Superior Court of California
County of San Luis Obispo

Court Administration

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Presiding Judge

Michael Powell
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October 8, 2025

Notice of Local Rules Update

In compliance with California Rules of Court 10.613 and 10.614, the Superior Court is distributing for comment, proposed amendments to the local rules. The proposed changes will be effective January 1, 2026.

The following rules are proposed to be amended:

- RULE 7.05.1 ASSIGNMENT OF HEARING DATES AND DUTY TO GIVE NOTICE
- RULE 10.15 COUNTER ARRAIGNMENTS
- RULE 14.06 APPELLATE RECORD
- RULE 32.03 UNLAWFUL DETAINER MANDATORY SETTLEMENT CONFERENCES

The proposed changes are attached to this notice and may also be found online at: https://www.slo.courts.ca.gov/forms-filing/local-rules. A hard copy of the proposed changes is available upon request.

Please submit all comments to LocalRulesComments@slo.courts.ca.gov.

Michael Powell,
Court Executive Officer

Attached: Proposed Changes to Local Rules, 4 Pages

RULE 7.05.1 ~~HEARING DATES~~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.

~~The Clerk's Office will assign all motion hearing dates at the time a motion is filed unless otherwise ordered by the Court. The Clerk's Office will not provide reservation dates for a future hearing on the law and motion calendar for motions not yet filed. This rule does not apply to (1) ex parte applications; (2) motions brought pursuant to Code of Civil Procedure section 128.5; and (3) motions brought pursuant to Code of Civil Procedure section 128.7. A party can reserve a hearing date for these matters.~~

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

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) ~~Responsibility for~~ 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 a~~A~~mended effective January 1, 202~~2~~6; previously amended July 1, 2018, January 1, 2022.

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.

~~(a) Proceedings on traffic and non-traffic infraction cases are not transcribed by a court reporter, nor recorded electronically. An appellant must serve and file notice of the election to use a statement on appeal as the record of oral proceedings. (Cal. Rules of Court, rule 8.916.)~~

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.~~(Amended 1/1/19)~~

RULE 32.03 UNLAWFUL DETAINER MANDATORY SETTLEMENT CONFERENCES

(a) Upon ~~the~~ filing ~~of~~ a Request to Set for Trial, the Court shall set the matter for trial and also order the parties to participate in a Mmandatory Ssettlement Ceonference set by the Court. The Mmandatory Ssettlement Ceonference will be conducted electronically (or in person by request) by a neutral settlement conference judge approved by the Court.

~~**(1)** In advance of the trial date, the parties will be contacted by the settlement conference judge to set up a mutually convenient time and date for the conference;~~

~~**(2)**~~**(1)** The Mmandatory Ssettlement Ceonference will not exceed two (2) hours in length, unless a longer session is approved by the settlement conference judge.~~;~~

~~**(3)**~~**(2)** Multiple settlement sessions may occur based upon request by the settlement judge.

(b) The following persons are required to attend the unlawful detainer Mmandatory Ssettlement Ceonference:

(1) The parties;

(2) Counsel for the parties; and

(3) Persons whose consent or settlement authority is required to resolve the disputed issues.~~;~~

~~**(a)**~~**(c)** All persons attending the Mandatory Settlement Ceonference can do so electronically in accordance with Local Rule 2.09 regarding remote court appearances by~~via~~ video~~-~~conferencing.

Rule 32.03 amended effective January 1, 2026; adopted effective October 7, 2020.