

Superior Court of California
County of San Luis Obispo

Court Administration

Tana Coates
Presiding Judge

Michael Powell
Court Executive Officer



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April 1, 2026

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 July 1, 2026.

The following rules are proposed to be amended or adopted:

- RULE 1.04 CONSTRUCTION AND APPLICATION OF RULES
- RULE 2.08 COURT SECURITY AND CONDUCT
- RULE 5.00 EXHIBITS
- RULE 7.11.1 TENTATIVE RULINGS
- RULE 10.01 BAIL
- RULE 10.03 CALENDARING CRIMINAL PROCEEDINGS
- RULE 10.05 CALENDAR EVENTS: MISDEMEANORS
- RULE 10.06 CALENDAR EVENTS: FELONIES
- RULE 10.07 LAW AND MOTION PROCEEDINGS
- RULE 10.08 CONTINUANCE POLICY
- RULE 10.09 PHOTOGRAPHING OR RECORDING COURT PROCEEDINGS
- RULE 10.10 TRIALS
- RULE 10.11 SENTENCING
- RULE 10.18 ANCILLARY CRIMINAL DEFENSE EXPENSES
- RULE 18.02 ELECTRONIC RECORDING OF COURT PROCEEDINGS

- RULE 19.00 PURPOSE OF LOCAL RULES
- RULE 19.00.1 ASSIGNMENT OF JUDICIAL OFFICERS FOR ALL PURPOSES
[REPEALED]
- RULE 19.01 DRAFTING CONVENTIONS AND RESOURCES
- RULE 19.02 SCOPE AND AVAILABILITY
- RULE 19.03 JUDICIAL ASSIGNMENTS AND CALENDARING
- RULE 19.04 VENUE OF FAMILY LAW PROCEEDINGS
- RULE 19.05 FAMILY LAW FACILITATOR – SELF-HELP CENTER
- RULE 19.06 USE OF JUDICIAL COUNCIL FORMS AND DOUBLE-SPACING
REQUIREMENT
- RULE 19.07 SELF-REPRESENTED PARTIES
- RULE 19.08 INTERPRETERS
- RULE 19.09 EMAIL COMMUNICATION WITH COURT
- RULE 19.10 DESIGNATED DEPARTMENT EMAIL ADDRESSES
- RULE 19.11 ALTERNATIVE DISPUTE RESOLUTION
- RULE 19.12 REQUESTS FOR TEMPORARY EMERGENCY ORDERS
- RULE 19.13 REQUESTS FOR DOMESTIC VIOLENCE RESTRAINING
ORDERS
- RULE 19.14 CALENDARING REQUESTS FOR ORDER, ORDERS TO SHOW
CAUSE AND MOTIONS
- RULE 19.15 PRE-HEARING SETTLEMENT EFFORTS
- RULE 19.16 MEET AND CONFERS
- RULE 19.17 SETTLEMENTS
- RULE 19.18 MEDIATION
- RULE 19.19 PROOF OF SERVICE
- RULE 19.20 CONTINUANCES
- RULE 19.21 COURT APPEARANCE
- RULE 19.22 FAILURE TO APPEAR OR TIMELY APPEAR AT HEARING
- RULE 19.23 CALLING OF REQUEST FOR ORDER CALENDAR
- RULE 19.24 PRESENTATION OF EVIDENCE AT HEARING ON REQUEST
FOR ORDER
- RULE 19.25 TIME ESTIMATE

- RULE 19.26 SELECTION OF TRIAL DATES
- RULE 19.27 EXCHANGE OF FINANCIAL DOCUMENTS
- RULE 19.28 PRE-TRIAL MANAGEMENT ORDERS
- RULE 19.29 BIFURCATED TRIALS
- RULE 19.30 NON-APPEARANCE STATUS REVIEWS
- RULE 19.31 PREPARATION OF ORDERS & JUDGMENTS
- RULE 19.32 INCORPORATION OF MARITAL SETTLEMENT AGREEMENT INTO JUDGMENT
- RULE 19.33 SURROGACY JUDGMENT CHECKLIST
- RULE 19.34 MATTERS REQUIRING FAMILY COURT SERVICES MEDIATION
- RULE 19.35 FAMILY COURT SERVICES MEDIATION
- RULE 19.36 SETTING A MATTER FOR MEDIATION
- RULE 19.37 MEDIATION PROCESS
- RULE 19.38 MEDIATION ORDERS
- RULE 19.39 CUSTODY EVALUATIONS
- RULE 19.40 EVIDENCE CODE 730 AND CCP 2032 EVALUATIONS
- RULE 19.41 CONFIDENTIALITY OF CHILD WELFARE RECORDS
- RULE 20.03 MEDIATION PROCESS [REPEALED]

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

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.

- (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 A amended effective July 1, 20-7/1/02.)

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 ~~(includes 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 areas 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/rancee into 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 judges.

(Subd (d) amended effective July 1, 2026.)

Rule 2.08 (Previously Amended effective January 1, 2004.)

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).

(Subd (a) amended effective January 1, 2022.)

(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.

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

(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) of the Penal Code~~, 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. ~~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.~~

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). Exhibits, toxic by their nature, that pose a health hazard to humans Such exhibits must be introduced ~~to the court~~ in the form of a photographic record, if possible. ~~Where~~If the court finds ~~that~~ 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 the 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) ~~Dry P.C.P. in other than an airtight plastic bag.~~ Any controlled substances, paraphernalia or packaging containing residues of controlled substances.
- (10) Any liquid P.C.P. Firearms and weapons.

~~(Amended 1/1/04)~~ (Subd (h) amended effective July 1, 2026.)

Rule 5.00 amended effective January 1, 2009; previously amended effective January 1, 2004.

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, ~~can be accessed by telephone at (805) 706-3613 and~~ 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 January 1, 2022 July 1, 2026; previously amended effective January 1, 2012, January 1, 2022.)*~~

RULE 10.01 BAIL

(a) Requests for Increase or Reduction

When bail has been set by a judge ~~out of Court~~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) Notice to District Attorney**~~

~~(1) No applications may be made without prior notification to the District Attorney to allow a representative to be present.~~

~~(2) When a request for bail or OR is made after normal court hours the requesting party must contact the "on-call" deputy district attorney to determine his or her recommendation. The "on-call" deputy district attorney will notify the requesting party of the bail recommendation and furnish a phone number where the party can contact the deputy district attorney to discuss the recommendation.~~

~~**(d)**~~**(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 eClerk 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 ~~the~~ 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.

~~(e)~~(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.

~~(f)~~(e) Source of Bail—~~PC 1275~~— Procedure

When a Source of Bail Order pursuant to Penal Code ~~S~~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 ~~District Attorney prosecuting agency not later 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 7/1, 2018.)~~

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, must will be arraigned held at the San Luis Obispo Court location. ~~The initial court appearance or arraignment for defendants who are not in custody and are charged with a misdemeanor offense that was committed in the jury district of Paso Robles or the jury district of San Luis Obispo must be arraigned 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 pPreliminary hHearing in accordance with the requirements of Penal Code section 859b. ~~This hearing will be set within 10 court days of the entry of plea if the defendant is in custody and within 14 to 16 court days if he or she is not.~~

(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 two four weeks for felony defendants and 30 days not more than 90 days (or closest court day not to exceed 32 days due to holidays and weekends) 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 court 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 San Luis Obispo Branch department where the felony case is pending. ~~If a defendant is released upon posting bail on a warrant issued for a misdemeanor probation violation and a felony is pending, the defendant will be directed to appear in the San Luis Obispo Branch on all of these cases.~~

(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 San Luis Obispo Branch department where the felony case is pending. ~~The defendant will appear in this branch on all these cases.~~

~~**(2) Misdemeanor Defendants** When a misdemeanor defendant is in custody, the defendant will be arraigned on all pending cases in the San Luis Obispo Branch. However, should the defendant be released on bail or citation prior to the appearance the defendant will be directed to appear in the branch from which the warrant was issued or in which the case is pending. (Amended 1/1/12)~~

Rule 10.03 amended effective July 1, 2026.

RULE 10.05

CALENDAR EVENTS: MISDEMEANORS

(a) Arraignments

The ~~prosecutor shall give defendant or~~ counsel or a self-represented defendant will be given a copy of ~~the reports and complaint as well as any police reports contained in the court file~~ at the arraignment. ~~Stipulations for independent blood analysis should be made at arraignment. Absent good cause, Pleas will shall~~ be entered within the time frame provided by Penal Code section 990. Since the District Attorney and Public Defender may be present, some plea negotiation may be accomplished at this event. Following entry of a not guilty plea, a case will be set for a Pretrial Conference.

~~(1) Counter Arraignment By Counsel~~

~~(a) The Clerk's office is authorized to accept local form Counter Arraignment by Counsel on misdemeanor and infraction cases from retained attorneys. Eligible cases must have an arraignment date not less than two days in the future. Cases involving charges of violence that might result in a criminal protective order are not eligible.~~

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

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

~~(d) Counter Arraignment by Counsel will included the following actions on the defendant's behalf:~~

~~(1) Waiver of formal arraignment;~~

~~(2) Waiver of time for trial;~~

~~(3) Entry of not guilty plea on all charges and denials of all priors and probation violations;~~

~~(4) Agreement to contact the Deputy District Attorney or City Attorney assigned to the department five days before the pretrial conference.~~

(b) Motions

Any pretrial motions, except in limine motions, ~~except in limine motions where a stipulation cannot be obtained,~~ must be noticed and heard prior to trial. ~~the Trial Setting Conference. No further motions will be heard on the case. If a motion to strike a prior cannot be heard at this time because of lack of documentation it will be heard at the time of sentencing. VC 41403(c). In Limine Motion: any in limine motion must be filed in writing five days before the Readiness Conference. The motion will be heard at the Readiness Conference. Any pleadings submitted to the court that have any confidential documents must conform with PC964. If not, they will be rejected. The Court, at its discretion, may require an unredacted/sealed version.~~

(c) Pre-Trial Conferences

The ~~District Attorney~~ assigned prosecutor and defense counsel must discuss the case and attempt to resolve the case at the Pre-Trial eConference.

(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, ~~is shall to~~ have been completed when the trial date is set.

(e) Court Trial

If a Court Trial is requested at the aArraignment, it this will be set within four weeks. ~~and a Pre-Trial Conference will only be set upon request. Trial will be set within four weeks.~~

~~(f) In-Custody Defendant~~

~~Pre Trial Conferences for in-custody defendants will be set on the in-custody arraignment calendar.~~

~~(g)~~ (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. ~~The purpose of this~~

~~conference is simply to confirm the matter for trial the following day. No negotiated pleas will be accepted unless good cause is shown. Once the matter is confirmed, no negotiated pleas will be accepted. On the date of trial the case will be either tried, dismissed or a defendant will be required to plead to all counts, unless good cause is shown.~~

~~(h)(g)~~ Continuanance 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 ~~14~~ 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 PC136.2 ~~order~~.

~~(i)(h)~~ Appearance by Counsel

~~Pursuant to statutory authority (Penal Code Ssection 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 Ssection 977(a)(2) and (a)(3) or unless otherwise ordered to be present by the Court, which states “If the accused is charged with a misdemeanor offense involving domestic violence, as defined in Section 6211 of the Family Code, or a misdemeanor violation of Section 273.6, the accused shall be present for arraignment and sentencing.”~~

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 Aamended effective July 1, 2026; previously amended effective July 7/1, 2018.)~~

(a) **Criminal Team Early Disposition Program**

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

~~(b) Case Assignments: ALL ASSIGNMENTS MUST BE FOR ALL PURPOSES.~~

~~(1) Case Assignments: Assignment for a~~ **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.~~

~~(4)(2) Judicial Disqualification Motions~~

Any motions under Code of Civil Procedure ~~section~~ § 170.6 must be filed within ~~ten (10)-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.

~~(e)(b) Calendar of Events~~

~~(1) Arraignment on Complaint~~

Arraignments must proceed in accordance with ~~Penal Code sections .C. §§~~ 858, 859, 859a, 859b, and 860. The ~~district attorney prosecutor shall provides~~ 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 ~~p~~Pre-~~p~~Preliminary ~~h~~Hearing and ~~p~~Preliminary ~~h~~Hearing in the assigned department. ~~These hearings will be held at the courts located in San Luis Obispo unless the court, for good cause, orders otherwise.~~

~~(2) Pre-~~p~~Preliminary Hearing~~

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

~~(3)(2) Preliminary Hearing~~

The ~~p~~Preliminary ~~h~~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.

~~(3) 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).)

(4) Trial Setting Conference

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 trial setting conference will be set. The prosecution and defense are encouraged to discuss disposition and scheduling of future case events with the court. In the absence of a disposition the matter will be set for jury trial and readiness conference

(5) (a) Motions

Counsel must consult the court with opposing counsel included in communications (elk) for available dates prior to filing for 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 an assigned judge.

(6) 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. The purpose of this conference is simply to confirm the matter for trial the following week.

(7) 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.

(8) Motions in Limine

All motions in limine shall be filed by the close of business the Friday 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.

(7)(9) Jury Trial

Trial will proceed pursuant to Part 2, Title 7, Chapter 2 of the Penal Code. ~~No negotiated pleas will be accepted. The case must either be tried, dismissed or the defendant must plead to all counts. The trial will be set, except for good cause, no later than 60 days from the date of the not guilty plea.~~ (Amended 1/1/08) 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.

(8)(10) Probation 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 7/1, 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 ~~motion, counsel must, if denied, request such the~~ motion will be assigned to another judge on the eCriminal tTeam 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, ~~with an original document 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. ~~Cited authority must~~ 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 2.3063-1113, subdivision (e). 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 eCourt 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.

(e)(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 Trial Setting Readiness Conference for misdemeanors ~~and prior to the readiness conference for and~~ felonies.

(d)(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;

~~(4)(3)~~ (3) The statutory basis for the motion;

~~(2)(4)~~ (4) The nature or title of any attached document other than an exhibit; and

~~(3)(5)~~ (5) The trial date, if set.

Documents bound together must be consecutively paginated.

(e)(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.

(4)(2) Felony Motions to Suppress or Return Evidence

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.

(a) 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). is not required if a motion based upon Penal Code section 1538.5 is to be heard at the Preliminary Hearing. The prosecutor must be prepared at all such hearings to justify, legally and factually, all seizures of proffered evidence; however, upon a showing of surprise the case may be continued. If a Penal Code section 1538.5 motion is made other after an information is filed on a felony case or after the filing of a complaint on a misdemeanor case than at a preliminary hearing, a written notice that complies all moving papers must comply with Rule 10.07(b) is required.

(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).

(a)(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 ~~so~~ without a warrant.

(2) Misdemeanors

~~Motions by defendant to suppress or return property will be heard at least 10 calendar days in advance of the trial date (PC 1538.5(g)). Notice of the date of such hearing must be given in compliance with Rule 10.07(b) above and must specifically list and describe the evidence sought to be suppressed or returned, must state specifically the theory(ies) which will be relied on and urged for suppression or return of the evidence, must set forth a statement of facts upon which such theory(ies) is based, and must cite the specific authority(ies) which supports the theory(ies) for such suppression.~~

(3) Hearing

~~Defendant must be prepared to prove standing to object, and in instances of warrantless searches, must be prepared to prove:~~

- ~~(a) That a seizure of the evidence took place; and~~
- ~~(b) That it was done so 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.

~~(Amended 7/1/10)~~

(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 7/1, 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, § 1050.~~) 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. ~~Further this Court adheres to a no trial continuance policy -- when a courtroom event is scheduled that event should take place as scheduled.~~

(a) Responsibilities of Counsel

(1) Counsel's attention is directed to Rules ~~6-101~~ 1.1 and 1.3 of the Rules of Professional Conduct of the State Bar of California ~~"Failing to Act Competently regarding competence and diligence of counsel."~~

(2) ~~A member of the State Bar must not~~

(a) ~~Accept employment or continue representation in a legal matter when the member does not have sufficient time, resources, and ability to perform the matter with competence, or~~

(b) ~~Repeatedly accept employment or continue representation in legal matters when the member reasonably should know that the member does not have or will not acquire before performance is required, sufficient time, resources and ability to perform the matter with competence..."~~

(3)(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.

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

(5)(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. ~~Calif. Rules of Professional Conduct 6-101(A)(1).~~ 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. (CCP 128.5, CCP 177.5, Calif. Rules of Court 2.30.) ~~At the next scheduled calendar event, the counsel of record must file a declaration with the Court explaining the inability to be present at the last calendar event~~

(6)(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.

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

(8)(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 ~~and must be submitted in duplicate.~~ Courtroom events will be continued only when ~~extraordinary~~ 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~~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.

~~(Misdemeanor cases coming within (5) and (6) can be conditionally dismissed on waiver of the prohibition against refileing).~~

(d) **No Stipulated Continuances**

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

~~(e) **Sanctions**~~

~~The failure to adhere to this policy will result in the imposition of sanctions and the assessment of reasonable costs. CCP 128.5, CCP 177.5, Calif. Rules of Court 2.30.~~

~~(f)~~**(e) Trailing**

Should it be necessary that cases be trailed for hearing or trial, they will be trailed ~~day by day~~ to the next available setting unless the parties demonstrate good cause to trail the case to a different date. The case will be called each day at 11:30, 4:30 and the next day at 8:30.

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 A amended effective July 1, 2026; previously amended effective July 7/1, 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 Use in Courthouse.**

No one may use a camera or other recording equipment to ~~take pictures~~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.

(1) ~~Defendant in Custody~~

~~If the defendant is in custody the trial of any criminal case will be held at the court located in San Luis Obispo unless for good cause the court transfers the trial to another location.~~

(2) ~~Defendant Out of Custody~~

~~If the defendant is not in custody the trial of any criminal case will be held at the San Luis Obispo court location in the jury district in which the offense is alleged to have occurred. (Amended 1/1/09)~~

(3) ~~Change of Location~~

~~Upon a showing of good cause, a change in court location may be requested in writing and served upon the opposing party as will be honored providing that such request is made at least ten (10) calendar days before the hearing. However, in no case will a request be honored if a jury panel has already been notified to appear. The opposing party shall have the right to request a hearing on the question of whether the matter should be transferred. The Court may, on its own motion, order any trial transferred to any court location.~~

(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.

(b) ~~Pretrial Conference – Misdemeanor Defendants~~

~~All cases in which a jury trial is not waived must be set for a pre trial conference and a trial setting conference before a jury trial is set if time for trial is waived. If time for a jury trial is not waived a pre trial conference will be set at the time a jury trial is set. Rule 10.10 amended effective July 1, 2026; previously amended January 1, 2012. (Amended 1/1/12)~~

RULE 10.11 SENTENCING

(a) Probation Modification

(1) Notice Requirements

The court requires at least not less than 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 ~~in person~~ 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 ~~S~~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/or~~ bench probation are conditional sentences as defined in Penal Code ~~S~~section 1203.

~~(d) Proof of Compliance with Conditions of Probation~~

~~In criminal and traffic cases in which a defendant has been placed on informal, summary, or bench probation with a requirement by a certain date that the defendant show:~~

~~(1) Proof of completion of alternate work service;~~

~~(2) Proof of obtaining a license;~~

~~(3) Proof of payment of restitution;~~

~~(4) Proof of fine payment;~~

~~(5) Proof of completion of DUI School or AA attendance; or reappear in court on a certain date; the clerk is authorized to receive and file the appropriate proof and to take the matter off calendar.~~

~~In cases where there is some question as to whether the proof is appropriate, the clerk will so notify the defendant and advise the defendant to reappear in court.~~

(e)(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 ~~C~~county ~~J~~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 10.18 **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 ([insert link]).

Rule 10.18 adopted effective July 1, 2026.

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.)*~~

RULE 19.00 ~~RULES AND MANUAL OF POLICIES AND PROCEDURES~~
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.

~~The California Rules of Court, Local Rules and the San Luis Obispo County Family Law Section Manual of Policies and Procedures are intended to provide uniformity in the practice and procedures among the departments hearing family law matters in San Luis Obispo County. Attorneys and unrepresented litigants (also known as pro pers) should familiarize themselves and comply with the guidelines set forth in this material.~~

~~A copy of the San Luis Obispo Family Law Section Manual of Policies and Procedures is available at the Clerk’s Office for review as well as the court’s website at www.slo.courts.ca.gov. The Clerk’s Office is located at 1050 Monterey Street, Room 220, San Luis Obispo, California. The Manual of Policies and Procedures provides detailed information on suggested approaches to substantive issues as well as the structure, calendaring, and resolution of family law matters.~~
Rule 19.00 Amended effective July 1, 2026³; 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
REQUIREMENT

USE OF JUDICIAL COUNCIL FORMS AND DOUBLE-SPACING

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 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. **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 Services 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 20.03 MEDIATION PROCESS [REPEALED]

Rule 20.03 repealed effective July 1, 2026; adopted effective January 1, 2004.