORTATION OF MINORS TO SHELTER CARE HOMES, JUVENILE HALLS, NON-SECURE DETENTION FACILITIES

Minors taken into custody for detention must be transported by the law enforcement agency which has taken the minor into custody; provided, however, that in instances of bona fide emergency or in instances where a Probation Officer has volunteered to accept responsibility for transportation of the minor, the law enforcement agency must be deemed relieved of said transportation responsibility. The law enforcement agency must still be responsible for providing the Juvenile Admission Record as set forth in Rule 12.04 below.
Minors taken into custody for detention at the San Luis Obispo County Department of Social Services shelter care home for Sec. 300 minors must be transported by Child Protective Services workers except in instances where the minor is actively resisting removal and should be transported in a law enforcement vehicle, or under circumstances where law enforcement already has taken the minor to the place of removal and volunteers to transport. The Child Protective Services worker remains responsible for signing the minor in the shelter care home and providing information as to the time the minor was taken into protective custody, the circumstances of his or her removal, and the name of the social worker to contact concerning the minor thereafter. (Amended 1/1/08)

RULE 12.04 INFORMATION TO BE PROVIDED BY LAW ENFORCEMENT OFFICERS AT TIME OF DELIVERY OF MINOR TO SHELTER CARE HOME, JUVENILE HALL, NON-SECURE DETENTION FACILITIES

On each occasion that a minor is delivered to any of the above-named facilities, a Juvenile Admission Record form must either accompany the minor or be completed at the time of transfer

of custody. The Juvenile Admission Record form must be filled out by a law enforcement officer having knowledge as to the facts subjecting the minor to juvenile court jurisdiction, the facts of the apprehension and temporary custody of the minor, and, if continued detention is recommended by the law enforcement agency, the basis of such recommendation. The Juvenile Admission record form is to be left with the Juvenile Hall Receiving Officer or the operator of either the shelter care home or non-secure facility as is appropriate. (Amended 1/1/08)

RULE 12.05 FILING OF PETITIONS

(a) All petitions except fax filings, must be filed at the court clerk's offices at the Courthouse Annex at any time during the normal business hours of such offices.

(b) Notwithstanding any other rule to the contrary and in consonance with the provisions of CRC5.522, the juvenile court will permit fax filings on an experimental basis as limited below:

- **(1)** Agencies permitted to file agreed upon documents by fax are limited to the Department of Social Services, the Probation Department and the Office of the District Attorney.
- **(2)** Documents which may be filed by fax are limited to petitions filed under Welfare & Institutions Code sections 300, 602, 342, 387, 388, 777, and 778.
- **(3)** Designated petitions may be faxed to the juvenile court at any hour and will be deemed filed on the date and time of receipt and the clerk of the court is authorized to affix a file stamp with the date and time of receipt.
- **(4)** The presiding judge of the juvenile court is authorized to modify (1) and (2) above when circumstances of the fax filing experiment prove that additional persons, agencies and documents may be accommodated by the clerk's office without difficulty. (Amended 1/1/08)

(c) **Advance Notice of Request for Immediate Relief in Juvenile Dependency Writ Petitions**

Before filing a petition for extraordinary writ with a request for immediate relief in a juvenile dependency proceeding, the petitioner must use best efforts to provide notice by telephone, facsimile or e-mail to all counsel at the earliest possible time and, when practical, at least 24 hours before filing. In addition, before filing such a petition, the petitioner must deliver to all counsel, in person, by facsimile, or by e-mail, a copy of the petition. A declaration of notice and delivery, including the date, time, manner, name of the individual notified, any response of the individual notified, and whether any opposition will be filed, or a declaration stating the reasons why notice or delivery could not be accomplished, must accompany the petition. Noncompliance with this rule will not prevent the court from exercising its discretion in the best interest of the child. (Amended 7/1/15)

RULE 12.06 REFEREES

The judges of the Superior Court of California, County of San Luis Obispo may appoint from time to time one or more referees to serve at their pleasure on a full-time or part-time basis. Notwithstanding the provisions of Welfare and Institutions Code Section 553, it must be the policy of this court that all judges of this court will actively participate in the selection, appointment and proceedings terminating the appointment of juvenile court referees. A commissioner of the court may be appointed to also serve in the capacity of a Juvenile Referee.

A referee must conduct hearings, make orders and be bound by such rules as are prescribed by the Juvenile Court Law and as set forth in such orders for such purpose as the presiding judge of the juvenile court may, from time to time, promulgate. The referee is designated as the proper person before whom an appearance must be made pursuant to a written promise to appear issued as to any person under the age of 18 years under the provisions of Sections 40500 and 40502 of the Vehicle Code. (Amended 7/1/02)

RULE 12.07 TRAFFIC HEARING OFFICERS

The judges of the Superior Court of California, County of San Luis Obispo may appoint from time to time one or more traffic hearing officers to serve at their pleasure on a full-time or part-time basis. A traffic hearing officer must hear and dispose of all cases in which he or she may act as prescribed by the Juvenile Court Law subject to the orders of the presiding judge of the juvenile court excepting those he or she deems should be transferred for hearing to the juvenile court judge or referee. (Amended 7/1/02)

RULE 12.08 RELEASE OF INFORMATION

Information concerning the identity of persons suspected, detained or charged as being within Sections 300, 601 or 602 of the Welfare and Institutions Code must be released only to the extent and subject to the qualifications provided in Section 827 of the Welfare & Institutions Code or by an order of presiding judge of the juvenile court or juvenile court referee. 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 Welfare and Institutions code section 827 or Family Law code section 3152. (Amended 7/1/02)

RULE 12.09 CALENDARS

Juvenile court calendars must be set and called at such times as are prescribed by the presiding judge or the presiding judge of the juvenile court. Except as otherwise provided by the juvenile judicial officer, all calendar matters will be heard at the courtroom at the Juvenile Services Center. (Amended 1/1/09)

RULE 12.10 GUIDELINES FOR COURT APPOINTED SPECIAL ADVOCATE PROGRAMS

The Superior Court hereby adopts the guidelines for a the Court Appointed Special Advocate Program, as more particularly set forth under the caption, "Program Guidelines for Court Appointed Special Advocate Programs" established by section 100 of the Welfare and Institutions Code of the State of California, as a Rule of Court applicable to the Court Appointed Special Advocate Program for San Luis Obispo County. The guidelines are incorporated herein by reference.

(a) **Court Appointed Special Advocate Program.** The Superior Court may appoint child advocates to represent and report to the court on the interests of dependent children. In order to qualify for appointment the special advocate must be trained by and function under the auspices of a Court Appointed Special Advocate Program, formed and operating under the guidelines of the National Court Appointed Special Advocate Association. (W&I 356.5) The advocate program shall report regularly to the Presiding Judge and Judges of the Juvenile Dependency and Juvenile Delinquency Courts with evidence that it is operating under the guidelines established by the National Court Appointed Special Advocates Association and the California State Guidelines for child advocates.

(b) **Special Advocates.**Special advocates serve at the pleasure of the court having jurisdiction over the proceeding in which the advocate has been appointed.

(1) **Functions**

In general, an advocate's functions are as follows:

(a) To support the child throughout the court proceedings;

(b) To establish a relationship with the child to better understand his or her particular needs and desires;

(c) To communicate the child's needs and desires to the court in written reports and recommendations;

(d) To identify and explore potential resources which will facilitate early family reunification or alternative permanency planning;

(e) To provide continuous attention to the child's situation to ensure that the court's plans for the child are being implemented;

(f) To the fullest extent possible, to communicate and coordinate efforts with the case manager (social worker or probation officer);

(g) To the fullest extent possible, to communicate and coordinate efforts with the child's attorney;

(h) To represent the interests of the child in other judicial or administrative proceedings; and

(i) To be present in court for all hearings when the case is before the court.

(2) **Sworn Officer of the Court**A special advocate is an officer of the court and is bound by these rules. Each advocate shall be sworn in by a Judge or Court Commissioner before beginning his or her duties, and shall subscribe to a written oath.

(3) **Specific Duties**

In its initial order of appointment, and thereafter in subsequent orders as appropriate, the court may specifically delineate the advocate's duties in each case, including interviewing and observing the child and other appropriate individuals, reviewing appropriate records and reports, consideration of visitation rights for the child's grandparents and other relatives, and reporting back directly to the court as indicated. If no specific duties are outlined by the court order, the advocate shall discharge his or her obligation to the child and the court in accordance with the functions set forth in Local Rule 12.10.B.1 herein.

(c) **Release of Information to Special Advocate**

(1) **To Accomplish Appointment**

To accomplish the appointment of a special advocate, the Judge or Commissioner making the appointment shall sign an order granting the advocate the authority to review specific relevant documents and interview parties involved in the case, as well as other persons having significant information relating to the child, to the same extent as any other officer appointed to investigate proceedings on behalf of the court.

(2) **Access to Records**

A special advocate shall have the same legal right to records relating to the child he or she is appointed to represent as any case manager (social worker or probation officer) with regard to records pertaining to the child held by any agency, school, organization, division or department of the State, physician, surgeon, nurse, other health care provider, psychologist, psychiatrist, mental health provider or law enforcement agency. The advocate shall present his or her order and identification as a Court Appointed Special Advocate to any such record holder in support of his or her request for access to specific records. No consent from the parent or guardian is necessary for the advocate to have access to any records relating to the child. (W & I 107)

(3) **Report of Child Abuse**

A special advocate is a mandated child abuse reporter with respect to the case to which he or she is appointed.

(4) **Communication**

There shall be ongoing, regular communication concerning the child's best interests, current status, and significant case developments, maintained among the special advocate, case manager, child's attorney, attorneys for parents, relatives, foster parent, and any therapist for the child.

(5) **5. Right to Timely Notice**

The moving party shall provide the special advocate timely notice of any motions concerning a child for whom a special advocate has been appointed. (W & I 106)

(6) Calendar Priority.
In light of the fact that special advocates are rendering a volunteer service to children and the court, matters on which they appear should be granted priority on the court's calendar, whenever possible.

(7) Distribution of Casa Reports.

(a) CASA reports shall be submitted to the court at least (3) three court days prior to the hearing.

(b) CASA shall serve a copy of the report on the parties entitled to receive a copy of the report at least (2) two court days prior to the hearing. (Adopted 7/1/10)

RULE 12.12 REPORTS

Consistent with the practices prescribed in Rules 5.220 and 5.242 of the California Rules of Court, social study reports, whether prepared by the probation department or the department of social services, must be made available to the juvenile court and all parties, or counsel. If the social study report has an accompanying psychological evaluation, copies of the evaluations must accompany only those reports going to counsel and the court. Counsel for the parties will determine if release to counsel's client is appropriate or, in the alternative, whether a discussion summarizing the evaluation would be in the party's best interest. As in the case of petitions, social study reports may be filed at the Clerk of the Court's offices in San Luis Obispo at any time during the normal business hours of such office. The Clerk of the Court's office must mark all such reports with a date and time stamp immediately upon receipt. (Amended 1/1/08)

RULE 12.13 MOTIONS

The notice of motion designating a motion pursuant to Welfare and Institution Code Section 701 must specifically describe and list the evidence which is the subject of the motion to suppress; and must specifically state the theory or theories which must be relied upon and urged for the suppression of the evidence; and cite the specific authority or authorities which will be offered in support of the theory or theories upon which suppression of the evidence is urged when a search is based upon a warrant. (Amended 7/1/02)

CHAPTER 13 – MENTAL HEALTH CALENDAR PROCEDURES

RULE 13.00 PROCEEDINGS

Repealed 1/1/07.

RULE 13.01 JURY TRIAL AND MATTER WHICH MAY BE TRANSFERRED

Repealed 1/1/07.

RULE 13.02 INVOLUNTARY MEDICATION

Upon the filing of a writ of habeas corpus pursuant to Welfare and Institutions Code Section 5275, the agency filing the notice of certification signed and issued pursuant to Welfare and Institutions Code Section 5251 must include, as part of the certification filed with the court a statement of the necessity of the administration of psychotropic medication. If the petitioner is unwilling or incompetent to accept medication which is medically indicated, the agency must, as part of the request for an order for 14 days intensive treatment, seek an order for provision of such medication on an involuntary basis. (Eff. Prior to 7/1/92)

CHAPTER 14 – APPELLATE CALENDAR PROCEDURES

RULE 14.00 SESSIONS

Regular sessions of the Appellate Division of the Superior Court of California, County of San Luis Obispo must be held each calendar month at a date, time and place specified in the general calendar. Special sessions must be held at the call of the presiding judge of the Appellate Division. (Eff. Prior to 7/1/92)

RULE 14.01 BRIEFS

Briefs not exceeding 6800 words in length must be prepared, served and filed as provided by Rule 8.883 of the California Rules of Court.. (Revised 1/1/18)

RULE 14.02 ORAL ARGUMENT

Repealed 1/1/18.

RULE 14.03 RULE 8.882 DISMISSAL

If the appellant fails to file an opening brief within the applicable time limits, the court may, upon notice, dismiss the appeal pursuant to the provisions of CRC Rule 8.220. (Amended 1/1/09) (Amended 1/1/09)

RULE 14.04 SETTLED STATEMENTS ON APPEAL

Upon filing a notice of appeal, trial counsel for appellant must adhere to California Rules of Court, Rules 8.850-8.891. This Court requires use of Judicial Council Forms CR133 through CR135. Amended 7/1/10

RULE 14.05 WRIT JURISDICTION

(a) The appellate division has jurisdiction over all petitions for writs of mandate, prohibition and review (certiorari) in any misdemeanor, limited civil or infraction case. (Code of Civil Procedure §1068(b), 1085(b) and 1103(b).) A panel of three judges participate in each petition for writs of mandate, prohibition and review (certiorari) in any misdemeanor, or infraction case, or limited civil case. The court may:

- **(1)** Continue the matter and request supplementary documents or preliminary opposition;
- **(2)** Summarily deny the writ without hearing;
- **(3)** Notify the parties of the court's intention to issue the peremptory writ in the first instance (Palma vs. U.S. Industrial Fasteners, Inc. (1984) 36 Cal. 3d 171; or
- **(4)** Issue an alternative writ or order to show cause and set the matter for hearing, after which, a decision will be made. If an alternative writ is issued, petitioner must serve the writ on all other parties. (Amended 7/1/02)

RULE 14.06 APPELLATE RECORD

(a) Limited Civil Cases – pursuant to California Rules of Court, rule 8.833(a), the original trial court file may be used instead of a clerk's transcript in limited cases.

(b) Misdemeanor Cases – pursuant to California Rules of Court, rule 8.864, a record of the oral proceedings may be provided when filing a notice of appeal.

- **(1)** In an appeal in which the proceedings were officially electronically recorded in accordance with California Rules of Court, rule 8.868, the original recording, or a

copy prepared by the Court, may be transmitted as the record on appeal. (Cal. Rules of Court, rule 8.69(d)(6)(a).)

(2) Transcripts of official electronic recordings will not be provided. If the appellant or requesting party is not deemed indigent, and elects to proceed with a transcript of the oral proceedings instead of a settled statement, the appellant or requesting party must arrange for preparation of the transcript and pay the associated costs. The trial judge will not order that a transcript be prepared as the record of the oral proceedings. (Cal. Rules of Court, rule 8.869(d)(6)(B).)

(3) If an electronic recording is chosen as the record of oral proceedings, copies must be obtained from the Court for each party, pursuant to the California Rules of Court.

(c) Infraction Cases – record of oral proceedings.

In an infraction appeal, the parties by a filed written stipulation or on order of the trial court under California Rules of Court, rule 8.916, subdivision (b), may designate the original of an official electronic recording of the trial court proceedings, or a copy of the electronic recording prepared by the Court, as the record of the oral proceedings, without being transcribed, and in lieu of a Reporter's transcript or settled statement. (Cal. Rules of Court, rules 8.915, 8.196 and 8.197.)

(d) On a case-by-case basis, the Appellate Division may determine those portions of the contents of the reporter's transcript that are required for proper determination of the appeal, and/or whether a form of the record other than the reporter's transcript constitutes a record of sufficient completeness for proper determination of the appeal. (Cal. Rules of Court, rule 8.865(b), and rule 8.918(b).)

(e) On a case-by-case basis, the Appellate Division may revise the timeliness for the preparation of the reporter's transcript of electronic recording. (Cal. Rules of Court, rule 8.866(a)(1), rule 8.868(e)(1), and rules 8.919(a)(1).)

Rule 14.06 amended effective January 1, 2026; previously amended January 1, 2019.

CHAPTER 15 – EX PARTE ORDER PROCEDURES

RULE 15.00 APPLICATION FOR EX PARTE ORDER

(a) Notice Requirements

Except as provided by California Rules of Court section 31204(b) and/or Code of Civil Procedure section 527.6, a party seeking an ex parte order must notify the opposing party or parties of the request. Such notification shall take place no later than 10:00 a.m. the court day before the ex parte appearance, absent a showing of exceptional circumstances.

(b) Special Notice Requirements

An application for an ex parte order must contain a statement of any requests for special notice that have been filed or an allegation that no special notice has been requested. If any such notice has been requested, a waiver thereof must accompany the application. If the application does not comply with the foregoing, it must be first presented to the clerk's office for a clearance as to special notices.

(c) Appointments

Where the matter requires a conference between the applicant or his or her counsel and a judge, before notifying an opposing party of an ex parte request, the applicant must obtain a scheduled appointment with the judge assigned to hear the request. The applicant must call the following number to request an appointment:

	(805) 706-3600
Civil, Family Law or Probate	Option 4
Criminal	Option 3
Juvenile	Option 5

(Subd (c) amended effective July 1, 2023.)

(d) **Nonappearance Ex Parte Applications**
All nonappearance ex parte applications and orders must be delivered to the clerk's office for presentation to a judge in the regular course of business. The clerk must expedite emergency matters upon request.

(e) **Emergency Nature of Request**
The evidentiary declaration must contain facts which demonstrate why the matter is appropriately handled as an ex parte matter, as opposed to being heard on the court's law and motion calendar (with or without an order shortening time).
Amended January 1, 2005.

RULE 15.01 TO WHOM PRESENTED

Except as otherwise specifically provided by these rules, an application for an ex parte order must be presented as follows:

(a) An application for a writ of mandate or prohibition must be presented to the following judges under the following circumstances:
- **(1)** Writ seeking action in a misdemeanor, infraction, or limited civil proceeding - to the Presiding Judge of the Appellate Division.
- **(2)** Writ seeking action in an administrative proceeding (for example, city council, Coastal Commission), except Department of Motor Vehicles implied consent license proceedings, -- to the civil judge randomly chosen in the usual fashion for assignment of all civil cases.
- **(3)** Writ seeking action in a Department of Motor Vehicles implied consent license proceeding -- to the felony judge assigned pursuant to the usual system of assignment based on the name of the petitioner.

(b) An application involving a juvenile court matter must be presented first to the juvenile court referee in cases in which she or he is authorized to act or the presiding judge of the juvenile court.

(c) An application involving an order to show cause in a domestic relations matter must be presented first to the assigned judicial officer.

(d) An application involving a probate matter must be presented to the judge presiding in the probate department.

(e) An application involving a matter pending before a particular judge must be presented to that judge.

(f) All other applications must be presented to the presiding judge or designee.

(g) If the judge to whom an application should be presented under this rule is unavailable or disqualified, or in cases of emergency, the application may be presented to any available judge or the Assistant presiding judge if he or she is available.
(Amended 1/1/05)

RULE 15.03 FILING OF APPLICATIONS AND ORDERS

(a) Applications for ex parte orders must be accompanied by a proposed order. Absence of a proposed order for appearance ex parte matters may necessitate rescheduling the ex parte hearing. (Eff. 1/1/98)

CHAPTER 16 – JURY SERVICES

RULE 16.00 PURPOSE

These rules are established for the purpose of complying with and implementing the California Code of Civil Procedure (CCP), Sections 195 et seq., the California Penal Code (PC) Sections

903.1 et seq., and the California Rules of Court relating to the selection of jurors and the formation of jury trials in San Luis Obispo County. (Amended 1/1/09)

RULE 16.01 JURY COMMISSIONER APPOINTMENT

In the opinion of a majority of the judges, the business of the court requires the appointment of a Jury Commissioner. The judges have appointed a Jury Commissioner for San Luis Obispo County who shall have the authority, duties, and responsibilities to perform the functions as provided by CCP195.Amended 1/1/09

RULE 16.02 JUROR SELECTION

The Jury Commissioner may use mechanical, electric, or electronic equipment in the performance of any function for the selection and drawing of jurors by lot.

(a) Source List

The most current San Luis Obispo voter registration file, combined with the Department of Motor Vehicle file of licensed drivers and identification card-holders who are 18 years of age and older, will constitute the sources from which prospective jurors will be selected.

(b) Master Jury File

The Jury Commissioner will have a new master jury file prepared at least once during any consecutive 12 months. The number of names to be placed on such master jury file will be determined by the Jury Commissioner.

(1) The master jury file must be used for the selection of trial jurors in cases tried in all departments of the court.

(c) Random Selection of Prospective Jurors and Summoning Process

The plan for random selection must be designed by Jury Systems Incorporated (JSI), the Jury Management System contracted with the San Luis Obispo Superior Court, upon the approval of the Jury Commissioner, to ensure that a fair cross section of the eligible persons residing in San Luis Obispo County are selected and that random key numbers are generated and assigned for each prospective juror.

The summoning and qualifying of prospective jurors from the master jury file will be performed as one integrated process and ensure random selection from a fair cross section of the population served by the court. (Amended 1/1/09)

RULE 16.03 DISQUALIFICATION, EXEMPTION, EXCUSE, DEFERMENT OF JURORS

The Jury Commissioner, an assistant to the Jury Commissioner, or the court must determine the statutory disqualification or exemption of prospective jurors.

(a) Disqualification and Excuse Policy

A prospective juror may be disqualified or excused from service on the basis of one of the categories set forth in the statutes of CCP 203, 204 and CRC 2.1008 and as determined by the Jury Commissioner and/or the Presiding Judge of the court.

(1) Procedure for Granting Excuse from Jury Service

A request for excuse from jury service must be addressed to the Jury Commissioner, in writing, and submitted for determination prior to the appearance date, unless the excuse is granted in court the day of the trial. All requests for excuse by a prospective juror will be fairly reviewed and all relevant information w ill be considered. A prospective juror may be personally interviewed if it is determined necessary or desirable to do so by the Jury Commissioner. The Jury Commissioner may refer any request to the presiding judge for his/her determination.

(b) Deferment Policy

It is the intent of these rules and the policy of the court that, if a juror is excused for a reason that is temporary in nature, jury service must be deferred to future date when the excuse no longer exists. (Amended 1/1/09)

RULE 16.05 PANEL SELECTION

All prospective jurors summoned for the court must be selected from the master jury file. The Jury Commissioner will determine the number of prospective jurors to assign for each case based on the type of case, number of defendants, and the length of time the case is estimated to last, after consultation with the trial judge or court clerk.

(a) Special Venires

The Jury Commissioner, after receiving notification that a case will require a special venire, will confer with the presiding judge and/or assigned trial judge before ordering jurors to appear.

(b) Supplemental Panels

Should a judge require a supplemental panel of prospective trial jurors, such panel will be prepared in the same manner as the first panel was selected.

(c) Trial Jury Assignments

Upon each appearance of a juror in either the jury assembly room or a department of the court, a record of attendance must be maintained by the Jury commissioner or courtroom clerk. (Amended 1/1/09)

RULE 16.06 TERM OF SERVICE, TRIAL JUROR PER DIEM AND MILEAGE FEE

Pursuant to CCP 215 and by order of the Judicial Council, the fees of jurors in the Courts of this county, in both civil and criminal cases, must be $15 a day for each day's service, commencing on the second day of service as a juror and 17 cents per mile round trip from their place of residence. In addition, a juror must not be required to be on telephonic standby for more than five court days during any 12-month period, except as necessary to complete the hearing of an action. (Amended1/1/09)

(a) In General

At no time shall the members of the jury be informed as to which party is paying fees, mileage, or other costs for civil cases.

(1) Deposit of Fees

Jury fees, as provided by CCP 631 et seq., must be deposited with the Clerk of the Court by the party demanding the jury (except for eminent domain cases) after the case has been set for trial at the pretrial or trial setting conference and not later than 25 days prior to the date of trial. During the trial, it must be the duty of the party demanding the jury to pay the Jury Commissioner's office daily, in advance, the per diem jury fees and mileage required by law for each successive day of service of the jurors impaneled in the case during the trial. The Jury Commissioner's Office has the duty to collect such fees and mileage for deposit in the Clerk's civil trust fund.

(2) Forfeiture of Deposit

If the case is settled or the jury has waived or the case goes off calendar for whatever reason, or the case is continued for trial on motion of the party depositing the jury fees, none of the deposit shall be refunded if the court finds there has been insufficient time to notify the jurors that the trial would not proceed at the time set. All fees determined to be retained pursuant to this rule must be transferred to the State of California.

(b) Telephone Standby

In order to control the number of jurors appearing for jury duty and to prevent juror overcall, jurors will be placed on telephone standby when they are summoned.

(1) Any prospective juror or alternate juror may be placed on telephone stand-by to be available on one-hour notice by phone. (Amended 1/1/09)

RULE 16.07 JUROR INFORMATION

The Jury Commissioner must not disclose information regarding jurors unless the information is required for the selection of trial jurors, except by order of the court. (Amended 1/1/09)

RULE 16.08 SELECTION OF GRAND JURORS

Rules pertaining to the selection of grand jurors are established pursuant to PC 903.1 et seq. Annually, upon request by the presiding judge of the Superior Court of California, County of San Luis Obispo, the Jury Commissioner must furnish the judges of the court a list of qualified prospective grand jurors.

(a) Qualification of Jurors

The Jury Commissioner must inquire and be informed of the qualifications of persons who will be summoned before the court for grand jury service. The Jury Commissioner must be satisfied that a person is qualified to serve as a grand juror before he or she is sworn.

(b) Submission of List and Names not on List

The Jury Commissioner must submit a list of recommended prospective grand jurors to the court for examination and selection by the judges of the court.

(1) The judges are not required to select any names from the list returned by the Jury Commissioner but may, instead, select from among the body of persons in the county suitable and competent to serve as grand jurors.

(a) Nominations by the judges will be submitted to the presiding judge on or before June 1.

(2) The judges of the court must meet during June of each year and, by majority vote therefore, select the members of the panel from which the grand jurors to serve during the ensuing fiscal year must be selected. The court will then submit a copy of the names to the Jury Commissioner and the Clerk for publication.

(c) Annual Drawing, Number of Jurors, Length of Service

(1) Each year an order must be made and filed with the Clerk of the Court directing a grand jury to be drawn, and the time at which the drawing will take place. The grand jury may be selected to serve from either a fiscal year or calendar year term.

(2) The San Luis Obispo County Grand Jury will serve from July 1 to June 30 of each fiscal year and be comprised of 19 persons and 11 alternates.

(d) Selection of Foreperson

The Presiding Judge of the Court or designee must, upon impanelment of the grand jury, select one of the grand jurors as foreperson. If for any reason the foreperson is unable to continue service, the replacement foreperson must be selected from the remaining grand jurors as soon after the vacancy becomes known.

(e) Removal of Foreperson

The Presiding Judge of the court or designee may discharge the foreperson of the grand jury. In the event of a vacancy in the office of foreperson, the vacancy must be filled by appointment of a new foreperson.

(f) Additional Grand Jury Impanelment

Upon request of the presiding judge the Jury Commissioner must furnish a list of qualified prospective grand jurors to form special grand juries. PC 904.6.
(Amended 1/1/09

RULE 16.09 JURY DISTRICTS

Prospective trial jurors for the Paso Robles court location must be summoned from the jury districts of such court. The jury district for the Paso Robles Court location includes the incorporated areas of San Luis Obispo, Paso Robles, Atascadero, Cambria, Santa Margarita, Templeton and all other unincorporated areas north of the Cuesta Grade provided, however, that nothing shall preclude the exercise of discretion by the jury commissioner in selecting trial jurors when the jury district boundaries do not physically correspond with the present location of court facilities. The San Luis

Obispo Branch must use a county-wide jury panel. (Amended 1/1/12)

CHAPTER 18 – VERBATIM COURT REPORTING SERVICES

RULE 18.00 COURT REPORTERS

(a) The court's official court reporters constitute the Reporting Services section of the Court, in accordance with applicable statutes and rules, under the general direction of the presiding judge and the Court Executive Officer. Official and pro tempore court reporters must make such reports to the California Judicial Council (Administrative Office of the Courts) and to the Court Executive Officer of this Court, as provided by statutes and by rules of court, and as otherwise directed by the Court Executive Officer.

(b) **Availability of Official Court Reporting Services**
Official court reporting services must be provided in designated felony criminal and juvenile dependency and delinquency proceedings. Except as provided below, official reporting services are not available for other court proceedings or case types.

The Court will provide an Official Court Reporter to litigants who qualify for a waiver of court fees and costs in civil and family law matters upon request for the following types of hearings: family law trials, family support hearings, family law requests for order, hearings on requests for civil or family law restraining orders (for example, requests for civil harassment or domestic violence restraining orders), unlimited jurisdiction civil trials, civil law and motion, probate, conservatorships, guardianships, and mental health proceedings.

In order to be eligible for a court reporter, the litigant must have an order granting a fee waiver on file in the case. In matters that do not require a filing fee, such as requests for civil or family law restraining orders, a party who is eligible for a waiver of fees must file a Request to Waive Court Fees (Judicial Council Form FW-001).

The party requesting a court reporter must file and serve a Notice and Request for Court Reporter no later than seven (7) days prior to the scheduled hearing, with notice to all parties. The form Notice and Request for Court Reporter is available on the Court's website. A failure to file a timely request may be considered a waiver of a court reporter for the scheduled hearing. (Amended 1/1/19)

RULE 18.01 PRO TEMPORE REPORTERS

In order that the judicial business of the court may be diligently carried on and a particular matter may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a stenographic reporter in such matter, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge or referee presiding in the department where such reporter will serve. The compensation and costs of the pro tempore official reporters must be as provided in Government Code section 70059.9. (Amended 1/1/08)

RULE 18.02 ELECTRONIC RECORDING OF COURT PROCEEDINGS

Court proceedings may be electronically recorded by court personnel in cases involving infractions, misdemeanors, limited jurisdiction civil and selected unlimited civil cases.
Rule 18.02 amended effective July 1, 2026; previously amended effective January 1, 2009.

CHAPTER 19 – FAMILY LAW DEPARTMENT PROCEDURES AND POLICIES

RULE 19.00 PURPOSE OF LOCAL RULES

(a) **Purpose and Uniformity.** The California Rules of Court and these Local Rules are intended to promote uniformity in the practice and procedures among the departments hearing family law matters in San Luis Obispo County. Attorneys and self-represented litigants should familiarize themselves and comply with the guidelines set forth in this material, in addition to the California Rules of Court, Family Code and other statutory, decisional, and constitutional authorities.

(b) **Supersession of Prior Policies.** Prior to the adoption of these Local Rules, the Family Law Division's practices and procedures were set forth in both the Superior Court of California, County of San Luis Obispo Local Rules and the Superior Court of California, County of San Luis Obispo Family Law Division Policies and Procedures Manual ("P&PM"). With the adoption of these Local Rules, the Family Law Division's practices and procedures are governed exclusively by these Local Rules. References to the former P&PM or former Local Rule, (for example, "[P&PM 2.1; LR19.00.1]") are included solely to identify the prior source of provisions incorporated herein.

(c) **Self-Help Resources.** Self-represented parties may seek additional information concerning court processes and documents through the San Luis Obispo County Family Law Facilitator and the Judicial Branch of California's California Courts Self-Help Guide.

Rule 19.00 amended effective July 1, 2026; previously amended July 1, 2002, July 1, 2023.

RULE 19.00.1 ASSIGNMENT OF JUDICIAL OFFICERS FOR ALL PURPOSES [REPEALED]

Rule 19.00.1 repealed effective July 1, 2026; previously amended effective January 1, 2009.

RULE 19.01 DRAFTING CONVENTIONS AND RESOURCES

(a) **Statutory References.** Statutory references in these rules may use the section symbol (§) to refer to sections of the Family Code, Code of Civil Procedure, Evidence Code, or other statutes.

(b) **California Rules of Court.** References to the California Rules of Court appear in the form "California Rules of Court, rule X.XXX." The full text of the California Rules of Court is available on the Judicial Branch of California website.

(c) **Judicial Council Forms.** References to Judicial Council forms appear in as "Form FL-XXX, Title." Current Judicial Council forms are available online.

(d) **Citation.** These rules may be cited as the "San Luis Obispo County Family Law Local Rules." In pleadings, memoranda, declarations, and court orders, they may be cited as "Family Law Local Rule 19.XX," with reference to the specific rule number.

(e) **Local Forms.** References to local forms appear in the form "Local Form FLXXX, Title." Current local forms are available on the Superior Court of California, County of San Luis Obispo website.

Rule 19.01 adopted effective July 1, 2026. [No former rule.]

RULE 19.02 SCOPE AND AVAILABILITY

(a) **Scope of Application.** Rule 19 applies to all family law matters filed in or assigned to the Family Law Division of the Superior Court of California, County of San Luis Obispo.

(b) **Applicability to Parties and Counsel.** These rules govern practice and procedure in such matters and apply to all parties and counsel, whether represented by an attorney or self-represented, unless a rule expressly provides otherwise.

(c) **Relationship to Controlling Authority.** Rule 19 is intended to supplement, and not to conflict with, the California Rules of Court, the Family Code, and other applicable statutory and decisional authority. In the event of any conflict, controlling statutes and the California Rules of Court prevail.

(d) **Exclusivity of Published Rules.** These rules constitute the governing published local rules of practice for family law matters in this court, and no unpublished policies, procedures, or informal practices shall be deemed binding on parties or counsel. Paragraph headings, section titles, and descriptive labels are included for organizational convenience only and do not alter, expand, or limit the substantive provisions of these rules.

(e) **Timeliness and Proper Filing.** Consistent with the California Rules of Court and applicable law, the court may decline to consider documents or requests that are not timely filed or properly submitted.

Rule 19.02 adopted effective July 1, 2026. [No former rule.]

RULE 19.03 JUDICIAL ASSIGNMENTS AND CALENDARING

(a) **Structure of the Family Law Division.** The Family Law Division of the San Luis Obispo County Superior Court is made up of three judicial officers and one family law facilitator. One judicial officer supervises the Division; one judicial officer hears matters in which the Department of Child Support Services has an interest; and two judicial officers hear matters involving applications for Domestic Violence Protective Orders (Family Code § 6200 et seq.) filed independently from an existing family law matter. All three judicial officers hear all other family law issues and may be available to mediate family law disputes if their workload allows them time to do so.

(b) **Assignment of Domestic Violence Matters.** An application for domestic violence restraining orders will be heard by the judicial officer assigned to the domestic violence calendar unless a family law action is already pending. If a family law action is already pending, the domestic violence restraining order application will be filed in the pending action (or consolidated with the pending action) and referred to the judicial officer to whom the case was assigned for all purposes. Temporary orders may be made by any of the Family Law Division judicial officers, or any assigned judge, until the matter can be heard by the judicial officer to whom the case was assigned for all purposes.

(c) **Direct Calendaring System.** The Family Law Division operates under a direct calendaring system. When a case is filed or transferred to this court, it is immediately assigned to a judicial officer for all purposes pursuant to Family Code § 2330.3. Assignments to court commissioners are assignments to the commissioners for all purposes as a temporary judge. If the assignment is to a court commissioner, the commissioner shall act as a temporary judge for all purposes with respect to the case without further order of the court if a party fails to object to the matter being heard by a temporary judge before the temporary judge begins the proceeding or the party signs a written stipulation agreeing that the matter may be heard by a temporary judge. The duties and powers of the commissioner acting as a temporary judge in such assigned cases include but are not limited to conducting all pre-trial motions, requests for order, orders to show cause, applications for domestic violence restraining orders, trial of all issues framed by the pleadings and all post-trial motions and hearings, whether or not contested, and such other matters that arise while the commissioner is exercising the powers, duties and functions of a superior court judge. Relief from such stipulation shall be sought only as provided in California Rules of Court, rule 2.816.

(d) **Policy Encouraging Settlement and Efficient Case Management.** It is the policy of the court to encourage cooperation and consultations between parties and counsel to facilitate settlement, to avoid needless appearances and to achieve a prompt and cost-effective resolution of family law disputes. Parenting disputes are given the highest priority and continuances of hearing on parenting issues are discouraged.

Rule 19.03 adopted effective July 1, 2026. [P&PM 2.1; LR 19.00.1 repealed July 1, 2026]

RULE 19.04 VENUE OF FAMILY LAW PROCEEDINGS

(a) Family law cases may be filed at the San Luis Obispo or Paso Robles branches of the Superior Court. The party filing the initial pleading must include Local Form FL013, Statement of Venue, to designate the proper venue for the action. The case must be assigned for all purposes to a judicial officer sitting in a branch court or to a judicial officer sitting in the courthouse in San Luis Obispo. The case must be assigned to a judicial officer sitting in the Paso Robles branch court or the San Luis Obispo Courthouse at the locations set forth below, based on a petitioner's residence at time of filing, or, if petitioner resides outside the county, where the respondent resides.

(1) San Luis Obispo Branch: San Luis Obispo, Avila Beach, Cayucos, Los Osos, Morro Bay, Grover Beach, Arroyo Grande, Nipomo, Oceano, Pismo Beach, and unincorporated areas south of the Cuesta Grade and unincorporated areas in between.

(2) Paso Robles Branch: Paso Robles, Atascadero, Cambria, Santa Margarita, Templeton, and unincorporated areas north of the Cuesta Grade.

(b) The court to which any action has been assigned may be changed upon a showing of good cause or upon the court's own motion.

Rule 19.04 adopted effective July 1, 2026. [LR 19.01]

RULE 19.05 FAMILY LAW FACILITATOR – SELF-HELP CENTER

The court's Family Law Facilitator offers webinars and appointments by telephone and in-person for individuals who are not represented by an attorney. For current information on services and appointments, visit the San Luis Obispo County Superior Court's website.

The services provided by the Family Law Facilitator / Self-Help Center include help to:

(a) Prepare forms to establish parentage and how to establish, modify, and enforce child support orders.
(b) Initiate or respond to a petition to dissolve or annul a marriage;
(c) Prepare required disclosure forms in a dissolution or separation action;
(d) Process defaults in dissolution, separation, or annulment actions;
(e) Prepare the judgment and other forms necessary to dissolve or annul a marriage;
(f) Initiate or respond to a domestic violence restraining order;
(g) Establish or modify orders for child custody or visitation;
(h) Make a request for other relief in family law actions;
(i) Schedule or respond to an ex parte hearing in an emergency situation;
(j) Initiate a petition and obtain a decree to change name and/or gender;
(k) Initiate or respond to a civil harassment restraining order;
(l) Initiate or object to a petition to establish guardianship;
(m) Initiate or object to a petition to establish conservatorship;
(n) Initiate or respond to an eviction;
(o) Initiate expungement request; and,
(p) Initiate stepparent adoption request if all parties are in agreement.

The court may assign additional duties to the Family Law Facilitator as allowed by statute. The Family Law Facilitator's Office / Self-Help Center services are provided to all self-represented litigants, including opposing parties to any matter. The Facilitator and staff do not provide legal advice or representation, and statements made to the Facilitator and staff are not confidential.*Rule 19.05 adopted effective July 1, 2026.* [P&PM 2.2]

RULE 19.06 USE OF JUDICIAL COUNCIL FORMS AND DOUBLE-SPACING REQUIREMENT

Documents filed for matters pending in the Family Law Department must be on forms provided by the Judicial Council or the local forms provided by the San Luis Obispo County Superior Court, if the form is adopted for mandatory use. When a mandatory form is not required, the court prefers the use of forms adopted for optional use by the Judicial Council or San Luis Obispo County Superior Court over non-form pleadings. All other documents must be double-spaced and prepared in a font size of not smaller than 12 points. (California Rules of Court, rules 2.100, 2.104, 2.108, 2.256 & 5111(b).). Documents include, but are not limited to, declarations and points and authorities.
Rule 19.06 adopted effective July 1, 2026. [LR 19.03]

RULE 19.07 SELF-REPRESENTED PARTIES

Family law is very complex and important rights and remedies may be lost by persons who are unable or unqualified to represent themselves. The parties are encouraged to consult a family law attorney to be sure that all issues are resolved in a way that avoids future disagreements. Any party who is proceeding to trial or hearing without an attorney must understand that he or she is solely responsible for competently presenting the evidence needed by the judicial officer to decide the case. Self-represented parties must understand that the judicial officer who will decide the case is not permitted to give legal advice to the parties.
Rule 19.07 adopted effective July 1, 2026. [P&PM 2.13]

RULE 19.08 INTERPRETERS

If any party requires an interpreter, the clerk's office must be notified in writing at least one week before the hearing date. Parties may submit a INT-300 Request for Interpreter for this purpose. The party who requires an interpreter must not use a relative or friend to interpret in a contested proceeding. In accordance with the applicable law, the judge may determine that a non-certified interpreter is provisionally qualified. (See California Rules of Court rule 2.893, et seq.)
Rule 19.08 adopted effective July 1, 2026. [P&PM 2:15]

RULE 19.09 EMAIL COMMUNICATION WITH COURT

Communications with the court regarding a pending case must be made through the filing of pleadings, motions, requests, or other documents as required by law and the California Rules of Court. Except as expressly authorized by these Local Rules or by court order, parties and counsel may not communicate with the court regarding the substance or merits of a case by email, letter, telephone call, or other informal means. Where these Local Rules expressly authorize email communication with the clerk's office for administrative or scheduling purposes, all parties or their counsel must be included in the communication. Email communication with the clerk's office is not a substitute for filing documents with the court. These requirements apply equally to attorneys and self-represented parties and are intended to ensure fairness, transparency, and compliance with applicable law governing ex parte communications.
Rule 19.09 adopted effective July 1, 2026. [No former rule.]

RULE 19.10 DESIGNATED DEPARTMENT EMAIL ADDRESSES

(a) **Authorized Use**. Where these Local Rules permit or require notification to the assigned department by email for administrative or scheduling purposes, such communication must be directed to the designated email address for that department.

(b) **Designated Email Addresses**. As of the effective date of these rules, the designated email addresses are:

Department 3:	department3@slo.courts.ca.gov
Department 11:	department11@slo.courts.ca.gov
Department P1:	departmentp1@slo.courts.ca.gov

If a matter is assigned to a different department, notification shall be directed to the clerk of the assigned department.

(c) **Changes to Email Addresses.** The court may update designated department email addresses without formal amendment to these rules.

Rule 19.10 adopted effective July 1, 2026. [No former rule.]

RULE 19.11 ALTERNATIVE DISPUTE RESOLUTION

Alternative Dispute Resolution (ADR) is encouraged but not mandatory, although parties subject to a restraining order may be prohibited from participating and should refer to the terms of the order. The parties may utilize a collaborative law process to resolve their family law matters, if a written agreement is entered into by the parties, in accordance with Family Code § 2013. Information regarding ADR may be found on the Superior Court of San Luis Obispo website.

Rule 19.11 adopted effective July 1, 2026. [P&PM 2:3]

RULE 19.12 REQUESTS FOR TEMPORARY EMERGENCY ORDERS

(a) **Ex Parte Applications.**

(1) Ex parte requests may result in temporary emergency custody orders that change the custodial arrangement in existence prior to the filing of ex parte application. Such orders are frequently made under circumstances which give one of the parties a very limited time to respond. Accordingly, attorneys, parties, and services employed to prepare pleadings must adhere to the highest standards of good faith and honesty in preparing declarations in support of ex parte orders. If it is determined that a party is misusing the ex parte process, sanctions will be imposed.

(2) In the event the requested orders modify existing custodial arrangements, the parties or their counsel must disclose that a requested ex parte order will change the existing custodial arrangement (status quo). If a custody order exists which the ex parte application seeks to modify, a copy should be provided as an exhibit to the request for order.

(3) Requests for temporary emergency orders must be in writing. The moving party must contact the Family Law Clerk's Office at (805) 706-3600 to reserve a date and time for the request for temporary emergency orders to be reviewed by a judicial officer without appearances by the parties and counsel at the hearing.

(4) The moving party must give notice of the request for temporary emergency orders to all other parties by 10:00 a.m. on the court day prior to the date reserved for the judicial officer to review the request for temporary emergency orders or provide the court with appropriate justification as to why compliant notice was not provided. (See Family Code § 215.)

(5) All pleadings accompanying and including the request for temporary emergency orders must be filed by the moving party by 12:00 p.m. on the day before the reserved date. Fees must be paid when the pleadings are filed unless a fee waiver has been granted to the moving party.

(6) All pleadings accompanying and including the FL-300 Request for Order for temporary emergency orders must be served on the other party as soon as possible, but in no event later than 4:00 p.m. the court day before the hearing. If the other party's (or attorney's) facsimile number or email address is known or publicly available, the pleading and notice must be served by facsimile transmission or email no later than 1:30 p.m.

(7) If the pleadings are not timely filed or if the necessary fees are not paid (absent a fee waiver), the request for temporary emergency orders will not be heard. Exceptions to this rule will be entertained by the court only when the circumstances are shown to be extraordinary.

(8) The moving party must file a declaration stating how the notice was given or facts to show that there is an exception to the requirement of service, and what the responding party was told. If exceptional circumstances are claimed, they must be specifically stated. Declarations regarding notice should comply with California Rules of Court, rules 3.1203 and 3.1204. If the court grants the request for waiver of notice, then subsections (A)(4) and (A)(6) of this Rule are not applicable. Either Judicial Council Forms or Local Forms may be used to satisfy this requirement.

(9) The responding party must serve and file a FL-320 Responsive Declaration to the Request for Order with the court by the hearing date and time (9:45 a.m. on the date of the ex parte hearing unless the notice provides for a different time) in order for their response to be considered by the court.

(10) Ex parte applications will be considered by a judicial officer on the basis of what appears in the pleadings only. If additional time is required to respond to a request for temporary emergency orders, the court will consider a request for a one-day continuance of the request to permit a response to be prepared and filed, provided that a written statement of this request and a summary of the reasons for such request are served and filed prior to the ex parte hearing.

(b) **Declarations Required.**

Declarations in support of requests for temporary emergency order and requests for domestic violence restraining orders must recite specific facts within the personal knowledge of the declarant which support the relief requested. If either a request for temporary emergency orders or a request for domestic violence orders propose to alter custodial arrangements, restrict visitation, or order the removal of one party from the family residence, the declaration must recite specific facts describing specific incidents and harm. [See California Rules of Court, rule 5.151.]

(c) **Emergency Nature of Request.**

Declarations in support of a request for temporary emergency orders must include facts which show why the matter must be heard on an emergency basis as opposed to being heard on the court's regular request for order calendar. Emergencies do not include proposed revisions in custody or visitation to accommodate holiday, vacation, or birthday plans.

Rule 19.12 adopted effective July 1, 2026. [P&PM 2:5.1-2:5.4]

RULE 19.13 REQUESTS FOR DOMESTIC VIOLENCE RESTRAINING ORDERS

The Domestic Violence Prevention Act allows restraining orders, including custody orders, to be obtained on an expedited basis without the necessity of paying court fees and without giving advance notice to the other party. Domestic violence restraining orders may also create certain parenting presumptions.

(a) **Declarations Required.**

(1) If an Emergency Protective Order was issued by a law enforcement agency, the Emergency Protection Order must be attached to the declaration, if available.

(2) The party seeking a domestic violence restraining order must disclose any other incident of domestic violence or abuse that was reported to any law enforcement agency, or resulted in criminal charges against either party, or resulted in the imposition of a period of probation, parole, or resulted in court-ordered restraints on the conduct of either party.

(b) **Child Custody Orders.**

Any person seeking custody of or visitation with a child must disclose in their application all of the following information:

(1) What facts establish the parental relationship;

(2) Whether any custody or visitation orders were previously issued by any court; and

(3) The specific terms of those orders (a copy of existing orders should be attached if

available.)

(c) **Notice.**
The ex parte notice requirements set forth in Rule 19.12(a) do not apply to petitions brought pursuant to the Domestic Violence Prevention Act.

(d) **Accuracy.**
The parties must maintain the highest standards of good faith and accuracy in their declarations. Any attempt to use the Domestic Violence Prevention Act process as a strategy to gain an improper litigation advantage, including the failure to make full disclosure of all existing cases and orders in any court which involve or have involved the parties or any minor children, may subject the party to monetary sanctions, and such conduct may influence the orders made by the court when the matter is heard.

Rule 19.13 adopted effective July 1, 2026. [P&PM 2:5.5]

RULE 19.14 CALENDARING REQUESTS FOR ORDER, ORDERS TO SHOW CAUSE AND MOTIONS

(a) **Calendaring of Hearings.** Requests for orders, motions and orders to show cause are calendared for hearing in the department to which the case has been assigned for all purposes. Each department hears requests for order and motions one day per week. A hearing date will be assigned when the moving papers are accepted for filing by the court clerk.

(b) **Hearing Duration and Scheduling.** When a hearing will occur depends on the number, complexity, and statutory priority of the matters on calendar on a given date. The judicial officer will ask for a time estimate at the first appearance of the matter. In general, if one of the attorneys or parties believes a hearing, including the review of the moving papers, will take more than twenty minutes, the judicial officer will determine whether the matter will be heard on the date first set or reset to a further hearing date.

(c) **Rescheduling for Lack of Timely Service.** If a request for order cannot be timely served, the moving party may request a new hearing date by filing an FL-306 Request to Reschedule Hearing.

(d) **Notice if Hearing Cannot Proceed.** Parties must notify the Family Law Clerk as soon as possible if the hearing cannot proceed because the request for order was not served.

(e) **Matters Taken Off Calendar.** After the motion or request for order is served, the matter cannot be taken off calendar without the agreement of all parties in the case.

Rule 19.14 adopted effective July 1, 2026. [P&PM 2:6.1-2:6.4]

RULE 19.15 PRE-HEARING SETTLEMENT EFFORTS

(a) **Purpose.** The parties and their counsel must be mindful of the fact that the court's staff spends time collecting and organizing pleadings and files and that judicial officers spend time reading the pleadings bearing on the dispute presented. A failure of the parties to meet and confer to discuss settlement before the scheduled hearing wastes the time and scarce resources of the parties and the courts.

(b) **Good-Faith Pre-Hearing Settlement Efforts.** Counsel for the parties must meet and confer in good faith at least 48 hours in advance of the hearing to determine how the matter in dispute may be resolved. For this purpose, parties and counsel may meet and confer in person, by telephone, or by video conference. The parties must make a good-

faith effort to identify and resolve issues where possible. Sanctions may be imposed upon one or both parties for failure to participate in good-faith pre-hearing settlement efforts.

(c) **Domestic Violence Cases.** The requirements to participate in pre-hearing settlement efforts as provided under this section do not apply to cases involving domestic violence.

Rule 19.15 adopted effective July 1, 2026. [P&PM 2:8.6]

RULE 19.16 MEET AND CONFERS

(a) **Requirements to Meet and Confer in Good Faith.**
Pursuant to California Rules of Court, rule 5.98, all parties and all attorneys are required to meet and confer to resolve as many issues as possible prior to a hearing on a request for order, except for cases involving domestic violence. This meeting shall be conducted either in-person, telephonically, or through a video-conferencing platform. This meet and confer shall include discussing all issues, which shall encompass agreeing and/or narrowing areas of disagreement as to the various inputs relevant to any required calculations/submittals. This requirement does not apply to cases involving domestic violence in which an active restraining order exists and the protected party is self-represented. Under no circumstances may a restrained party communicate directly with a protected party under the guise of complying with any meet and confer requirement.

(b) **Exchange of Documents During Meet and Confer.**
The parties are required to exchange all documentary evidence (other than rebuttal or impeachment documents) that will be relied upon to prove any fact. The court may decline to consider documents that were not exchanged before the hearing or were untimely filed.

(c) **Sanctions for Failure to Meet and Confer.**
Failure to meet and confer may result in the imposition of sanctions against any party who fails to participate in a meaningful meet and confer.

Rule 19.16 adopted effective July 1, 2026. [No former rule.]

RULE 19.17 SETTLEMENTS

If the case settles prior to the date of trial or hearing, counsel or the parties if self-represented must notify the clerk of the court where the matter is assigned in writing as soon as possible, so that pending matters can be removed from calendar and other matters can be set. If the parties appear at trial, the court must be notified at the earliest time that the matter is settled, so that it can be taken off calendar, or heard as an uncontested matter.

Notification may be made by email to the assigned department in accordance with rule 19.10, Designated Department Email Addresses.

Rule 19.17 adopted effective July 1, 2026. [P&PM 2:14]

RULE 19.18 MEDIATION

Mediation is required by California state law when parents disagree about child custody or parenting time when the issue is before the court. Mediation is a process of assisting parents in developing a parenting plan and is a neutral setting for discussing arrangements for children, and

to reduce acrimony and provide guidelines for parenting. Whenever a case involves unresolved issues over parental responsibilities or access to children, and the parties have not attended mediation within the past 120 days, the parties must attend mediation with the Family Court Services section of the Superior Court of the County of San Luis Obispo prior to the hearing or trial date. The mediator will help the parties fashion a parenting plan that services the best interests of the children.

Mediation appointments are available through Family Court Services and only to parties who have a pending hearing or trial involving child custody or parenting time issues. Mediation shall be ordered by the court prior to the first hearing on the matter, except in cases under the Domestic Violence Prevention Act as provided in rule 19.35(b).
Rule 19.18 adopted effective July 1, 2026. [P&PM 3:1]

RULE 19.19 PROOF OF SERVICE

Proof of service should be filed with the clerk's office prior to the hearing. The matter may be removed from calendar for failure to timely file proof of service. If a responding party fails to appear at a hearing, the moving party must immediately submit proof of timely service to the court; otherwise, the matter may be taken off calendar.
Rule 19.19 adopted effective July 1, 2026. [LR 19.02]

RULE 19.20 CONTINUANCES

(a) **Continuances Disfavored**.
Due to the impacted court calendars, the court has a strong interest in adhering to scheduled dates. Changes in dates are generally disfavored absent a showing of good cause. Accordingly, the court will address continuances pursuant to these guidelines:

(b) **Requests for Order and Trial Setting Conferences.**
Only one (1) request for continuance will generally be granted. A continuance may be requested by email or by filing and serving FL-306 Request to Reschedule Hearing, FL-307 Request to Reschedule Hearing Involving Temporary Emergency (Ex Parte) Orders, or FL-308 Agreement and Order to Reschedule Hearing. If a request for order cannot be served timely, see Rule 19.14 regarding rescheduling and notice requirements. Continuances by email may be requested at any time prior to, but no later than, the day before the hearing at 3:00 p.m. Email continuances will be granted only if both parties agree to the continuance, as confirmed either by (1) a conjoint email to the court's clerk with confirmed receipt [see rule 19.10, Designated Department Email Addresses] or (2) a signed stipulation. After one (1) continuance, appearances by both sides will be required to request any further continuance and will require a showing of good cause.

(c) **Trials, Settlement Conferences, and Specially Set Matters**.
Trials, Settlement Conferences, and specially set matter dates set by the court are firm and will rarely be changed. The parties and their counsel must be prepared to proceed with the hearing. Any request, whether by stipulation or motion, to continue these matters must be filed with the clerk's office and must be supported by a sufficiently detailed explanation of the grounds for the requested continuance or extension of time. The court will only continue these matters upon a showing of good cause. If the parties are not prepared to go forward, then the court reserves the option to vacate all pending dates. If more than one matter is ready to proceed on the date and at the time scheduled, the court will decide which case shall proceed first.

Rule 19.20 adopted effective July 1, 2026. [P&PM 2.12]

RULE 19.21 COURT APPEARANCE

(a) **Personal Appearances Generally Required Absent Court Order.** Court appearances are often most efficiently and effectively conducted in person. Personal appearance at hearings is required, unless provided below, by statute, or order of the court. Remote appearance is the exception, not the norm. The court decides whether to grant a request for remote appearance on a case-by-case basis.

(b) **Remote Appearances Permitted.** Parties and counsel may appear remotely for trial setting conferences, trial readiness conferences, voluntary settlement conferences, and appearances for which permission to appear remotely has been granted. Parties, witnesses, and support persons may appear remotely at domestic violence proceedings pursuant to Family Code § 6308.

(c) **Appearances at Department of Child Support Services Hearing (“"DCSS”).** Parties and counsel shall appear remotely at Department of Child Support Services hearings, unless otherwise ordered.

(d) **Application for Remote Appearances.** A Local Form FL015, Application for Videoconference Appearance and Order must be filed and served at least five (5) court days prior to the hearing. The other party has three (3) court days after filing of the application to object to the request. If the court does not grant the application, the appearance shall be in person.

Rule 19.21 adopted effective July 1, 2026. [P&PM 2.4]

RULE 19.22 FAILURE TO APPEAR OR TIMELY APPEAR AT HEARING

Failure to Appear.

(a) Failure of the moving party or attorney to be present at the calendar call for a properly noticed hearing, unless the party or their attorney has notified the court of the reason for their absence, arranged for someone to appear on their behalf, or whose absence has been previously expressly excused by the court, may result in sanctions and the removal of the matter from the calendar. If only the responding party appears, the court may award attorney’s fees and costs to the responding party.

(b) In the event the responding party fails to appear at a hearing, the court may, at its discretion, continue the matter to a later date or proceed with the hearing and issue orders based upon the evidence presented by the moving party. The court may award attorney’s fees to the moving party who appears when appropriate.

Tardiness.

(c) If an attorney or a self-represented party is unable to be present at the time of the calendar call, the court and opposing party must be notified of the reason for the delay at the earliest possible opportunity and when the delayed party’s appearance can be expected. Late or unexcused appearances may be sanctioned.

(d) Counsel and the parties are reminded that their principal obligations on days when court appearances are scheduled is to be in court in a timely manner. Valid reasons for not appearing in a timely manner may include appearances in other departments of this court, mandatory appearances in other courts, and medical appointments or emergencies. Events such as depositions, other business or academic appointments, or the like are not valid reasons to fail to appear in court on time. Unexcused or unjustified failures to appear are discourteous, time-consuming, and expensive to the court and the parties.

(e) Ongoing conflicts where counsel or a party makes commitments to be in places other than in court will not be tolerated. In those cases, the court may impose sanctions on the party or counsel not appearing in a timely manner or may proceed to hear the matter when it was originally set, whether or not the court receives notice that the party or counsel will be late.

Rule 19.22 adopted effective July 1, 2026. [P&PM 2:8.4]

RULE 19.23 CALLING OF REQUEST FOR ORDER CALENDAR

(a) If the attorney or self-represented party informs the court that a hearing may not be necessary because the parties are engaged in meaningful, productive negotiations, then the matter will be dropped to the end of the calendar. If the parties have not settled the matter when the case is called again, it will be heard by the court.

(b) If a case is settled after calendar call but before the hearing, the court shall be notified of the agreement. The stipulation will generally be taken ahead of all contested matters by the family law judicial officer. If the parties reduce their agreement to writing, they may pass the agreement to the bailiff or the clerk for the court's review. If the stipulation is signed and filed, then the parties may leave without waiting for the next calendar call.

(c) When a matter is called, counsel or the self-represented party must state their names, identify the party they represent, if applicable, and provide an accurate time estimate for the hearing.

(d) Attorneys must be prepared to address the issues raised by the pleadings and efficiently present the facts the court requires to resolve the dispute. Parties and their counsel must not use a hearing as an opportunity to conduct discovery. If depositions or other forms of discovery are needed to prepare for hearing, the court may, in its discretion, continue the matter to facilitate the needs of the parties. The court may enter appropriate temporary orders, subject to adjustment, to cover the period of delay.

(e) Matters with a total time estimate exceeding the court's available time for that day may be continued to a further hearing date. If appropriate, the court may enter temporary orders, subject to adjustment, to cover the period of delay.

Rule 19.23 adopted effective July 1, 2026. [P&PM 2:8.7]

RULE 19.24 PRESENTATION OF EVIDENCE AT HEARING ON REQUEST FOR ORDER

(a) Counsel and parties must be prepared to present their case based upon pleadings, declarations, and offers of proof.

(b) At a request for order hearing, the court will receive live, competent testimony that is relevant and within the scope of the hearing absent a stipulation of the parties or a finding of good cause. If a party seeking to introduce live testimony fails to comply with California Rules of Court, rules 3.1306 or 5.113, Family Code § 217, or Code of Civil Procedure § 1987, then their noncompliance may constitute good cause to deny their request to introduce live testimony.

(c) Sensitive or confidential documents may be received by the clerk and returned to the parties at the conclusion of the hearing. When appropriate, the court may order such documents to be maintained in a portion of the file not open to public inspection without a court order. If an individual's social security number is required in a pleading or other paper filed in the public file, only the last four digits of that number may be used. If financial account numbers are required in a pleading or other paper filed in the public file, only the last four digits of these numbers may be used.

(d) Parties must exchange all documentary evidence that is to be relied on for proof of any material fact at the hearing except those reserved for true impeachment. Documents, other than those reserved for true impeachment, that are not exchanged and pre-marked as exhibits may not be received into evidence at the hearing at the court's discretion. If all parties and/or their counsel agree, any documents subpoenaed for a hearing and produced directly to the court may be inspected by the parties before the date scheduled for a hearing. The document inspection must be arranged by the clerk of the department where the matter has been assigned for all purposes.

(e) If a witness is subpoenaed to appear at a hearing, counsel and self-represented parties must confer prior to the hearing to determine if a stipulation can be reached as to the substance

of the testimony expected from the witness. The witness may then be excused. Third party witnesses will normally be afforded priority scheduling at the time of the hearing.

Rule 19.24 adopted effective July 1, 2026. [P&PM 2:8.8]

RULE 19.25 TIME ESTIMATE

(a) Accurate time estimates are important to the parties and the court. Examination of witnesses and the presentation of argument must not be unnecessarily extended. Counsel must focus upon presenting only the information the judicial officer requires to resolve the disputed issues in the motion currently before the court.

(b) If the time estimate of the parties is exceeded, the court may terminate the hearing and decide the dispute based upon the state of the record at that time, or continue the matter to another date, or order the matter off calendar.

(c) The court may apportion the time allocated to a case between the parties, allowing each party a specific amount of time to present their case. In that event, time spent cross-examining a witness called by a party shall be charged against the party calling the witness. The court may control the nature, extent and manner of cross-examination so as to avoid an unfair use of time in an effort to "run out the clock."

Rule 19.25 adopted effective July 1, 2026. [P&PM 2:8.10]

RULE 19.26 SELECTION OF TRIAL DATES

(a) **Selection of Trial Date by Joint At-Issue Memorandum.** Any party may obtain a trial date by submitting Local Form FL003, Joint At-Issue Memorandum to the court. Upon service of the proposed Local Form FL003, Joint At-Issue Memorandum on the other party (or counsel if represented), the parties (or counsel, if represented) must meet and confer regarding trial in advance of submitting Local Form FL003, Joint At-Issue Memorandum. If no agreement is reached on three proposed dates for the trial setting conference, then the dates shall be left blank. Upon approval, the court will set and notice a trial setting conference to select a trial date.

(b) **Selection of Trial Date by Unilateral At-Issue Memorandum.** If any party refuses or fails to sign the Local Form FL003, Joint At-Issue Memorandum within fifteen (15) days of service, the initiating party may file the Local Form FL003, Joint At-Issue Memorandum with one signature, together with Local Form FL004, Certificate of Non-Compliance. Sanctions will be imposed against one or both parties if the failure to secure agreement on submitting the Form FL003, Joint At-Issue Memorandum is without substantial justification.

(c) **Selection of Trial Date Without At-Issue Memorandum.** A trial date may also be requested by one or both parties at any appearance. If the parties agree that the case is ready, the court may select a date agreeable to both sides without filing a Local Form FL003, Joint At-Issue Memorandum.

Rule 19.26 adopted effective July 1, 2026. [P&PM 2:9.2]

RULE 19.27 EXCHANGE OF FINANCIAL DOCUMENTS

(a) **Purpose and Policy.** Motions such as a request for orders frequently involve high levels of anxiety and anger. The court's goal is to provide a cost-effective way to resolve disputes while minimizing anxiety and hostility. The following rules require the parties to exchange basic financial information that provides the basis for a settlement without expensive court intervention. In the event a settlement cannot be reached, the financial information exchanged between the parties may be presented to the court at a contested hearing. If any party fails to obey these rules, they may be required to pay sanctions and the attorney's fees occasioned by a failure to comply or by the need to continue the hearing.

(b) **Applicability.** For any hearing in which orders for child support, spousal support, family

support, or attorney's fees and costs, including modification, are sought, each party requesting or opposing the orders must serve all necessary and indispensable parties with the following documents concurrent with their FL-300 Request for Order or FL-320 Responsive Declaration to Request for Order. This rule does not require compliance at the time of filing a request or response under the Domestic Violence Prevention Act. The court may order compliance with this rule at any subsequent noticed hearing. Each party shall prepare and file a declaration compliant with subsection (g) of this rule and a proof of service verifying the date of service of the rule 19.27 documents with the court prior to the day of the hearing.

(c) **Required Exchange – Individual Income and Financial Documentation.** The moving and responding parties must exchange:

(1) A copy of all payroll statements, paycheck stubs and/or evidence of all self-employment income received for last 180 days. If a party receives paycheck stubs, then they shall produce complete paycheck stubs showing all deductions.

(2) A copy of the two most recent individual state and federal income tax returns, and returns filed in any other jurisdiction, including all attachments, schedules, worksheets, W-2 forms, 1099 forms and amendments.

(3) A current FL-150 Income and Expense Declaration.

(4) If a party is self-employed, a profit and loss statement, balance sheet, quarterly sales tax report and similar documentation evidencing income received or similar documentation for income received from all sources for the preceding twelve (12) months for any business operated by the party.

(5) A complete copy of each statement issued by any financial or banking institution for any business or personal account, including but not limited to, checking, saving, credit union accounts, and other deposit accounts held in the name of a party, the name of a party's business, and accounts to which a party is a signatory during the preceding twelve (12) months. This subsection does not require the exchange of credit card statements and investment account statements, although the court may require their exchange if good cause is shown.

(6) **Peer-to-Peer and Digital Payment Platforms.** A copy of any and all statements and transaction records for the preceding twelve (12) months for any peer-to-peer or digital payment platform or service through which the party sends, receives, transfers, or stores funds, including, as of the effective date of this rule, platforms such as Venmo, PayPal, Cash App, and Apple Cash; these examples are illustrative only and do not limit the scope of this subsection.

(7) **Cryptocurrency and Digital Asset Platforms.** A copy of any and all statements, account summaries, and transaction records for the preceding twelve (12) months for any cryptocurrency, digital asset, blockchain-based asset, token, or similar digital financial asset platform, exchange, wallet, brokerage, or service through which the party holds, controls, transfers, trades, stakes, mines, or otherwise acquires such assets, including, as of the effective date of this rule, platforms such as Coinbase, Crypto.com, Kraken, and PayPal Crypto; these examples are illustrative only and do not limit the scope of this subsection.

(d) **Business and Corporate Documentation.** If a party has at least a twenty-five percent (25%) ownership interest in a business entity that files tax returns, then that party must additionally provide:

(1) Copies of the two most current corporate tax returns filed in any jurisdiction, including all schedules, worksheets, attachments, forms and amendments.

(2) Copies of all corporate bank statements for the preceding twelve (12) months.

(3) Copies of the most recent profit and loss statement, balance sheet, quarterly sales tax reports and similar documentation evidencing income received from all sources for the preceding twelve (12) months for any business operated by the party.

(4) **Peer-to-Peer and Digital Payment Platforms.** A copy of any and all statements and transaction records for the preceding twelve (12) months for any peer-to-peer or digital payment platform or service through which the corporation or business

sends, receives, transfers, or stores funds, including, as of the effective date of this rule, platforms such as Venmo, PayPal, Cash App, and Apple Cash; these examples are illustrative only and do not limit the scope of this subsection.

(e) **Cryptocurrency and Digital Asset Platforms.** A copy of any and all statements, account summaries, and transaction records for the preceding twelve (12) months for any cryptocurrency, digital asset, blockchain-based asset, token, or similar digital financial asset platform, exchange, wallet, brokerage, or service through which the corporation or business holds, controls, transfers, trades, stakes, mines, or otherwise acquires such assets, including, as of the effective date of this rule, platforms such as Coinbase, Crypto.com, Kraken, and PayPal Crypto; these examples are illustrative only and do not limit the scope of this subsection.

(f) **Service of Rule on Unrepresented Party:** The moving party must serve a copy of this rule on any unrepresented party.

(g) **Duty to Secure Documents; Sanctions:** Each party must take whatever steps are necessary to secure the documents listed above. Non-compliance and/or bad faith delays are not an option and will normally be sanctioned.

(h) **Declaration of Compliance and Explanation of Noncompliance:** The rule 19.27 documents must be served with a declaration signed by the party identifying each document being produced and the dates of the documents. If a party does not timely produce any of the required documents, the noncomplying party must state what documents were not produced, why they were not produced, what efforts are being made to obtain them, when they will be available, if known, and the identity and location of the entity who has them. Optional Local Form FL017 "Declaration Pursuant to San Luis Obispo County Local Rules, rule 19.27" may be used for this purpose.

(i) **Continuances and Supplemental Compliance:** Except as provided in subsection (j) and unless ordered by the court, parties are not required to supplement their rule 19.27 documents when their hearing is continued. Parties may request an order for supplemental compliance with rule 19.27 at any hearing for support or attorney's fees and costs. Parties may obtain a Family Centered Case Resolution Conference date for supplemental rule 19.27 compliance by serving and filing a Local Form FL014 Request for Status or Family Centered Case Resolution Conference.

(j) **Income and Expense Declaration Updates:** If any facts have changed, or more than ninety days have passed, since the filing of their last FL-150 Income and Expense Declaration, each party shall serve and file a current FL-150 Income and Expense Declaration at least five (5) days before any hearing regarding spousal support, child support, or attorney fees and costs.

(k) **Department of Child Support Services Matters:** On motions initiated by the Department of Child Support Services, the parties must comply with rule 19.27 upon demand and provide proof of service of the documents upon all parties. Compliance is not necessary where welfare benefits are being expended on behalf of the child or disclosure is otherwise prohibited by Family Code § 17212, in which case compliance will be at the court's discretion.

Rule 19.27 adopted effective July 1, 2026. [P&PM 2:8.2]

RULE 19.28 PRE-TRIAL MANAGEMENT ORDERS

(a) **Applicability.** All trials and long-cause hearings (as defined by California Rules of Court, rule 5.393(a)(1)-(2)) shall be subject to the following pre-trial management orders, which may be modified at the court's discretion, unless the court designates a particular matter as not subject to pre-trial management pursuant to subsection (g) of this rule. Unless otherwise ordered, the requirements and deadlines set forth in this rule apply as default pre-trial management orders. Any case-specific order controls only as to the subject addressed in that order, and all other requirements and deadlines of this rule remain in effect unless otherwise ordered.

(b) **Definition.** For purposes of this rule, "scheduled proceeding" means the date and time set

for trial or long-cause hearing in the matter.

(c) **No later than twenty-one (21) Court Days Before the Scheduled Proceeding. Rule 19.27 Compliance:** If financial matters are at issue including child support, spousal support, attorney's fees, payment of debts, calculation and/or payment of arrearages, and/or ability to pay sanctions, the parties must comply with rule 19.27. Failure to comply with this requirement may result in the court drawing an adverse inference against the noncomplying party.

(1) **Rule 19.27 Compliance Due Date:** No later than twenty-one (21) days before the scheduled proceeding, the parties shall serve documents in compliance with rule 19.27 and file a declaration of compliance with the court.

(2) **Income and Expense Declaration:** The parties shall file and serve a current and complete FL-150 Income and Expense Declaration. "Current" is defined as being completed within the last ninety (90) days before the scheduled proceeding.

(3) **Income and Expense Declaration Contents:** The FL-150 Income and Expense Declarations shall include all supporting schedules and payroll documentation, including all most recent pay stubs showing current year-to-date income from all employers in the current year, and all W2s and/or 1099s from the previous tax year. If the prior year's tax forms are not available, the party shall submit the final pay stub for the prior year showing year-to-date income. Self-employed parties shall provide all income documentation required under rule 19.27.

(d) **No later than fifteen (15) Court Days Before the Scheduled Proceeding.**

(1) **Discovery and Trial Preparation:** The parties shall complete all discovery and basic trial preparation. A continuance will rarely be granted for the purpose of completing discovery. [See California Rules of Court, rule 3.1332.]

(2) **Disclosures:** If required by law, the parties shall ensure the preliminary and final declarations of disclosure required by Family Code § 2103 - § 2106 have been served, and that form FL-141 Declaration Regarding Service of Declaration of Disclosure and Income and Expense Declaration has been served and filed.

(3) **Case Conference:** The parties shall participate in a mandatory case conference. This conference is held outside the presence of the court and shall be a face-to-face meeting, either in-person or by remote appearance. The case conference is mandatory. The case conference must be completed at least ten (10) court days before the scheduled proceeding.

i. **Expert Opinion on the Same Issue:** If experts designated by opposing parties are expected to offer opinion testimony on the same issue, counsel shall, no later than the Case Conference, meet and confer regarding the areas of agreement and disagreement, exchange the experts' reports or summaries to the extent not already exchanged under applicable law, and be prepared to advise the court whether any stipulation or joint summary of disputed expert issues can be presented.

(4) **Witness Lists and Witnesses:** The parties or their counsel must exchange witness lists in writing.

i. **Witness List Due Date:** Witness lists shall be served and filed no later than fifteen (15) court days before the scheduled proceeding, or as ordered by the court.

ii. **Extension of Witness List Deadline.** The court may extend the date for exchange of witness lists. No stipulation of the parties or counsel shall be effective to modify the deadline.

iii. **Optional Witness List Form:** FL-321 Witness List may be used for the witness list.

iv. **Witness List Contents**: Witness lists must include the following information:

1. Witness's name.
2. Witness's contact information.
3. Brief summary of the witness' expected testimony.

a. If the witness will testify as an expert witness, attach a copy of the expert's resume and any written report prepared by that witness.

4. A time estimate for the witness's direct testimony.
5. A designation if the witness will testify by remote appearance.
   a. Witnesses are only allowed to testify by remote appearance if they are outside the limits of San Luis Obispo County and obtain approval of the court to testify remotely.
   b. Witnesses who testify by remote appearance must:
      i. Testify in a quiet location.
      ii. Testify on a laptop or desktop computer with a stable internet connection; a smartphone or tablet is not acceptable.
      iii. Have hard copy printouts of all exhibits to which they will be testifying.
   c. Parties who anticipate a witness appearing by remote appearance must notify the other party prior to the Trial Readiness Conference.

(5) Exhibit Lists and Exhibits:

i. **Exhibit List Due Date:** Exhibit lists and exhibits shall be served and filed no later than fifteen (15) court days before the scheduled proceeding, except as ordered by the court.

ii. **Exhibit List:** Each side must prepare an Exhibit List that briefly describes each exhibit that they may offer.

1. **Exhibit List Form:** The use of Local Form FL019 Exhibit List is mandatory.
2. **Exhibit List Email Submission:** Prior to the scheduled proceeding, each party or counsel shall email an editable Word document version of their Local Form FL019 Exhibit List to the clerk of the scheduled proceeding department, using the department email address specified in rule 19.10, Designated Department Email Addresses.
3. **Summary Page:** Exhibits comprised of several pages of financial data shall have a summary page that explains what is to be established by the exhibit.
4. **Identification:** Unless otherwise directed by the court, Petitioner shall label their exhibits beginning with P-1; Respondent shall label their exhibits beginning with R-1; Minor's Counsel shall label their exhibits beginning with M-1; DCSS shall label their exhibits beginning with D-1; Other Parent shall label their exhibits beginning with O-1; other parties shall label their exhibits beginning with X-1.
5. **Rebuttal:** Exhibits that are intended in good faith to be used only as impeachment are exempt from review and exchange.
6. **Audio and Video Files:** Each file containing audio or video material should, where practicable, be provided to the court on a separately labeled device (i.e., USB, flash drive), although multiple files may be provided on a single device if clearly identified. Filenames should include sufficient neutral descriptive information to identify the exhibit, for example, "Exhibit R-124 Video of Respondent during 12/22/20xx incident." The file name must be identified when offered into evidence. The party offering the audio or video material must provide equipment suitable for playing the material for the court's consideration. Parties must comply with California Rules of Court, rule 2.1040 regarding providing a transcript of the electronic recording.

iii. **Consequence of Noncompliance:** Exhibits not served and filed in compliance with this rule may not be considered and/or admitted by the court.

(e) No later than ten (10) Court Days Before the Scheduled Proceeding.

(1) Case Conference:

i. **Case Conference Due Date:** No later than ten (10) days prior to the scheduled proceeding, the parties shall complete the case conference required by subsection (d)(3). This component is mandatory, and compliance will not be excused, even if some settlement discussions occurred earlier in the case or prospects for settlement seem poor. The court will encourage cooperation by considering the sanction provisions of Family Code § 271. All settlement options must be thoroughly explored and methods of efficiently resolving disputed issues must be discussed.

ii. **Case Conference Location:** In the event the parties are unable to agree upon a location for the Case Conference, and there is a valid reason for objecting to meeting at the default location of the courthouse where the case is assigned, the court shall set the location on ex parte application.

iii. **Meaningful Meet and Confer:** A meaningful meet and confer settlement conference is one where the parties and their attorneys, if represented, attend, devote their full attention to the meeting, and legitimately discuss which issues may be resolved without trial. Failure to meet this requirement may result in monetary sanctions against the noncomplying individual(s). During the meet and confer, the parties and/or their attorney must discuss, at a minimum, the issues to be litigated at trial, the order of presentation of evidence, the testimony of any witnesses, and any agreed-upon facts or issues of law. The parties and/or their attorney must also discuss the introduction of admissible evidence so as to eliminate irrelevant and cumulative evidence.

iv. **Exhibits:** Having exchanged exhibit lists and exhibits, the parties shall stipulate to the admission of, and foundation for, as many of the trial exhibits as possible. The parties may submit these stipulations in writing to the court or advise the court of them orally upon the commencement of the scheduled proceeding. The parties must stipulate to the foundation for business records of health care providers, financial institutions, school records and for expert reports unless there is a valid reason to question their authenticity.

v. **Property Statement:** If the division of the estate is at issue, at the Case Conference, each counsel or self-represented parties must prepare a property statement that lists each asset, debt, claim for reimbursement and charge. The parties must state their contention as to the character of the property, its value, and proposal for division. A property division software report, FL-160 Property Declarations, or the FL-001 Schedule of Property "Fredman Form" must be used. The court may, in its discretion, order counsel or self-represented parties to submit a joint property statement to the court.

vi. vi. **Property Statement Filing Deadline:** The property statement shall be filed by each party no later than two (2) days prior to the scheduled proceeding.

(f) No later than five (5) Court Days Before the Scheduled Proceeding.

(1) Trial Brief:

i. **Applicability and Contents:** If a trial brief is required by California Rules of Court, court order, or this rule, it shall comply with California Rules of Court, rule 5.394, and shall also:

1. Specify the time, date and duration of the case conference, or the reason why the case conference did not take place.

2. Identify issues that have been resolved via settlement.
3. Identify all issues that remain in dispute, summarize the facts relating to each issue and cite any applicable legal authority.
4. Give an updated time estimate for trial.
5. Provide any other information that will be helpful to the court in managing the trial calendar.

ii. **Trial Brief Due Date:** No later than five (5) court days before the scheduled proceeding, each party shall serve and file any required trial brief.

(2) Guideline Support Calculations:

i. **Support**: If child support or temporary spousal support is at issue, each party shall serve and file a computer-generated report setting forth their contention of guideline support. Any software used for generating said report shall be certified by the Judicial Council under California Rules of Court, rule 5.275.

ii. **Retroactivity Periods:** Where retroactivity is sought and income or other relevant factors vary during the retroactivity period in question, separate guideline support calculations shall be provided for each such time period, with appropriate labels or other identification to assist the court and the parties.

(3) Spousal Support Declaration: If spousal support is at issue, the parties shall serve and file the FL-157 Spousal or Domestic Partner Support Declaration Attachment, with information regarding the marital standard of living and each of the Family Code § 4320 factors, no later than five (5) court days before the scheduled proceeding.

(g) Cases Not Subject to Pretrial Management.

(1) Applicability: In cases in which the court orders that the pre-trial management provisions of this rule shall not apply, the parties, or if represented, their counsel shall:

a. On the day of the scheduled proceeding, exchange exhibits and a fully completed mandatory Local Form FL019 "Exhibit List" showing the number and brief description of all documentary evidence that a party intends to present, other than evidence intended solely for impeachment, and provide a copy of those exhibits to the court for note taking.

(2) Required Filings: At least 2 court days prior to the scheduled proceeding, serve and file:

a. **Trial Brief:** A trial brief identifying all issues in dispute, summarizing the facts relating to each issue and citing any applicable legal authority.

b. **Support Calculation:** A computer-generated report setting forth the party's contention of guideline support.

c. **Property Statement:** A schedule of community and separate property of the parties showing each party's contention as to the character of the property, its value, and proposal for division.

d. **Income and Expense Declaration:** A current and complete FL-150 Income and Expense Declaration. "Current" is defined as being completed within the last ninety (90) days before the scheduled proceeding.

Rule 19.28 adopted effective July 1, 2026. [P&PM 2:10]

RULE 19.29 BIFURCATED TRIALS

A request to set a bifurcated matter for trial must be made on Form FL-315, Application for Separate Trial as part of a Form FL-300, Request for Order. If a bifurcated trial has already been completed on a matter entitled to statutory priority, any party may request a trial date for the remaining issues by filing Local Form FL003, Joint At-Issue Memorandum.

Rule 19.29 adopted effective July 1, 2026. [P&PM 2.11]

RULE 19.30 NON-APPEARANCE STATUS REVIEWS

The court is required to set a status conference in each newly filed family law matter (other than Petitions for Custody and Support, Domestic Violence Prevention Act applications, and Department of Child Support Services matters). A status conference is referred to as a Non-Appearance Status Review (NASR) in San Luis Obispo County. The first NASR is scheduled at the time the case is filed and is approximately six (6) months from the date of filing. The NASR is designed to assist the parties in moving the case toward disposition. It is not the trial or other hearing about the issues in the case. Instead, the court will review the status of the case by solely reviewing the record and indicate in writing to the parties the next step in the process to obtaining a judgment in their case. Parties and/or counsel shall not appear at the date and time in which the NASR is set, as the court will review the file outside of a hearing. The court is required to schedule up to three (3) NASR, each approximately six (6) months apart, unless a judgment is entered in the meantime. Once a judgment is entered, there is no further need for a NASR, and any pending NASR will be removed from the calendar. As provided in California Rules of Court, rule 5.83, in deciding whether a case is progressing in an effective and timely manner, the court should consider procedural milestones, including the following:

(a) A proof of service of summons and petition should be filed within sixty (60) days of case initiation;
(b) If no response has been filed, and the parties have not agreed on an extension of time to respond, a request to enter default should be submitted within sixty (60) days after the date the response was due;
(c) The petitioner's preliminary declaration of disclosure should be served within sixty (60) days of the filing of the petition;
(d) When a default has been entered, a judgment should be submitted within sixty (60) days of the entry of default;
(e) Whether a trial date has been requested or scheduled; and
(f) When the parties have notified the court that they are actively negotiating or mediating their case, a written agreement for judgment is submitted within six months of the date the petition was filed, or a request for trial date is submitted.

Rule 19.30 adopted effective July 1, 2026. [No former rule.]

RULE 19.31 PREPARATION OF ORDERS & JUDGMENTS

(a) All counsel and parties shall comply with California Rules of Court, rules 3.1590 or 5.125, as appropriate. The attorney or party designated by the court to prepare an order/judgment after a hearing must do so within ten (10) days following the hearing. Forms approved by the Judicial Council must be used when they apply to the proceedings and are designated by the Judicial Council for mandatory use. The parties and counsel should keep in mind that if there is a dispute about the ruling or stipulation, and a court reporter was present at the time of the hearing, then lodging the transcript with the court may be necessary in order to resolve the disputes. When a filed, endorsed copy of the order/judgment is returned by the court to the submitting party, a copy must be served on all parties or their counsel.
(b) Parties and counsel may wish to refer to Judicial Branch of California's California Courts Self-Help Guide for assistance in understanding the documents and process for the submission of a judgment. Self-represented parties may seek the assistance of the Family Law Facilitator's office in preparing a judgment for submission to the court.

Rule 19.31 adopted effective July 1, 2026. [P&PM 2.7; 2:16]

RULE 19.32 INCORPORATION OF MARITAL SETTLEMENT AGREEMENT INTO JUDGMENT

No marital settlement agreement shall be approved by the court or incorporated by reference in a

judgment unless:

(a) The judgment refers to the settlement agreement or a separate stipulation signed and filed by the self-represented parties or the attorneys of represented parties provides that the agreement may be presented for court approval and incorporation into the judgment.
(b) If both parties are represented by counsel, the marital settlement agreement shall be signed by both attorneys and the parties.
(c) If only one party is represented by counsel, the marital settlement agreement shall include an acknowledgment by the self-represented party that they have been advised to consult an attorney regarding the agreement.

If neither party is represented by counsel, the marital settlement agreement shall be signed by both parties, and the parties' signatures on marital settlement agreement must be notarized.
Rule 19.32 adopted effective July 1, 2026. [P&PM 2:7.2]

RULE 19.33 SURROGACY JUDGMENT CHECKLIST

When filing a Parentage Judgment via surrogacy contract pursuant to California Family Code §§ 7620 and 7960 et. seq., the submitting party must:

(a) Complete, sign and file a Local Form FL016, Surrogacy Judgment Checklist;
(b) File all related documents in the order set forth in the Local Form FL016, Surrogacy Judgment Checklist in the exact order of the checklist; and
(c) Identify and name all filed documents exactly as they are listed in the Local Form FL016, Surrogacy Judgment Checklist.
Rule 19.33 adopted effective July 1, 2026. [LR 19.22]

RULE 19.34 MATTERS REQUIRING FAMILY COURT SERVICES MEDIATION

Whenever a case involves unresolved issues over parental responsibilities or access to children, and the parties have not attended mediation within the past 120 days, the parties must attend mediation with the Family Court Services section of the Superior Court of the County of San Luis Obispo prior to the hearing date. The mediator will help the parties fashion a parenting plan that services the best interests of the children.
Rule 19.34 adopted effective July 1, 2026. [P&PM 3:1]

RULE 19.35 FAMILY COURT SERVICES MEDIATION

(a) Mediation must occur prior to the court conducting a hearing on the contested custodial matter, although the court may make temporary orders pending the contested hearing. If there has been mediation prior to an initial hearing for a temporary order, the court may also require that the parties attend mediation prior to a trial. There must also be another mediation session before any court hearing for a modification of parenting orders after the judgment.
(b) When a request for child custody and/or visitation orders are made in a request for domestic violence restraining order, the court does not set mediation unless and until the restraining order after hearing is granted.
(c) Before the parties attend mediation, they must review the Mediation Orientation materials. The Mediation Orientation materials will provide an overview about what to expect in mediation, confidentiality limitations, a sample parenting plan, and other materials that are useful to parties who are working on creating a parenting agreement. Parties must also complete the Mediation Intake Form and return it to Family Court Services prior to the scheduled mediation by email to slo-fcssec@slo.courts.ca.gov or by fax to (805) 706-0210.

(d) Mediations in San Luis Obispo County are conducted over the phone and are confidential. Audio and video recordings are not permitted and no reference (orally or in pleadings) to discussions in mediation may be mentioned in court, nor shall any pleading be filed referring to mediation other than the fact that it was or was not scheduled. There shall be no reference that any person or attorney signed or did not sign a proposed parenting plan.

(e) Parties seeking mediation services may contact Family Court Services by phone at (805) 706-3608 or by email at slo-fcssec@slo.courts.ca.gov.

Rule 19.35 adopted effective July 1, 2026. [P&PM 3:1]

RULE 19.36 SETTING A MATTER FOR MEDIATION

(a) When counsel or a self-represented party files the necessary paperwork for setting a hearing or trial involving custody or visitation issues, the date, time, and place shall be noted on the moving paper by the Family Law Clerk's Office.

(b) At the time of hearing, if a matter has not been to mediation, the court will refer the parties to mediation prior to having a contested hearing. If there is an open mediation appointment on the day of the hearing, the court may order the parties to attend mediation that date. The court has the discretion to make interim orders pending mediation.

(c) The assignment of any particular case to one of the mediators will be solely at the discretion of the supervisor of Family Court Services.

(d) If a party to a new or previously mediated matter objects to being assigned to a particular mediator, said party or their counsel shall contact the Family Court Services to give notice of the objection or request not to be assigned to a particular mediator. The matter will be resolved on a case-by-case basis at the discretion of the Family Court Services supervisor.

(e) If an interpreter is required to conduct mediation, the party needing interpretation must notify Family Court Services before the scheduled mediation.

(f) If one of the parents is incarcerated, the moving party must notify Family Court Services, who will arrange for a telephone mediation.

Rule 19.36 adopted effective July 1, 2026. [P&PM 3.2]

RULE 19.37 MEDIATION PROCESS

(a) **Ex Parte Communications.** Absent a stipulation to the contrary, there shall be no ex parte communication between the attorneys for either party or minor's counsel and the mediator, or between the mediation and the court, except with regard to scheduling mediation appointments. No attorney shall initiate oral communication pertaining to the merits of the case with the mediator without first providing all parties and any attorney of record for the child an opportunity to be present. No attorney or party to the action shall provide the mediator with documents pertaining to the case, excluding the Mediation Intake Form without first providing the other side and any attorney of record for the child a copy of the document.

(b) **Premises Restrictions.** If mediation is conducted in-person, individuals associated with the parties who are not authorized by the mediator to participate in mediation shall not be on Family Court Services' premises nor in the vicinity of those premises before, after, or during the mediation appointment unless previously authorized by the mediator or supervisor of Family Court Services. This includes spouses, parents and significant others. This section does not apply to support persons allowed by Family Code § 6303.

(c) **Mediation Participants.** Mediation sessions are to be conducted with only the parties. Children, attorneys, current spouses, family members, or partners are not permitted to attend or participate in the mediation. This section does not apply to support persons allowed by Family Code § 6303.

(d) **Domestic Violence Cases.** As provided in Family Code § 3181 and § 6303, in all cases involving allegations of domestic violence, the mediator must meet with the parties separately. Additionally, a support person may be present, but they may not participate in

the mediation process.

(e) **Structure of Mediation Session.** The mediator shall meet with the parties separately or together in a joint session in order to isolate the points of agreement and disagreement in an effort to settle the unresolved issues.

(f) **Confidentiality and Mandatory Reporting.** The manner in which the session is conducted shall be at the discretion of the mediator. The proceedings shall be confidential with all communications being privileged except as required in Penal Code § 11164 through and including § 11174.1 (Child Abuse and Neglect Reporting Act) for mandatory reporting of child abuse. The mediator shall advise the parties of this provision before mediation begins.

(g) **Complaints and Requests for Change of Mediator.** Requests for change of mediators or concerns about general problems relating to mediation shall be addressed in writing to the Family Court Servies supervisor. If the grievance is about the supervisor of Family Court Services, the complaint shall be addressed in writing to the Administrative Office of the Superior Court of the County of San Luis Obispo. The complaint will be reviewed, along with the case file, and discussed with the mediator or supervisor who is the subject of the complaint. A written response will be sent by the court to the person filing the complaint. If either the complainant or mediator is not satisfied with the action taken in connection with the complaint, a party may request a review by the Family Law judicial team leader.

Rule 19.37 adopted effective July 1, 2026. [P&PM 3:3]

RULE 19.38 MEDIATION ORDERS

(a) **Signed Parenting Plan Stipulations and Orders Following Mediation.**
Stipulations and proposed orders which have been signed by both parties and their counsel shall be presented for signature to the assigned Family Law judicial officer.

(b) **Unsigned Parenting Plan Stipulations and Order Following Mediation**.
The parties and respective attorneys, if represented, shall be notified that the stipulation is ready for signature. Family Court Services shall hold the stipulation for ten (10) days or may send the stipulation to counsel or the parties by facsimile transmission or email. If an attorney is not authorized to sign the stipulation, the attorney shall notify Family Court Services. If the attorney or a self-represented party has not signed the stipulation within that period, Family Court Services shall report to the court that no agreement has been reached. The assigned Family Law judicial officer has the discretion to approve the signed stipulation after the ten (10) day period.

Rule 19.38 adopted effective July 1, 2026. [P&PM 3:4]

RULE 19.39 CUSTODY EVALUATIONS

(a) **Authority and Scope.** The Superior Court of the County of San Luis Obispo adopts this rule pursuant to California Rules of Court, rule 5.220. This rule may be modified by the Superior Court and published pursuant to the California Rules of Court.

(b) **Notice of Alternative Dispute Resolution.** In all cases, prior to or concurrent with the signing of an order under this section, the parties will be informed that Alternative Dispute Resolution (ADR) is an option to litigation.

(c) **Peremptory Challenges and Objections.** A peremptory challenge of a Family Court Services staff member is not allowed. However, if a private evaluator is appointed and one of the parties wants to challenge the appointment, they must make the challenge at the earliest opportunity. If the appointment is made in open court, any challenge must be made at that time. The challenge may be made in a responsive declaration to an application for such an order through written objection. The parties or the court may request that an objection may be made in a letter to the court within seven calendar days after receiving notice of the assigned custody evaluator. One peremptory challenge is allowed per party (using the standards of Code of Civil Procedure § 170.6); challenges for cause are not

limited.

(d) **Withdrawal of Evaluator.** Any evaluator appointed, whether a court employee or private evaluator may petition the court to withdraw from the case for cause, which may include, but is not necessarily limited to conflict of interest, time constraints or health reasons. The evaluator's request to withdraw shall be served on all parties prior to filing any request to withdraw with the court. An evaluator should expect to complete the evaluation within ninety (90) days of receipt of the order of appointment.

(e) **Ex parte communications:** Ex parte communications are not permitted. This means that no party, attorney, or self-represented party may communicate privately with the evaluator. All communications with the evaluator must be in writing and shared with all parties or their attorneys, if represented, except for communications solely to schedule an appointment or communications that occur during a scheduled appointment.

(f) **Complaints Regarding Evaluators.** Any complaints about Family Court Services evaluators shall be addressed in writing to the Family Court Services supervisor. If the grievance is about the Family Court Services supervisor, the complaint shall be addressed in writing to the Administrative Office of Superior Court of the County of San Luis Obispo. The complaint will be reviewed, along with the case file, and discussed with the evaluator or supervisor who is the subject of the complaint. A written response will be sent by the court to the person filing the complaint. If either the complainant, the evaluator, or supervisor is not satisfied with the action taken in connection with the complaint, it may be brought to the attention of the Family Law Supervising Judge.

(g) **Digital Evidence.** If it is necessary for the Family Court Services evaluator to review audio files or video recordings as part of the evaluation, or if the court has ordered materials for inclusion in the evaluation, parties must comply with the Family Court Services' Digital Evidence Policy.

Rule 19.39 adopted effective July 1, 2026. [LR 19.05]

RULE 19.40 EVIDENCE CODE 730 AND CCP 2032 EVALUATIONS

If the evaluation is pursuant to Evidence Code § 730 or Code of Civil Procedure § 2032, the evaluation must be filed in the confidential court file. The report must include a FL-328 Notice Regarding Confidentiality of Child Custody Evaluation Report Under Family Code § 3111 or a local form adopted by the court to advise of the confidential nature of the contents. In addition, the report must be served on the attorneys for the parties or the parties if they are self-represented, prior to submission to the court. The court's policy is that the parties and counsel should exercise restraint and caution in disseminating this information to others. If the parties and/or the minor child(ren) are in mental health therapy, the report may be released to their therapist. This report may be considered by the court and may be received in evidence upon stipulation of all interested parties. If the report is not stipulated into evidence, the child custody evaluator must be available to testify at the request of any party in order for the report to be considered by the court.

Rule 19.40 adopted effective July 1, 2026. [LR 19.07]

RULE 19.41 CONFIDENTIALITY OF CHILD WELFARE RECORDS

(a) Any Juvenile Case File being submitted to the Family Law or Probate Court must comply with Welfare and Institutions Code, § 827 and § 10850, California Rules of Court, rule 5.552, and/or Penal Code § 11167.5 and must be maintained solely in the confidential portion of the court file. "Juvenile Case File" records includes, but is not limited to, court documents, orders, reports or written statements by social workers, probation officers, child protective investigators and public agency personnel involved in investigating a suspected case of neglect or abuse concerning a child coming within the Welfare and Institutions Code § 300. JV-200 Custody Order – Juvenile – Final Order is not made confidential by this rule.

(b) Local Form FL018 Notice Regarding Confidentiality of Child Welfare Records Under Welfare and

Institutions Code, § 827 must be attached as the first page of all Juvenile Case File records submitted to the court for the records to be accepted by the clerk and to be placed in the confidential portion of the file.

Rule 19.41 adopted effective July 1, 2026. [No former rule.]

RULE 19.42 APPOINTMENT OF COUNSEL FOR MINORS

Nothing in these rules prohibit a court-appointed evaluator from recommending to the court that counsel be appointed to represent the minor child. The recommendation must be made to the assigned Family Law judicial officer with copies of the transmittal letter to each of the attorneys for the parties, or to the parties if they are self-represented. All attorneys appointed pursuant to FC3151 who submit billings to the Court are required to provide copies of the billings to the parties each time the Court is billed for services. Billings to the Court must include a statement indicating that the parties have been provided copies. (Amended 1/1/11)
[LR 19.10]

RULE 19.43 COMPLAINT ABOUT COUNSEL APPOINTED TO REPRESENT A MINOR CHILD

In a family law proceeding in which the Court appointed counsel for a minor child, any party, counsel for any party or the minor child may lodge a complaint about the performance of the appointed counsel. Complaints will not be received from non-parties.

The complaint must be in writing. The complaint must state the case name, the file number, the name of the judicial officer to whom the case was assigned and must be dated. The complaint must specifically state the facts upon which the complaint about the performance of appointed counsel is based.

The complaint must be lodged with the court by delivering it to the clerk of the court who must hand deliver it to the Supervising Judge of the Family Law Division. The complaint must be served by mail upon all parties or their counsel and upon minor's counsel.

Any party, counsel for any party, and counsel appointed to represent the minor child or children may respond to the complaint within 10 days. The court may extend this time upon a showing of good cause.

The Family Law Supervising Judge may refer the complaint to the assigned bench officer to investigate or may investigate the matter directly. Thereafter, a bench officer shall respond to it either by setting the matter for a hearing or by serving a written response on the parties and their counsel. A hearing is not required. (Adopted 7/1/11)
[LR 19.20]

CHAPTER 20 – FAMILY MEDIATION AND INVESTIGATION SERVICES

RULE 20.00 MATTERS REGARDING MEDIATION

Repealed 7/1/01.

RULE 20.01 MEDIATION

Repealed 7/1/01.

RULE 20.02 SETTING A MATTER FOR MEDIATION

Repealed 7/1/01.

RULE 20.03 MEDIATION PROCESS [REPEALED]

Rule 20.03 repealed effective July 1, 2026; adopted effective January 1, 2004.

RULE 20.04 MEDIATION ORDERS

Repealed 7/1/01.

RULE 20.05 [REPEALED]

Repealed 1/1/12.

CHAPTER 21 – CUSTODY AND VISITATION PROCEEDINGS

(Repealed 7/1/01)

CHAPTER 22 – TRIAL IN FAMILY LAW AND ACTIONS

(Repealed 7/1/01

CHAPTER 23 – DEFAULT OR UNCONTESTED JUDGMENT IN FAMILY LAW ACTIONS

(Repealed 7/1/01)

CHAPTER 24 – CHILD AND SPOUSAL SUPPORT

(Repealed 7/1/01)

CHAPTER 25 – COUNSEL SERVICES AND FEES

RULE 25.00 [REPEALED]

Repealed 1/1/12.

RULE 25.01 COMPROMISE OF CLAIMS

Pursuant to Rule 241(b), California Rules of Court, in a compromise or incompetent's disputed claim, counsel must disclose his interest in the proceeding. Such disclosure must include a declaration of the attorney's relationship with the liability insurance company settling the claim and, should counsel be employed by said insurance company, a statement that no compensation will be received from any person other than said insurance company. (Amended 7/1/02)

RULE 25.02 IN AN ACTION ON A PROMISSORY NOTE, CONTRACT PROVIDING FOR THE PAYMENT OF COUNSEL FEES AND FORECLOSURE

The following counsel fees must be awarded under normal circumstances in an action on a promissory note, contract providing for the payment of counsel fees and foreclosure:

(a) Default Action on Note or Contract

Exclusive of costs:

Any part of first	$1,000 ($250 minimum) fee.
20 percent of next	$4,000 ($800 maximum).
15 percent of next	$5,000 ($750 maximum).
10 percent of next	$5,000 ($500 maximum).
5 percent of next	$35,000 ($1,750 maximum).
2 percent of next	$50,000 ($1,000 maximum).

1 percent of the amount over $100,000.

In an action upon a contract providing for counsel fees, the Clerk of the Court must include in the judgment counsel fees in accordance with this schedule, not to exceed the amount prayed for.

(b) Uncontested Unlawful Detainer

For any default unlawful detainer, $600.00. If counsel believes a higher fee is warranted, he or she must cause the matter to be calendared for a court hearing and give notice of the hearing to the defaulted party.

(c) Foreclosure of Mortgage or Trust Deed

The same amount as computed under Subdivision (a).

(d) Foreclosure of Assessment or Bond Lien Relating to a Public Improvement

The same amount as computed under Subdivision (a).

(Amended 1/1/16)

RULE 25.03 COURT APPOINTED COUNSEL AND PUBLIC DEFENSE SERVICES

(a) Determination of Attorney Compensation and Necessary Expenses of Defense

In each case in which a person has been furnished services of counsel or other defense services at public expense pursuant to an appointment by the court, upon conclusion of the proceedings, the court must make a determination of the county cost incurred for attorney compensation and necessary expenses of defense. Counsel must be prepared at that time to submit an approved form of client financial statements and itemized information as to the time devoted to the case, expenses incurred and all claims made and compensation received in connection with the case. Expenses will not be considered reasonable unless authorized by the court before they are incurred. The amount of time shown on said itemized statement must reflect no more than the actual "billable" time that an attorney ethically would bill to a member of the public who that attorney might represent in private practice. The time itemized must not include attorney's traveling time or expenses or research or preparation time which would not be required of an attorney reasonably experienced in the practice of criminal law. Said itemized statement must be submitted to the court by counsel in the form of a declaration signed under penalty of perjury.

(b) Reimbursement Order

In the event any person may be required by law to reimburse the county for compensation of counsel or costs of defense services, the court, after determining the amount thereof must make a determination of the present ability of such person to pay all or a portion of such amount and must make such reasonable order for payment as is authorized by law. This determination and the determinations required by paragraph (a) above must be made only after the court has held a hearing. All persons required by law to reimburse the county for compensation of private counsel or costs of defense services must be entitled to reasonable notice of the hearing, and may appear thereat, with counsel, and participate therein, including the presentation of evidence and the cross-examination of witnesses.

(c) Collection

The court, in its discretion, may delegate to the appropriate county officer the authority to collect such reimbursement and to establish and modify arrangements for installment payments. In addition, to the extent authorized by law, it may delegate to such officer authority to reduce or cancel unpaid repayment obligations upon a finding by the officer that the person obligated no longer has the ability to pay the amount ordered.

(d) **Action on Claim**

Within a reasonable period of time from the date of filing of counsel's request for a fee order and itemized declaration in support thereof, the court must determine whether or not said request and declaration conform to the contents of this rule and any corresponding court policy. If the request and declaration conform to this rule and any corresponding court policy, an order must be made and delivered forthwith to the Auditor of the County of San Luis Obispo for payment out of the General Fund of the County of San Luis Obispo as set forth in Penal Code Section 987.2(a). In the event the court determines that the request and declaration are not or may not be in conformance with this rule and any corresponding court policy, the court may reduce the claim as it deems appropriate or may notify counsel that said request for attorney's fees is denied pending a hearing to be scheduled on the law and motion calendar of the court. Any such hearing must take into account the schedules of the court and counsel. Any time spent on any such hearing must not be a charge against the County of San Luis Obispo or the court. At the conclusion of any such hearing, the court must make a final order as to the amount of attorney's fees to which said counsel is entitled pursuant to this rule and any corresponding court policy.

(e) Recognizing the Constitutional requirement to provide competent and qualified counsel, and subject to the determination by the trial court to a reasonable fee for services pursuant to Penal Code Sections 987.2 and 987.3, counsel must be appointed and compensated in accordance with such guidelines as the court may from time to time set forth in its policies. (Amended 7/1/02)

RULE 25.04 UNUSUAL CASES WARRANTING INCREASED FEES

In the event that counsel has provided extraordinary services in the prosecution of litigation such that the schedules called for in this rule would not provide a fair and reasonable compensation on a per hour or per diem basis, he or she may move the court, after written noticed motion to all parties, including the client(s) of the attorney making the motion, for an increased fee allowance. Counsel must submit with the motion an itemized sworn statement of services provided together with the dates and times such services were rendered. (Amended 7/1/02)

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.

(b) **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.

(c) 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. (Eff. Prior to 7/1/92)

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) (*Subd (b) amended effective 1/1/2020)*

RULE 26.03 SELECTION OF ARBITRATOR

In any case which the court refers to mandatory non-binding arbitration, counsel must select an arbitrator on the date of referral. Arbitration Coordinator must provide counsel with a list of proposed arbitrators. (Amended 7/1/02)

RULE 26.04 RULES OF ARBITRATION

All civil actions submitted for arbitration must be arbitrated pursuant to the California Code of Civil Procedure and California Rules of Court. (Eff. Prior to 7/1/92)

CHAPTER 27 – SAN LUIS OBISPO COUNTY TRIAL RULES

RULE 27.00 APPLICABILITY

These rules must supplement the California Rules of Court, and must apply to all trials conducted in San Luis Obispo County Superior Court. (Eff. Prior to 7/1/92)

RULE 27.01 JURY INSTRUCTIONS

(a) Proposed Pattern of Jury Instructions

In jury trials the instruction forms contained in the most recent editions of "California Approved Civil Instructions" (CACI) and "California Jury Instructions-Criminal" (CALCRIM) should be used when applicable. Due consideration will be given to proposed instructions drafted or submitted by attorneys as well as the CACI and CALCRIM forms.

Not later than one day after the jury is selected, counsel must meet and confer, face-to-face unless excused by the trial judge. They must separate the proposed jury instructions so as to eliminate redundancy. The proposed instructions must then be separated into two groups. The first group of instructions must consist of those that all parties agree can be given by the court as drafted. The second must consist of those proposed instructions about which counsel disagree and wish to have a court ruling before submission to the jury.

The parties or their counsel must then meet and confer with the court in chambers to discuss the proposed instructions. The court may give indicated rulings which may subsequently be put on the record.

The court will assign responsibility for preparing "clean" copies of the instructions to be given by the court for delivery to the jury in the jury room. Those "clean" instructions must not indicate which party submitted the proposed instruction nor must they replicate the source of the text, the citation of authority, if any, or the judge's signature.

(b) Instructions to be Completed

It must be the duty and responsibility of counsel proposing a pattern instruction to complete all blanks contained in it necessary for the purpose of the instruction. Failure to do so must be deemed by the court as sufficient cause to refuse the proposed instruction.

(c) Additional Instructions Drafted by Counsel

Counsel may draft and submit additional proposed instructions. Each must be numbered in consecutive order and indicate the party upon whose behalf it is requested. Failure to cite on any such instruction the authorities relied upon to support giving it must be deemed by the court as sufficient cause to refuse the proposed instruction.

(d) Method of Filing Proposed Instructions with Trial Judge

In all jury trials, counsel must present to the court a document setting forth in the usual manner the title of the court, title and number of the action, and title of the document, namely, "Instructions requested by _____." A copy of the document must be served upon each of the other counsel in the case. The document must list by number the CACI and/or CALCRIM instructions requested by counsel and counsel must attach to the original the (1) instructions so requested that are in print and available; and if such instructions are modified, by the completion of blanks, the deletion of bracketed material, or in any other manner made complete; (2) if the instructions so requested are not locally available, it will be counsel's responsibility to type such instructions; and (3) the additional instructions, if any, as provided in paragraph (c) above.

(e) Time for Delivery of Proposed Instructions to Court

Counsel are encouraged to file requested jury instructions and verdict forms at least two court days before the date scheduled for trial.
(Amended 7/1/10)

RULE 27.02 PRETRIAL PROCEDURES AND REQUIREMENTS

(a) The following documents and things must be filed 5 court days before the date scheduled for trial:A brief statement of the case and the issues to be determined by trial;The estimated time required for the trial;Stipulated facts or admissions of the parties;Any special voir dire questions or requests;A witness list;Motions in limine; andA statement of any unusual evidentiary or legal issues.

RULE 27.03 MOTIONS IN LIMINE, CIVIL JURY TRIALS

In civil jury trials, counsel must make any In Limine motions as follows:

(a) The motion to be filed and served by FAX, express mail or personal service, not later than five court days before the first calendar call of the case.

(b) Motion must include:

(1) Counsel's best estimate of the time that will be required to properly hear and dispose of the motion(s).

(2) The general subject(s) of the motion(s) together with points and/or authorities. (Amended 7/1/09)

RULE 27.04 RESETTING OF LONG CAUSE TO SUMMARY JURY TRIALS

(a) If, in the opinion of the judge presiding, a civil jury trial scheduled for trial will require ten (10) or more days of trial it may be assigned for a "summary jury trial"

(b) The "summary jury trial" format must consist of the following:

(1) Agreed Statement

An agreed statement will be compiled by the parties to the action which will set forth the identity and nature of the parties, the essential facts of the case and a brief outline of the procedures to be used in the "summary jury trial."

(2) Jury Selection

The judge must be solely responsible for jury voir dire. A jury of six (6) persons will be selected from a panel of twelve (12). The judge will concentrate on issues of cause only and no peremptory challenges will be allowed. After the jury is selected, the agreed statement will be read to the six members of the jury. This stage should last no longer than thirty (30) minutes.

(3) Required Attendees

The "summary jury trial" must be attended by all plaintiffs and cross complainants, their respective counsel, the defendants and cross-defendants, or if they are insured, adjusters representing their respective insurers who have responsibility for the case and plenary monetary authority to settle the case and their respective counsel. To the extent not inconsistent with this provision, the rules of Chapter 9 of these rules must apply to "summary jury trials" with regard to attendance and sanctions.

(4) Presentation of Evidence

Plaintiff must be allowed one hour within which to present evidence to the jury. This evidence may include reading from deposition transcripts, presentation of exhibits or graphic representations and statements by counsel constituting factual allegations. Counsel must refrain from arguing the case at this point and must confine himself or herself to presenting what he or she believes to be the facts of the case through anticipated testimony of witnesses.

The defendant must be allowed one hour to present his or her evidence on behalf of his or her client. If there are more than two parties, the trial judge may divide the time equitably to fit within the time available (approximately 2-1/2 hours). All counsel must refrain from making any objections during the presentation of any party's case. The judge must be vested with the authority to make objections on the grounds of relevancy and argument only. All other objections such as lack of foundation, hearsay, etc. will not be made during the presentation of evidence.

(5) Argument of Counsel

Plaintiff must open and close. The trial judge must assign the time limitations on argument (approximately 20 minutes per side).

(6) Jury Instructions

A limited number of concise jury instructions will be agreed upon before the trial and will be presented to the judge. They should take no longer than 10 minutes to read to the jury and the parties must provide clean copies to be used by the jurors.

The jury must be instructed to decide the issues presented to them. The issues must be set forth in a special verdict form. Five of the six jurors must agree for there to be a verdict. They must have a time limit of three (3) hours or 4:30 p.m., whichever is sooner. If they have not reached a verdict by that time, they will be called back into the courtroom so that they can announce the status of their deliberations and counsel will be allowed to ask them questions. If they have reached a verdict, the

verdict will be announced and counsel will again be allowed to ask questions of the panel.

RULE 27.05 VOLUNTARY SUMMARY JURY TRIAL

At any time after the mandatory settlement conference has been held the parties may stipulate to conduct a "summary jury trial." Upon such stipulation being filed with the court, the court administrator will co-ordinate the conduct of the proceeding utilizing court resources as they may be available. (Eff. Prior to 7/1/92)

CHAPTER 28 – COURT INTERPRETING SERVICES

RULE 28.00 INTERPRETERS

(a) Establishment of Competency
Any interpreter whose services are used in the court will be required to be certificated pursuant to the provisions of Government Code section 68565 unless in a particular case the court should waive this requirement. When the requirement is waived, the competency of the interpreter must be satisfactorily established upon examination or such other suitable means as must be determined by the court.

(b) List of Court Approved Interpreters
The Clerk of the Court must maintain for public examination a list of court approved interpreters and their particular languages. (Eff. Prior to 7/1/92)

RULE 28.01 COMPENSATION OF COURT APPOINTED INTERPRETERS

Repealed 1/1/11.

CHAPTER 29 – FAX FILING

(Repealed 7/1/15)

CHAPTER 30 – PAYMENT TO THE COURT

RULE 30.00 PAYMENT IN COINS

No officer of the court who collects money as described in Government Code section 24383 must be required to accept payment in coin. (Eff. 7/1/99)

RULE 30.01 CHECK CASHING

(a) Acceptance

A personal check, bank cashier's check or draft, express or post office money order, or traveler's check, offered in payment of any fee, fine or bail deposit may be accepted by the court if the following conditions are met:

(1) If a personal check is drawn on a banking institution located in California or if a bank cashier's check or money order is drawn on a banking institution located in the United States;

(2) The amount is the exact amount of the fee, fine or bail;

(3) The date on the check is not over two months previous to the date presented nor is it later than the date presented;

(4) The original payee is "Clerk of the Court" or other similar designee (no two-party checks);

(5) The numeric figures (bank courtesy figures) agree with the amount written in words; and

(6) The sum is in U.S. currency.

(b) Refusal

Any check or money order which appears irregular on its face may be returned. Personal checks from persons known to have previously tendered worthless or "Not Sufficient Funds" checks to the Clerk or other persons may be refused. (Eff. 7/1/99)

CHAPTER 31 – ELECTRONIC FILING

RULE 31.01 AUTHORITY

The Superior Court of California, County of San Luis Obispo, allows the electronic filing of documents in accordance with California Code of Civil Procedure 1010.6 and California Rules of Court, rules 2.255 et seq. for specific case types as listed on the court's website at www.slo.courts.ca.gov.
Amended effective July 1, 2023; adopted July 1, 2015.

RULE 31.02 ELECTRONIC FILING AGENCIES

Approved electronic filing sites are listed on the court's website. (Adopted 7/1/15)

RULE 31.03 FILING DATES AND TIMES

Documents may be electronically transmitted to the court at any time of the day. Acceptance of documents for filing shall be deemed to occur (i) on the date the document was submitted to the court if received by the court by 11:59:59 p.m. on a court day; or (ii) on the next business day the clerk's office is open for business if the submission occurred after 11:59:59 p.m. For purposes of this section, court days shall be Monday through Friday, excluding court holidays. (Amended 1/1/19)

RULE 31.04 WAIVER OF FEES

The court permits a party or attorney to file an application for waiver of court fees and costs, in lieu of requiring the payment of the filing fee, as part of the process involving the electronic filing of a document. The court will consider and determine the application in accordance with sections 68632 and 68633 of the Government Code and will not require the party or attorney to submit any documentation other than that set forth in Government Code Section 68633. Nothing in this section requires the court to waive a filing fee that is not otherwise waivable.

Pursuant to Government Code Section 686636, the court may reconsider the initial fee waiver and order the fee waiver withdrawn for future fees and costs or deny the fee waiver retroactively. At the end of the case, the court may recover fees and costs that were initially waived pursuant to Government Code Section 68637.
Rule 31.04 amended effective July 1, 2024; adopted effective July 1, 2015.

RULE 31.05 LIMITATIONS ON FILINGS

Notwithstanding any other provision of law or this rule, the following items shall not be electronically filed:

(a) Any will, codicil, or testamentary trust;
(b) Bond or undertaking;
(c) Subpoenaed documents;
  (1) Subpoenaed documents on Criminal or Juvenile mattes may be submitted electronically by permission of the Criminal Clerk's office only.
(d) Financial institution documents, care facility documents or escrow documents as defined under Probate Code Sec. 2620, submitted by conservators, guardians, or trustees of court supervised trusts;
(e) California state vital records forms;
(f) Any exhibits that cannot be accurately transmitted via electronic filing due to size or type;
(g) Documents lodged with the court provisionally under seal;
  (1) Criminal, traffic, juvenile, habeas corpus, and appeal – documents provisionally under seal can be filed by e-file or email with proper identification in the electronic filing comment or email subject stating the document is sealed or proposed sealed status and selection of the appropriate confidential security type when filing for e-file.
(h) Certificate of Facts Re: Unsatisfied Judgment (DMV form DL30)
(i) CLETS, RAP sheet
(j) DMV Driver's License print outs
(Subd (c)(1), Subd (g)(1), Subd (i), Subd (j) adopted effective January 1, 2022)
(Previously amended effective January 1, 2017).

RULE 31.06 ELECTRONIC FILING REQUIRED IN PROBATE, FAMILY LAW AND LIMITED AND UNLIMITED CIVIL CASES

Pursuant to Code of Civil Procedure Section 1010.6, documents filed in all limited and unlimited civil cases and probate cases, including estates, trusts, guardianship and conservatorship actions, and all family law case types must be filed electronically. Self-represented parties are exempt from the mandatory electronic filing requirement pursuant to California Rules of Court section 2.253(b)(2) but are encouraged to participate voluntarily in filing electronically. (Revised 1/1/17)

RULE 31.07 ELECTRONIC FILING HIGHLY ENCOURAGED IN CRIMINAL, JUVENILE, AND TRAFFIC CASES

Pursuant to Penal Code Section 690.5(a) and Code of Civil Procedure Section 1010.6, documents filed in criminal, traffic and juvenile cases may be filed electronically (permissively submitted.) Electronic filing is highly encouraged on these case types. Self-represented parties are exempt from the electronic filing requirement pursuant to California Rules of Court section 2.253(b)(2) but are encouraged to participate voluntarily in filing electronically by e-file or by using one of the Criminal Operations Department email addresses. Documents can be filed electronically using the link and information found on the court's website slo.courts.ca.gov.
Rule 31.07 adopted effective January 1, 2022.

CHAPTER 32 – EMERGENCY RULES

RULE 32.01 CIVIL AND FAMILY LAW FILING DATES AND TIMES – CASES IMPACTED BY REDUCTION IN COURT OPERATIONS DUE TO EMERGENCY ORDERS

When the date of filing of any document in a civil or family law matter is extended by an order of the Judicial Council or the Presiding Judge of the Superior Court pursuant to Government Code section 68115, the assigned judicial officer may exercise his or her discretion as permitted by law to deem the document filed on an earlier date for good cause.
Rule 32.01 adopted effective April 13, 2020.

RULE 32.02 FACE COVERINGS AND PHYSICAL DISTANCING [REPEALED]

Rule 32.02 repealed effective January 1, 2024; adopted effective May 28, 2020; previously amended effective June 28, 2021, August 20, 2021, and February 16, 2022.

RULE 32.03 UNLAWFUL DETAINER MANDATORY SETTLEMENT CONFERENCES

(a) Upon filing a Request to Set for Trial, the Court shall set the matter for trial and also order the parties to participate in a Mandatory Settlement Conference set by the Court. The Mandatory Settlement Conference will be conducted electronically (or in person by request) by a neutral settlement conference judge approved by the Court.
- **(1)** The Mandatory Settlement Conference will not exceed two (2) hours in length, unless a longer session is approved by the settlement conference judge.
- **(2)** Multiple settlement sessions may occur based upon request by the settlement judge.

(b) The following persons are required to attend the unlawful detainer Mandatory Settlement Conference:
- **(1)** The parties;

(2) Counsel for the parties; and
(3) Persons whose consent or settlement authority is required to resolve the disputed issues.

(c) All persons attending the Mandatory Settlement Conference can do so electronically in accordance with Local Rule 2.09 regarding remote court appearances by videoconferencing.

Rule 32.03 amended effective January 1, 2026; adopted effective October 7, 2020.

APPENDIX I - SCHEDULE OF FEES

	INITIAL FILING FEES IN CIVIL CASES	
	Unlimited Civil Cases	
1	Complaint or other first paper in unlimited civil case (amount over $25,000), including: GC 70611	$ 435*
2	Complaint or other first paper in unlawful detainer case over $25,000	$ 435*
3	Petition for a writ of review, mandate, or prohibition (other than a writ petition to the appellate division)	$ 435*
4	Petition for a decree of change of name or gender	$ 435*
5	Answer or other first paper filed by each party other than plaintiff (amount over $25,000) (including unlawful detainer) GC 70612	$ 435*
6	Claim opposing forfeiture of seized property, if value of property is $5,000 or less H&S 11488.5(a)(3)	No fee
	Limited Civil Cases	
7	Complaint or other first paper (amount over $10,000 up to $25,000) GC 70613(a)	$ 370*
8	Complaint or other first paper in unlawful detainer (amount over $10,000 up to $25,000) GC 70613(a), CCP 1161.2	$ 385*
9	Answer or other first paper filed by each party other than plaintiff (amount over $10,000 up to $25,000) (including unlawful detainer) GC 70614(a)	$ 370*
10	Complaint or other first paper (amount up to $10,000) GC 70613(b)	$ 225*
11	GC 70613(b), CCP 1161.2	$ 240*
12	Answer or other first paper filed by each party other than plaintiff (amounts up to $10,000) (including unlawful detainer) GC 70614(b)	$ 225*
13	Amendment of complaint or of other first paper increasing amount at issue from $10,000 or less to more than $10,000 (but not exceeding $25,000) GC 70613.5(a)	$ 145*
14	Cross-complaint or amendment of cross-complaint increasing amount at issue from $10,000 or less to more than $10,000 (but not exceeding $25,000) GC 70613.5(b)	$ 145*
15	Amended complaint, cross-complaint, or amended cross-complaint that reclassifies case from limited civil to unlimited civil (CCP 403.060) GC 70619	$ 140
16	Complaint or other first paper within small claims jurisdictional limit filed by assignee of record (with declaration) B&P 6322.1(c)(1), GC 70613(b), CCP 116.420	$ 181*
17	Answer or other first paper filed by each party other than plaintiff (case filed by assignee within small claims jurisdictional limit, with declaration) B&P 6322.1(c)(1), GC 70614(b), CCP 116.420	$ 181*
18	Amendment of complaint or of other first paper filed by assignee of record increasing amount at issue from within small claims limit to more than $10,000 (but not exceeding $25,000) GC 70613.5(a)	$ 189*
19	Cross-complaint or amendment of cross-complaint in case filed by assignee with declaration, increasing amount at issue from within small claims limit to more than $10,000 (but not exceeding $25,000) GC 70613.5(b)	$ 189*
	Other Initial Filing Fees (both Limited and Unlimited Civil Cases)	
20	Additional fee for case designated as complex (plaintiffs) GC 70616(a)	$1000
21	Additional fee for case designated as complex (for each defendant) ($10,000 cap) GC 70616(b)	$1000
22	Complaint, response, or other first paper filed on behalf of public entity (but fee is recoverable with judgment under GC 6103.5) GC 6103	No fee
23	Amended complaint or amended cross-complaint (other than one that changes amount at issue to reclassify case or require fee difference paid in limited civil case under GC 70613.5) CCP 472	No fee
24	Action to compel registration of voters Elec. 2142	No fee
25	Request for order to require counting of provisional ballots Elec. 14310	No fee
26	Petition for forfeiture where claim has been filed with district attorney for impounded vehicle VC 14607.6(e)(4)	$ 100
27	Abstract of judgment rendered from another court (unless filed with an application for order of sale of a dwelling under CCP 704.750 or with an application for order of examination under CCP 708.160) GC 70626(b)(2)	$ 30
28	Issuing commission to take deposition out of state under CCP 2026.010 GC 70626(b)(5)	$ 30
29	Filing and entering award under Workers' Compensation Act GC 70626(b)(6)	$ 30
	Requests for Protective Orders	
30	Petition to prevent domestic violence and response FC 6222, GC 70617(b)(7)	No fee
31	Petition to prevent abuse of an elder or dependent adult and response W&I 15657.03(*l*), GC 70617(b)(10)	No fee
32	Petition to prevent civil harassment (involving violence, threats of violence, or stalking) and response CCP 527.6(p)	No fee
33	Petition to prevent civil harassment (other) and response GC 70611, 70612	$ 435*
34	Petition to prevent workplace violence (involving violence, threats of violence, or stalking) and response CCP	No fee

	527.8(p)	
35	Petition to prevent workplace violence (other) and response GC 70611, 70612	$ 435*
	CIVIL MOTION AND OTHER FILING FEES	
36	Motion or other paper requiring a hearing (unless it is the party's first paper and the first paper filing fee is paid, GC 70617(a), including the following:	$ 60
37	Motion listed under CCP 1005(a)(1)–(12)	
38	Motion or application to continue a trial date	
39	Discovery motion under CCP 2016.010 et seq.	
40	Motion for new trial	
41	Ex parte application requiring a party to give notice of the ex parte appearance to other parties	
42	Motion for summary judgment or for summary adjudication GC 70617(d)	$ 500
43	Reclassification of limited jurisdiction case to unlimited jurisdiction (CCP 403.060) GC 70619	$ 140
44	Change of venue (payable to superior court from which the transfer was requested) (a separate check with the initial filing fee for the court to which the case will be transferred is also required) GC 70618	$ 50
45	Request, application, or motion for, or notice of, continuance of hearing or case management conference GC 70617(c)(1)	$ 20
46	Stipulation and order GC 70617(c)(2)	$ 20
47	Request for order authorizing service of summons by posting (CCP 415.45) or by publication (CCP 415.50) GC 70617(c)(3)	$ 20
48	Amended notice of motion GC 70617(b)(2)	No fee
49	Civil case management statement GC 70617(b)(3)	No fee
50	Request for trial de novo after judicial arbitration GC 70617(b)(4)	No fee
51	Stipulation that does not require an order GC 70617(b)(5)	No fee
52	A request for entry of default or default judgment GC 70617(b)(8)	No fee
	CIVIL JURY AND TRIAL RELATED FEES	
53	Jury deposit for first day of trial (amount set by court, up to $150) CCP 631(b)	Set by court
54	Subsequent jury deposits (amount set by court) CCP 631(c)	Set by court
55	Court reporter per diem fees (amount set by court) GC 68086(a)(1)–(3)	Set by court
56	Extra court reporter (amount set by court) GC 69953.5	Set by court
	JUDGMENT RELATED FEES	
57	Confession of judgment (CCP 1134) GC 70626(b)(3)	$ 30
58	Renewal of judgment (CCP 683.150) GC 70626(b)(4)	$ 30
59	Notice of settlement (CRC 225)	No fee
	POST JUDGMENT RELATED FEES	
60	Issuing writ of attachment, writ of mandate, writ of execution, writ of sale, writ of possession, writ of prohibition, writ of restitution, or any other writ for enforcement of an order or judgment GC 70626(a)(1)	$ 25
61	Issuing abstract of judgment GC 70626(a)(2)	$ 25
62	Issuing an order of sale GC 70626(b)(1)	$ 30
63	Application for order of sale of a dwelling (CCP 704.750) GC 70617(a)(7)	$ 60
64	Application for examination of third person controlling defendant's property (CCP 491.110, 491.150) GC 70617(a)(3)	$ 60
65	Application for order for judgment debtor examination (CCP 708.110, 708.160). No separate fee is charged for filing the abstract of judgment with the application. GC 70617(a)(6)	$ 60
66	Certificate of satisfaction of judgment (CCP 724.100) GC 70626(a)(3)	$ 25
	SMALL CLAIMS FEES	
67	Filing claim for $1,500 or less CCP 116.230(b)(1)	$ 30
68	Filing claim for more than $1,500 but less than or equal to $5,000 CCP 116.230(b)(2)	$ 50
69	Filing claim for more than $5,000 but less than or equal to $10,000 (claim by natural persons only) CCP 116.230(b)(3)	$ 75
70	Filing claim by person who has filed more than 12 small claims in California within the previous 12 months CCP 116.230(c)	$ 100
71	Amendment raising amount of claim from $1,500 or less to more than $1,500 but not exceeding $5,000 CCP 116.230(d)(1)	$ 20
72	Amendment raising amount of claim from more than $1,500 but not exceeding $5,000 to more than $5,000 but not exceeding $10,000 (claim by natural persons only CCP 116.230(d)(2))	$ 25
73	Amendment raising amount of claim from $1,500 or less to more than $5,000 but not exceeding $10,000 (claim by natural persons only) CCP 116.230(d)(3)	$ 45
74	Service by clerk for certified mail, to each defendant CCP 116.232	$ 10
75	Transfer of case out of small claims court (defendant's claim exceeding jurisdictional limit) (no receiving court filing or transfer fee) CCP 116.390	No fee

76	Request for postponement of hearing, if defendant has been served, or before service on defendant if a prior postponement was granted CCP 116.570	$ 10
77	Notice of appeal of small claims case CCP 116.760	$ 75
78	Motion to vacate CCP 116.745	$ 20
79	Fee for payment of judgment to court CCP 116.860	$ 20
80	Application for order of examination of judgment debtor GC 70617(a)(6), CCP 116.820	$ 40
81	Writ of execution GC 70626(a)(1), CCP 116.820	$ 25
82	Abstract of judgment GC 70626(a)(2), CCP 116.820	$ 25
	FAMILY LAW FEES	
83	Petition or other first paper (including a joint petition) for dissolution of marriage or domestic partnership, legal separation, or nullity GC 70670(b)	$ 435*
84	Response or other first paper filed in response to petition for dissolution of marriage or domestic partnership, legal separation, or nullity GC 70670(d)	$ 435*
85	First paper in family law matter other than dissolution of marriage or domestic partnership, legal separation, or nullity GC 70670(a)	$ 435*
86	First paper filed in response in family law matter other than dissolution of marriage or domestic partnership, legal separation, or nullity GC 70670(c)	$ 435*
87	A settlement agreement or stipulation for judgment that is signed by a defaulted respondent and included in a judgment of dissolution of marriage or domestic partnership; or a stipulation to modify such an agreement if the stipulation is presented by the petitioner. (Defaulted respondent is not charged a first paper fee under GC 70670. GC 70671(b), (e).) GC 70677(c)	No fee
88	Appearance, stipulation, and waiver of rights in dissolution of marriage or domestic partnership, legal separation or nullity or to establish parentage, when respondent is a member of the armed forces GC 70673	No fee
89	Petition for adoption (for each person to be adopted) H&S 103730	$ 20
90	Filings in a proceeding to declare a minor free from parental custody and control FC 7806, 7841	No fee
91	Domestic violence restraining orders, including a request to obtain, modify, or enforce an order to prevent domestic violence or response to that request; and any request that is necessary to obtain or give effect to a restraining order GC 70671(f), GC 70677(b)(5); FC 6222	No fee
92	Motion or order to show cause in family law matter GC 70677(a)	$ 60
93	Additional charge on motion or order to show cause to modify or enforce custody or visitation GC 70678	$ 25
94	Stipulation and order not requiring a hearing; request or stipulation for continuance of hearing or case management conference not requiring a hearing GC 70677(c)	$ 20
95	Stipulation that does not require an order GC 70677(b)(7)	No fee
96	A stipulation regarding the date of termination of marital or domestic partnership status if the court has retained jurisdiction over that date GC 70671(c)	No fee
97	First paper or any subsequent paper filed by the Department of Child Support Services to establish parentage or to establish, modify, or collect support GC 6103.9, GC 70672	No fee
98	Response or subsequent paper filed in an action brought by the Department of Child Support Services to establish parentage or to establish, modify, or collect support if support is the only issue. If a custody issue is raised, see charge for first paper filed in response to other family law matters. GC 70672	No fee
99	Filings on issues relating to parentage or support in a pre-existing non-governmental case in which a Title IV-D child support agency has intervened and is providing services under FC 17400 GC 70672	No fee
100	Statement to register a foreign support order or other first paper in a UIFSA case GC 70677, FC 4927	No fee
101	A document relating to a stipulated postjudgment modification of child support GC 70671(d)	No fee
102	Costs for stepparent adoption, including investigation (amount set by court, up to $700) (FC 9001, 9002) FC 9002	Set by Court
103	Child custody evaluation (amount set by court) FC 3112	Set by Court
104	Court-appointed counsel for child (amount set by court) (FC 3150 et seq.) FC 3153	Set by Court
105	Premarital counseling for minors FC 304	Set by Court
	PROBATE FEES	
106	First-filed petition for letters of administration or letters testamentary, first-filed petition for special letters of administration with powers of general representative under Prob.C 8545	$435*
107	First objection to probate of will or codicil (Prob.C 8250); first petition for revocation of probate of will or codicil (Prob.C 8270) (no fee if filed together with petition for appointment of personal representative under GC 70650(d)) GC 70650(c)	$ 435*
108	Later-filed petition for letters of administration, letters testamentary, or special letters of administration with powers of general representative by a person other than the original petitioner GC 70650(d)	$ 435*
109	First or subsequent petition for special letters of administration without powers of general personal representative GC 70657.5(a)(4)	$ 200

110	Opposition to a petition for appointment of a personal representative in a decedent's estate, other than a competing petition for appointment or a will contest, and objection or other opposition to first account of testamentary trustee subject to court supervision GC 70651	$ 435*
111	Petition (or opposition to petition) concerning the internal affairs of a trust under Prob.C 17200 et seq. (This fee does not apply to petitions or opposition concerning the internal affairs of a testamentary trust subject to the fees under GC 70650 or 70651) GC 70652	$ 435*
112	Petition (or opposition to petition) concerning the internal affairs of a trust not subject to the graduated fee under GC 70650(a); or a trust created by court order under Prob.C 2580, 3100, or 3600 not subject to the $320 fee under GC 70652 GC 70657.5(a)(1), 70652(d)	$ 200
113	Petition for appointment of conservator, guardian of the estate or guardian of the person and estate or opposition to these petitions other than competing petition for appointment GC 70653(a), (b)	$ 435*
114	Opposition to petition for appointment of conservator, guardian of the estate or guardian of the person and estate filed by or on behalf of the proposed conservatee or proposed ward or a parent of the proposed ward GC 70653(f)	No fee
115	Petition for appointment of guardian of the person only or opposition to petition other than competing petition for appointment GC 70654(a), (b)	$ 225
116	Opposition to petition by the proposed ward or the parent of the proposed ward GC 70654(e)	No fee
117	Petition or opposition filed after issuance of letters of guardianship or temporary guardianship, in guardianship of the person only GC 70657.5(b)(1)	No fee
118	First or subsequent petition for temporary letters of conservatorship or guardianship GC 70657.5(a)(5)	$ 60
119	Petition commencing other proceedings under the Probate Code and objections or other opposition to such petitions, including the following: GC 70655	$ 435*
120	Petition to determine the fact of death to determine title to real property and objections or other opposition (Prob.C 200) GC 70655(c)(4)	$ 435*
121	Petition for an order concerning a particular transaction and objections or other opposition (Prob.C 3100) GC 70655(c)(5)	$ 435*
122	Petition for an order concerning capacity determination and health care decision authority for adult without conservator and objections or other opposition (Prob.C 3200) GC 70655(c)(6)	$ 435*
123	Petition for compromise of the claim of a minor or disabled adult, no civil action pending, and objections or other opposition (Prob.C 3600) GC 70655(c)(1)	$ 435*
124	Petition concerning a power of attorney and objections or other opposition (Prob.C 4541) GC 70655(c)(8)	$ 435*
125	Petition concerning advance health care directive and objections or other opposition (Prob.C 4766) GC 70655(c)(7)	$ 435*
126	Petition to determine succession to real property and objections or other opposition (Prob.C 13151) GC 70655(c)(2)	$ 435*
127	Spousal or domestic partnership property petition and objections or other opposition (Prob.C 13650) GC 70655(c)(3)	$ 435*
128	Petition for approval, compromise, or settlement of claims against deceased settlor, or for allocation of amounts due between trusts, or objections or other opposition (Prob.C 19020) GC 70655(c)(9)	$ 435*
129	Any other petition that commences a proceeding under the Probate Code and objections or other opposition GC 70655(c)(10)	$ 435*
130	Petition for order setting aside estate of small value if no estate is pending for the decedent (Prob.C 6602) GC 70656	$ 225
131	Petition (or opposition to petition) for an order listed below, filed after issuance of letters testamentary, letters of administration, or letters of special administration to a personal representative of a decedent's estate; letters of guardianship or temporary guardianship to a guardian of the estate or person and estate; or letters of conservatorship or temporary conservatorship to a conservator (but for estate proceedings begun after 8/17/03, see line 144) GC 70658(a)	$ 435
	• Petition for order concerning sale, lease, encumbrance, grant of an option, purchase, conveyance, or exchange of property GC 70658(a)(1)	
	• Petition for order settling an account of a fiduciary GC 70658(a)(2)	
	• Petition for order authorizing, instructing, or directing a fiduciary, or approving or confirming acts of a fiduciary GC 70658(a)(3)	
	• Petition for order concerning payment of compensation or expenses of an attorney GC 70658(a)(4)	
	• Petition for order concerning payment of compensation or expenses of a fiduciary GC 70658(a)(5)	
	• Petition for order surcharging or removing a fiduciary GC 70658(a)(6)	
	• Petition for order transferring or authorizing transfer of property of an estate to a fiduciary in another jurisdiction GC 70658(a)(7)	
	• Petition for order allowing a fiduciary's request to resign GC 70658(a)(8)	
	• Petition for order adjudicating a claim to property under Prob.C 850 et seq. GC 70658(a)(9)	

	• Petition for order granting permission to fix the residence of a ward or conservatee outside of California GC 70658(a)(10)	
	• Petition for order concerning payments for support, maintenance, or education of a ward or conservatee or a of person entitled to support, maintenance, or education from a ward or conservatee GC 70658(a)(11)	
	• Petition for order concerning payment of surplus income to relatives of a conservatee (Prob.C 2423) or concerning substituted judgment (Prob.C 2580) GC 70658(a)(12)	
	• Petition for order affecting legal capacity of a conservatee under Prob.C 1870 et seq. GC 70658(a)(13)	
	• Petition for order adjudicating merits of a claim under Prob.C 2500 et seq. GC 70658(a)(14)	
132	Petition (or opposition to petition) filed after the issuance of temporary letters of guardianship or conservatorship or letters of guardianship or conservatorship not subject to the $395 fee in GC 70658(a) and not exempt under GC 70657.5(e) GC 70657.5(a)(3)	$ 60
133	Petition (or opposition to petition) filed after the issuance of letters of guardianship or temporary letters of guardianship in a guardianship of the person only GC 70657.5(b)(1), 70658(c)(1)	No fee
134	Disclaimer of interest in a decedent's estate GC 70657.5(b)(3), 70658(c)(2)	No fee
135	Petition (or opposition to petition) after issuance of special letters of administration or letters testamentary or of administration in decedents' estates that are not subject to the $355 fee in GC 70658(a). GC 70657.5(a)(2)	$ 200
136	Petition or application listed below, filed by personal representative of a decedent's estate in a proceeding begun August 18, 2003 or later: GC 70657.5(b)(2), 70658(d)	No fee
	• Petition for allowance of the personal representative's commissions GC 70658(d)(1)	
	• Petition for allowance of compensation to attorney for personal representative GC 70658(d)(2)	
	• Petition for settlement of accounts of personal representative GC 70658(d)(3)	
	• Petition for preliminary or final distribution and discharge GC 70658(d)(4)	
	• Petition for authority to sell estate property to personal representative or attorney for personal representative GC 70658(d)(5)	
	• Petition for authority to exchange estate property for property of personal representative or attorney for personal representative GC 70658(d)(6)	
	• Petition for authority to grant options to purchase estate property to personal representative or attorney for personal representative GC 70658(d)(7)	
	• Petition for allowance, payment, or compromise of claim of personal representative or attorney for personal representative against the estate GC 70658(d)(8)	
	• Petition for authority to compromise or settle claim, action, or proceeding by estate against personal representative or attorney for personal representative GC 70658(d)(9)	
	Petition or application listed below, filed by personal representative of a decedent's estate in a proceeding begun August 18, 2003 or later: GC 70657.5(b)(2), 70658(d)	No fee
	• Petition for authority to extend, renew, or modify terms of a debt or other obligation of personal representative or attorney for personal representative, owed to or in favor of decedent or estate GC 70658(d)(10)	
	• Petition concerning sale, exchange, or grant of option to purchase real property GC 70658(d)(11)	
	• Petition concerning borrowing money with loan secured by encumbrance against real property GC 70658(d)(12)	
137	Motion, application or other paper requiring a hearing after the first paper, including motion or other paper listed in GC 70617(a) (motions listed in CCP 1005(a)(1)–(12), motion to continue a trial date, discovery motions, motion for new trial) GC 70657(a)(1), 70617(a)	$ 60
138	Application for ex parte relief other than ex parte petition for discharge. GC 70657(a)(2)	$ 60
139	Ex parte petition for discharge of personal representative, conservator, or guardian upon completion of court-ordered distribution or transfer GC 70657(a)(2)	No fee
140	Motion or other paper listed in GC 70617(b) (list of 13 items), including: GC 70657(b)	No fee
	• Amended notice of motion GC 70657(b), 70617(b)(2)	
	• Civil case management statement GC 70657(b), 70617(b)(3)	
	• Request for trial de novo after judicial arbitration GC 70657(b), 70617(b)(4)	
	• Stipulation that does not require an order GC 70657(b), 70617(b)(5)	
	• A request for entry of default or default judgment GC 70657(b), 70617(b)(8)	
	• Paper requiring a hearing on a petition to approve the compromise of a claim of a minor or person with a disability under Prob.C 3600. GC 70657(b), 70617(b)(13)	
141	Petition to withdraw funds from blocked account GC 70657(a)	$ 60
142	Motion for summary judgment GC 70657(c), 70617(d)	$ 500
143	Deposit of estate planning documents GC 70660	$ 20
144	Search for estate documents, for each search longer than 10 minutes GC 70661	$ 15

145	Petition to establish record of birth, death, or marriage H&S 103470	$ 225
146	Affidavit procedure for real property of small value under Prob.C 13201 GC 70626(b)(9)	$ 30
147	Guardianship investigations (amount set by court) Prob.C 1513.1	Set by Court
148	Information package for conservators Prob.C 1835	Set by Court
149	Conservatorship investigator's fee (amount set by court) Prob.C 1851.5	Set by Court
150	Filing statement of professional conservator (amount set by court) Prob.C 2343	Set by Court
151	Petition for summary probate (Public Administrator only) Prob.C 7660	Set by Court

APPEAL AND WRIT RELATED FEES

Appeal of Unlimited Civil Case

152	Certificate for Court of Appeal or Supreme Court on motion prior to filing appeal record GC 70620	$ 20
153	Appeal or cross appeal to court of appeal (payable to court of appeal) GC 68926, 68926.1(b)	$ 775
154	Deposit for preparation of clerk's transcript (payable to superior court) (charged when notice of appeal to court of appeal is filed under GC 68926) GC 68926.1	$ 100
	Other Appeals	
155	Appeal in limited civil case (to appellate division), where amount demanded in case does not exceed $10,000 GC 70621(b)	$ 225
156	Appeal in limited civil case (to appellate division), where amount demanded in case exceeds $10,000 (but does not exceed $25,000) GC 70621(a)	$ 370
157	Appeal in small claims case CCP 116.760	$ 75
158	Writ petition to appellate division, where amount demanded in limited civil case does not exceed $10,000 GC 70621(b)	$ 225
159	Writ petition to appellate division, where amount demanded in limited civil case exceeds $10,000 (but does not exceed $25,000) GC 70621(a)	$ 370
160	Appeal from Labor Commissioner's Award (Lab.C 98.2) GC 70611	$ 435*
161	Appeal of final decision on parking citation violation (VC 40230) GC 70615(b)	$ 25
162	Appeal from determination of dangerous or vicious dog (F&A 31622 GC 70626(b)(8)	$ 30
163	Appeal of administrative fine or penalty (GC 53069.4(b)(2)) GC 70615(a)	$ 25
164	Appeal of administrative penalty for fare evasion or passenger conduct violation (PUC 99582) GC 70615(c)	$ 25

RECORDS RELATED FEES

165	Certificate for which fee is not otherwise fixed; includes lis pendens GC 70626(a)(8)	$ 25
166	Preparing a copy of any record, proceeding or paper on file (per page) GC 70627(a)	$ 0.50
167	Comparison of a copy with an original on file (per page) GC 70627(b)	$ 1
168	Searching records or files, for each search longer than 10 minutes GC70627(c)	$ 15
169	Exemplification of record or other paper on file GC 70628	$ 50
170	Document authenticated pursuant to court order (per signature) GC 70629	$ 15
171	Certified copy of marriage or domestic partnership dissolution record (requested by public agency) GC 70674	$ 10
172	Certified copy of marriage or domestic partnership dissolution record (requested by any other applicant) GC 70674	$ 15
	RETURNED CHECKS AND INSUFICIENT PAYMENTS	
173	Administrative charge for a check that is returned without payment. A filing paid with such a check will be void if not paid, within 20 days of notification, in cash, by certified check, or by other means specified by the court, but not by traveler's check or personal check. (Amount set by court.) CCP 411.20(g), GC 71386	Set by Court
174	Administrative charge for processing a partial payment. A first paper filing submitted with a check for an insufficient amount will be void if the amount due is not paid within 20 days of notification. (Amount set by court.) CCP 411.21(g)	Set by Court
	MISCELLANEOUS FEES	
175	Administrative charge for collection of fees where fee waiver was previously granted (amount set by court, up to $25) GC 68511.3(d)	$25
176	Administrative charge for recovering, as part of judgment, fees not paid by public entity under GC 6103 (amount set by court, up to $25) GC 6103.5(d)	Set by Court
177	Taking affidavit, except in criminal case or adoption proceedings GC 70626(a)(5)	$ 25
178	Acknowledgment of deed or other instrument GC 70626(a)(6)	$ 25
179	Recording or registering license or issuing certificate in connection with a license, required by law, for which charge is not otherwise prescribed GC 70626(a)(7)	$ 25
180	Filing affidavit of publication of notice of dissolution of partnership GC 70626(b)(7)	$ 30
181	Filing and indexing papers for which a charge is not provided elsewhere GC 70626(b)(10)	$ 30
182	Appearance by videoconferencing GC 70630	Set by court

183	Reasonable fee for service or product, not to exceed costs, where no fee is otherwise provided for (Rule 6.712) GC 70631	Set by court
184	Handling funds held in trust GC 70632	Set by court
185	Certificate of facts regarding unsatisfied judgment VC 16373	Set by court

APPENDIX II - LOCAL FORMS

ALPHABETICAL

All local forms are available on the court's web site: www.slo.courts.ca.gov

FORM NO.	TITLE *next to form number denotes mandatory use	Code/ Local Rule	Revised	Use
2520-104	Agreement of Deft. To Furnish Social Security Number	GC 68107	5/93	Optional
CVDC04*	Alternative Dispute Resolution Policy Statement	LR9.11.4	7/02	**Mandatory**
CV006	Amendment to Complaint	CCP474	4/03	Optional
2510-14	Authorization to Apply Bail	LRC 10.14	5/99	Optional
FL004*	Certification of Noncompliance & Order	FLPP	12/02	**Mandatory**
CVDC01*	Civil Case Management Policy	LR9.11.1	7/02	**Mandatory**
PR013	Citation for Reappointment of LPS Conservator	WIC 5008	1/15	Optional
PR010	Confidential Medical Information In Support of Reappointment of LPS Conservator	WIC 5008	1/15	Optional
FL017A	Continuation Page to Local Form FL017	LR 19.27	7/26	Optional
2510-157	Counter Arraignment by Counsel	LRC 10.15	8/01	Optional
2510-157	Counter Arraignment & Plea – Criminal	LRC 10.15	11/01	Optional
PR002	Coversheet and Notice to Creditors	LR11.701	1/13	Optional
SC004	Declaration of Default in Payments (after Mediation) & Request for Hearing	CCP 116.620	10/03	Optional
SC002	Declaration Re: Default in Payments (after Judgment)	CCP 116.620	10/03	Optional
PR019	Declaration of Diligent Search-Probate	CRC 7.52	1/15	Optional
FL017	Declaration Re: Compliance with San Luis Obispo County Family Law Local Rules, Rule 19.27	LR 19.27	7/26	Optional
CVUD07	Declaration Re: Rent & Damages (3-Day Notice)	CCP 1161	4/03	Optional
PR 012	Declaration of Service on Petition for Reappointment of LPS Conservator	WIC 5008	1/15	Optional
FL002*	Domestic Judgment Worksheet (3 pages)	FLPP	8/99	**Mandatory**
2520-TR60	Ex Parte Appl. to Set Aside Conviction or Forfeiture of Bail & Order for Traffic School		5/99	Optional
FL019	Family Law Division Exhibit List	LR19.28	7/26	**Mandatory**
FL019A	Family Law Division Exhibit List Continuation Page	LR19.28	7/26	Optional
FL006	Family Law Mediator's Report	FLPP	12/02	Optional
CVDC04*	Financial Statement (Stepparent Adoption)	FC9002	5/03	**Mandatory**
PR006	First and Final Report of Personal Representative	LR11.1102	115	Optional
FL003*	Joint At-Issue Memorandum (Family Law)	FLPP	10/03	**Mandatory**
PR015	LPS Conservatorship Letters	WIC 5008	1/15	Optional
PR001	Miscellaneous Probate Declaration	LR11.203	1/13	Optional
FL018	Notice Regarding Confidentiality of Child Welfare Records Under Welfare & Institutions Code Section 827	WIC 827	7/26	**Mandatory**
CVDC02*	Notice of Assignment for All Purposes	LR9.11	7/02	**Mandatory**
PR011	Notice of Hearing on Petition for Reappointment of LPS Conservator	WIC 5008	1/15	Optional

FORM NO.	TITLE *next to form number denotes mandatory use	Code/ Local Rule	Revised	Use
FL08	Notice of Intent to Introduce Oral Testimony	CVC 323	10/03	Optional
PR022	Notice to Dept. of Health Care Services	PC 9202(a)	1/15	Optional
PR021	Notice to Franchise Tax Board	PC 9202(c)	1/15	Optional
PR023	Notice to Victim Compensation & Government Claim Board	PC 9202(b)	1/15	Optional
PR020	Objection – Probate	CRC 7.52	1/15	Optional
FL009*	Order Appointing Child Custody Evaluator Attachment	CRC 5.225	1/04	**Mandatory**
PR008	Order Appointing Counsel for Conservatee	LR11.1701	1/15	Optional
2510-256	Order for Disposition of Property	PC 12028	8/91	Optional
PR026	Order Granting Request to Dispense with Accounting and Bond	PC2628 PC2323	1/15	Optional
PR007	Order on First and Final Report of Personal Representative	LR11.1102	1/13	Optional
PR005	Order on Status of Administration	LR11.203	1/13	Optional
PR017	Order for Visitation – Guardianship	PC 2350	1/15	Optional
PR014	Order Reappointing LPS Conservator	WIC5008	1/15	Optional
PR025	Petition for Order Dispensing with Accounting and Bond	PR 2628 PC 2323	1/15	Optional
PR009	Petition for Reappointment of LPS Conservator	WIC 5008	1/15	Optional
2510-119	Petition for Restricted License	VC13202.5 VC132022. 3	5/02	Optional
PR016	Petition for Visitation – Guardianship	PC 2350	1/15	Optional
2510-201	Petition & Order for Withdrawal of Plea & Dismissal	PC 1203.4	5/03	Optional
2510.301	Petition & Order Re: Vacating Civil Assessment	PC 1214.1	7/03	Optional
2510-154	Petition to Appear Without Posting Bail		1/99	Optional
2510-201b	Proof of Service	PC 1203.4a	9/03	Optional
PR004	Raised Bid in Open Court	PRC 10311	1/04	Optional
PR027	Regional Center Report	PRC 1827.5	1/16	Optional
PR003	Report of Status of Administration	LR11.1101	1/13	Optional
CVLJ12	Request for Arbitration & Order	LR 9.08	11/03	Optional
CVDF010*	Request for Default Setting	LR 7.18	10/03	**Mandatory**
2520-110	Request for Dismissal	PC 853.6 VC40202 VC40500	1/99	Optional
SC001	Request for Dismissal – Small Claims	CCP 581	8/02	Optional
CO001*	Request for Duplicate Tape Recording	CRC 892	11/03	**Mandatory**
SC003	Request to Enter Satisfaction of Judgment	CCP 116.840	4/03	Optional
CVUD09*	Request to Set (Unlawful Detainer)	CCP 1170	10/03	**Mandatory**
FL001*	Schedule of Property (Fredman Form)	FLPP	12/02	**Mandatory**
CV011*	Statement of Venue	LR 9.27	1/04	**Mandatory**
FL007	Stipulation & Order Re Continuance	FLPP	12/02	Optional
CVDC05	Stip to Use of Alternative Dispute Resolution Process	LR9.11.4	7/02	Optional
FL016	Surrogacy Judgment Checklist	FLPP	7/24	**Mandatory**
PR018	Verification	PC 1020	1/15	Optional

NUMERICAL

All local forms are available on the court's web site: www.slo.courts.ca.gov

FORM NO.	TITLE *next to form number denotes mandatory use	Code/ Local Rule	Revised	Use
2510-14	Authorization to Apply Bail	LRC 10.14	5/99	Optional
2510-104	Agreement of Deft. To Furnish Social Security Number	GC 68107	5/93	Optional
2510-119	Petition for Restricted License	VC13202.5 VC 13202.3	5/02	Optional
2510-154	Petition to Appear Without Posting Bail		1/99	Optional
2510-157	Counter Arraignment and Plea – Criminal	LRC 10.15	11/01	Optional
2510-201	Petition & Order for Withdrawal of Plea & Dismissal	PC 12303.4	5/03	Optional
2510-201b	Proof of Service	PC 1203.4a	9/03	Optional
2510-256	Order for Disposition of Property	PC 12028	8/91	Optional
2510-301	Petition & Order Re: Vacating Civil Assessment	PC 1214.1	7/03	Optional
2510-110	Request for Dismissal	PC 853.6 VC40202 VC20500	1/99	Optional
2520-163	Court Arraignment by Counsel	LRC 10.15	8/01	Optional
2520-TR60	Ex Parte Appl. to Set Aside Conviction or Forfeiture of Bail & Order for Traffic School		5/99	Optional
AD01*	Financial Statement (Stepparent Adoption)	FC9002	5/03	**Mandatory**
CO001*	Request for Duplicate Tape Recording	CRC 892	11/03	**Mandatory**
CVDC01*	Civil Case Management Policy	LR9.11.1	7/1/02	**Mandatory**
CVDC02*	Notice of Assignment for All Purposes	LR9.11	7/02	**Mandatory**
CVDC04*	Alternative Dispute Resolution Policy Statement	LR9.11.4	7/02	**Mandatory**
CVDC05	Stip to Use of Alternative Dispute Resolution Process	LR9.11.4	7/02	Optional
CV006	Amendment to Complaint	CCP474	4/03	Optional
CVUD07	Declaration Re: Rent & Damages (3-Day Notice)	CCP1161	4/03	Optional
CVUD09*	Request to Set (Unlawful Detainer)	CCP11707	10/03	**Mandatory**
CVDF010*	Request for Default Setting	LR7.18	10/03	**Mandatory**
CV011*	Statement of Venue	LR 9.27	1/04	**Mandatory**
CVLJ12	Request for Arbitration & Order	LR 9.08	11/03	Optional
FL001*	Schedule of Property (Fredman Form)	FLPP	12/02	**Mandatory**
FL002*	Domestic Judgment Worksheet (3 pages)	FLPP	8/99	**Mandatory**
FL003*	Joint At-Issue Memorandum (Family Law)	FLPP	10/03	**Mandatory**
FL004*	Certificate of Non-Compliance & Order	FLPP	12/02	**Mandatory**
FL006	Family Law Mediator's Report	FLPP	12/02	Optional
FL007	Stipulation & Order Re Continuance	FLPP	12/02	Optional
FL008	Notice of Intent to Introduce Oral Testimony	CRC 323	10/03	Optional
FL009*	Order Appointing Child Custody Evaluator Attachment	CRC 5.225	1/04	**Mandatory**
FL016	Surrogacy Judgment Checklist	FLPP	7/24	**Mandatory**
FL017	Declaration Re: Compliance with San Luis Obispo County Family Law Local Rules, Rule 19.27	LR 19.27	7/26	Optional
FL017A	Continuation Page to Local Form FL017	LR 19.27	7/26	Optional
FL018	Notice Regarding Confidentiality of Child Welfare Records Under Welfare & Institutions Code Section 827	WIC 827	7/26	**Mandatory**

FORM NO.	TITLE *next to form number denotes mandatory use	Code/ Local Rule	Revised	Use
FL019	Family Law Division Exhibit List	LR19.28	7/26	**Mandatory**
FL019A	Family Law Division Exhibit List Continuation Page	LR19.28	7/26	Optional
PR001	Miscellaneous Probate Declaration	LR11.203	1/13	Optional
PR002	Coversheet and Notice to Creditors	LR11.701	1/13	Optional
PR003	Report of Status of Administration	LR11.1101	1/13	Optional
PR004	Raised Bid in Open Court	PRC 10311	1/04	Optional
PR005	Order on Status of Administration	LR11.1101	1/13	Optional
PR006	First and Final Report of Personal Representative	LR11.1102	1/15	Optional
PR007	Order on First and Final Report of Personal Representative	LR11.1102	1/15	Optional
PR008	Order Appointing Counsel for Conservatee	LR11.1701	1/15	Optional
PR009	Petition for Reappointment of LPS Conservator	WIC 508	1/15	Optional
PR010	Confidential Medical Information in Support of Reappointment of LPS Conservator	WIC 5008	1/15	Optional
PR011	Notice of Hearing on Petition for Reappointment of LPS Conservator	WIC 5008	1/15	Optional
PR012	Declaration of Service on Petition for Reappointment of LPS Conservator	WIC 5008	1/15	Optional
PR013	Citation for Reappointment of LPS Conservator	WIC 5008	1/15	Optional
PR014	Order Reappointment LPS Conservator	WIC 5008	1/15	Optional
PR015	LPS Conservatorship Letters	WIC 5008	1/15	Optional
PR016	Petition for Visitation – Guardianship	PC 2350	1/15	Optional
PR017	Order for Visitation – Guardianship	PC 2350	1/15	Optional
PR018	Verification	PC 1020	1/15	Optional
PR019	Declaration of Diligent Search-Probate	CRC 7.52	1/15	Optional
PR020	Objection – Probate	CRC 7.52	1/15	Optional
PR021	Notice to Franchise Tax Board	PC 9202(c)	1/15	Optional
PR022	Notice to Dept. of Health Care Services	PC 9202(a)	1/15	Optional
PR023	Notice to Victim Compensation & Government Claim Board	PC 9202(b)	1/15	Optional
PR025	Petition for Order Dispensing with Accounting and Bond	PR 2628 PC 2323	1/15	Optional
PR026	Order Granting Requests to Dispense with Accounting and Bond	PC 2628 PR 2323	1/15	Optional
PR027	Regional Center Report	PRC 1827.5	1/16	Optional
SC001	Request for Dismissal – Small Claims	CCP 581	8/02	Optional
SC002	Declaration Re: Default in Payments (after Judgment)	CCP 116.620	10/03	Optional
SC003	Request to Enter Satisfaction of Judgment	CCP 116.840	4/03	Optional
SC004	Declaration of Default in Payments (after Mediation) & Request for Hearing	CCP 116.620	10/03	Optional

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