



**Superior Court of California
County of Sonoma
Summary of Proposed Amendments to the Local Rules
Eff. 01/01/2025**

~~abcde~~ Deleted text
abcde New/Revised text
abcde Unchanged text

Proposed Amendments to Local Rules

Rule 4

Rule 6

Rule 8

Rule 9

Rule 13

Rule 17

PLEASE NOTE: If a rule or a subsection to a rule does not appear in this document, it remains unchanged from the 7/1/2024 edition.

RULE 4 RULES APPLICABLE TO ALL CIVIL CASES

4.9 TRIAL AND TRIAL-RELATED MOTIONS

A. Trial Calendar

Trials, both long cause and short cause, will be called on such dates and at such times as shall be set by the Assigned Judge. In-person attendance ~~Attendance~~ by counsel at the call of the Trial is mandatory unless excused by the Assigned Judge.

B. Continuances

Continuances of trials may be granted, upon good cause show, by stipulation of the parties or upon written notice of motion. Failure to complete discovery does not constitute good cause. Any motion for continuance must be calendared for hearing before the Assigned Judge on the Trial calendar at least seven (7) calendar days in advance of the trial date, unless good cause is shown for a shortening of such time. Stipulation of trial counsel by itself does not constitute good cause for granting a continuance.

Requests for continuance of trials or trials de novo in small claims cases must follow the procedure set out in Code of Civil Procedure §116.570.

(Eff. 1/1/1997; Rev. 7/1/2004, 7/1/2011, 1/1/2014, 1/1/2021; Renumbered 1/1/2016; 7/1/2018, Renumbered 1/1/2023, Rev. 7/1/2024, [1/1/2025](#))

4.10 PRETRIAL MATTERS AND COMMENCEMENT OF TRIAL

A. Uniform Procedures

The procedures prescribed in this rule apply uniformly to trials throughout the Civil Division except in expedited jury trials under Code of Civil Procedure § 630.01 et seq., which are governed by California Rules of Court, rules 3.1545–3.1552. Judges may, in the exercise of discretion, order different procedures based on the particular requirements of an individual case.

B. Trial

Each case is called for trial on the Friday as specified by the court in its Notice of Trial as served on all parties. Unless otherwise ordered, [parties and their counsel are to appear in-person](#) and should expect and be prepared to begin the trial of a case on the first date of Trial.

C. Duty to Meet and Confer

At least seven (7) court days before trial, all attorneys of record and unrepresented parties must meet and confer in a good faith effort to reach agreement and enter into written stipulations or written joint statements on the matters described in subdivisions D and G of this rule. All such stipulations and statements must be filed, and courtesy copies delivered, at the time and in the manner stated in subdivisions D and G. A stipulation or joint statement may be filed instead of any submission of an individual party that this rule requires or permits.

D. Pretrial Documents

By 3:30 p.m. on the sixth (6th) court day before trial or as otherwise ordered by the court, the parties must file the documents listed below with the Civil Clerk's Office, serve the documents on all parties, and deliver endorsed copies to the chambers of the Assigned Judge the same day. Timelines for the submittal of pretrial documents for matters coming before the court under the Lanterman-Petris-Short Act are set by the judge presiding over that matter at their discretion.

1. Any proposed voir dire questions which, due to unusual or sensitive circumstances, a party requests the judge to ask prospective jurors.
2. Any proposed jury questionnaire.
3. A joint list, in alphabetical order, of all witnesses to be called, indicating which party intends to call each witness. The list should also note any anticipated issue concerning a witness that might require the court's attention, including but not limited to scheduling constraints, health problems, security precautions, and the need for a translator or interpreter.
4. A joint estimate of the length of the trial.
5. A joint neutral statement of the case to be read to the jury.

6. All motions in limine. Any written opposition to a motion in limine must be filed with the Civil Clerk's Office, and an endorsed filed copy delivered to the Assigned Judge, by 3:30 p.m. three (3) court day before trial.
7. Identification by each party of all deposition testimony that the party intends to offer in evidence on the ground that the witness is unavailable to testify at trial, designated by witness, date or volume, and pages and lines.
8. A list of all requested California Civil Jury Instructions (CACI) by number, in numerical order, with titles.
9. A list of all proposed CACI jury instructions and special jury instructions, with all proposed wording.
10. All proposed verdict forms.
11. Signed copies of the Trial Orders of the Court, containing those provisions to which the parties have stipulated.

E. Exhibits to Be Used in Opening Statement and/or Trial

On the day that motions in limine are heard, prior to that hearing, each party must show all other parties all electronic presentations, demonstrative exhibits, charts, diagrams, photographs, enlargements, and all other tangible things that the party intends to use in the party's opening statement and/or during trial. Any party who objects to any such material must make the objection at the hearing of the motions in limine, and the judge will rule on all such objections presented.

F. Trial Briefs

The court finds trial briefs to be very helpful and encourages their submission. Any trial brief must be filed with the Civil Clerk's Office, and an endorsed filed copy delivered to the Assigned Judge, by 3:30 p.m. six (6) court days before trial. This does not preclude supplemental briefs on specific issues that arise during the trial.

Timelines for the submittal of trial briefs for matters coming before the court under the Lanterman-Petris-Short Act are set by the judge presiding over that matter at their discretion.

G. Jury Instructions and Verdict Forms

1. In every jury trial, before the first witness is sworn, six (6) court days prior to the first day of trial, each party must deliver to the judge, and serve upon all other parties, all proposed jury instructions on all applicable law disclosed by the pleadings, and all proposed verdict forms.
2. Before closing argument begins, each party must deliver to the judge and serve upon all other parties any additional proposed jury instructions on questions of law arising from the evidence that were not disclosed by the pleadings.
3. Each proposed jury instructions must be printed in black ink on a separate piece of paper. Proposed instructions must not identify the requesting party or any party or counsel in the case. The jury instructions must be assembled in a packet with a face sheet that lists all requested instructions and the requesting parties.
4. Timelines for the submittal of jury instructions and verdict forms for matters coming before the court under the Lanterman-Petris-Short Act are set by the judge presiding over that matter at their discretion.

H. Service of Trial Documents

All documents authorized by this rule that a party files with or otherwise submits to the court must be served by a means that is reasonably calculated to assure delivery to all other parties by the earlier of (1) the time when delivery to the court is due under this rule, or (2) the time when the document is actually delivered to the court. Such means include, but are not limited to, personal delivery, facsimile transmission (fax), email, and other means of electronic transmission that are no slower than fax

(Adopted 1/1/1997, Repealed 1/1/2021, Reinstated/Eff and renumbered 7/1/2023, Formerly Rule 4.9, Rev. 7/1/2024, [1/1/2025](#))

RULE 6 RULES APPLICABLE TO PROBATE, CONSERVATORSHIPS AND GUARDIANSHIP PROCEEDINGS

6.4 CONSERVATORSHIPS

A. Temporary Conservatorship

Where the petitioner believes that the proposed conservatee will suffer harm or substantial loss prior to the hearing date on the Petition for Appointment of Probate Conservator, the petitioner may also file a Petition for Temporary Conservatorship. In all such cases, the Petition for Appointment of Probate Conservator must first be on file in the clerk's office and a case number must be issued before a Petition for Temporary Conservatorship will be heard.

- a. Regular Notice: Normally, a Petition for Temporary Conservatorship will be set for hearing at the time normally set aside for probate matters allowing for at least ten (10) days' notice of the petition.
- b. Emergency Circumstances Ex Parte Application: In very rare circumstances where the proposed conservatee is in immediate and grave danger of physical or irreparable financial harm, petitioner may notice the Petition for Temporary Conservatorship to be heard on the ex parte calendar.

B. Required Documents in Conservatorship Cases

In addition to the pleadings and papers normally required in a conservatorship matter, the following special instructions apply:

1. Appointment of Public Defender

The Sonoma County Public Defender is appointed, [by this rule](#), to represent the proposed conservatee in all initial conservatorship cases without prejudice to a substitution of counsel of the proposed conservatee's choosing. [No additional order is required.](#)

2. Appointment of Court Investigator

The Sonoma County Court Investigator shall be appointed, [by this rule](#), for all conservatorship cases (excluding LPS conservatorships). [No additional order is required.](#)

3. Conservatorship Handbook

The required DUTIES OF CONSERVATOR AND ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK (Judicial Council Form GC 348) shall be submitted with the first filed Petition for Appointment of Probate Conservator. The HANDBOOK FOR CONSERVATORS is available at:

~~http://www.courts.ca.gov/documents/conservatorship_handbook.pdf~~
<https://www.courts.ca.gov/documents/handbook.pdf>

4. Notification of Change of Contact Information

Any time the conservator or guardian or the conservatee or ward has a change of contact information, the Notice of Change of Address or Other Contact Information shall be filed and served on the Office of the Probate Court Investigator. (Judicial Council Form MC-040)

5. Confidential Contact Information Form

The Confidential Contact Information Form must be filed with all petitions for [any of the following](#): appointment of a conservator, including appointment of temporary, successors or co-conservators, ~~and~~ all petitions for approval of accounts of a conservatorship estate, [and when filing a waiver of account](#). The Confidential Contact Information Form shall be marked as “CONFIDENTIAL”. (Sonoma County Local Form PR-12). [The proposed conservatee and their counsel should be provided notice when the mandatory local form PR-12 Confidential Contact Information has been filed.](#)

(Rev and renumbered 7/1/23, Rev. 1/1/2024, [1/1/2025](#))

C. Independent Powers under Probate Code § 2591 et. seq.

The provisions of this section apply both to conservatorship and guardianship matters. For simplicity only, the terminology for conservatorships is used.

1. Necessity Required

The conservator of the estate has broad powers to act for the conservatee's benefit under the Probate Code. The Court will generally limit a grant of Independent Powers under Probate Code §2590 et seq. to specific factual situations where necessity requires independent powers.

2. Special Rules for Independent Powers

The following rules shall apply to all cases involving requests for independent powers, except LPS conservatorships:

- a. Temporary Conservatorship of the Estate: Independent powers will be granted in a temporary conservatorship of the estate only in unusual situations upon a showing of good cause.
- b. Factual Showing: Any request for independent powers shall be accompanied by an affidavit or declaration setting forth the facts which explain why: (1) the power requested is needed to administer the estate or protect the conservatee; and (2) granting such power would be to the advantage, benefit and in the best interests of the estate and the conservatee.
- c. Specific Enumeration of Powers: Each power must be described in detail. Quoting the specific language of the subsection enumerating the requested power is preferred. It is not sufficient to incorporate by reference Probate Code §2591 in the petition.
- d. Real Property Description: Where the power to sell real property is requested, the request shall describe the real property to be sold by the street address or legal description, and whether or not the property is the conservatee's home or former home. The notices of the request shall include the street address.
- e. Court Confirmation of Real Property Sales: Where the independent power to sell real property is granted, the Court will normally require the sale be returned to the court for confirmation. This requirement may be waived by the Court upon showing of good cause.
- f. Enumerated Special Powers in Order and Letters: Any special powers granted must be set forth in detail in the Order and in the Letters of Conservatorship. In addition, if the power to sell real property has been granted, the Order and Letters shall describe the property to be sold by street address or legal description, and whether court confirmation of the sale is required.

(Renumbered 1/1/2024)

D. Conservatorship/Guardianship Accountings

1. Format

A standard accounting lists receipts and disbursements in subject-matter categories, with each receipt and disbursement category subtotaled.

Accounts of conservators and guardians shall be filed as a standard accounting unless prior court approval is sought and obtained to file a simplified accounting.

[The Summary of Account for all accountings must be filed on the mandatory Judicial Council form GC-400 \(SUM\)/GC-405 \(SUM\).](#)

2. Adequacy of Bond

Reports of conservators and guardians shall state the total amount of the current bond and whether additional bond is necessary. The report shall set forth the calculation of the minimum bond amount, including the amount for recovery. Each report should also specify any blocked bank accounts or assets and the current value of any such assets. Any significant changes in the value of assets should be reported, together with the effect on the adequacy of the bond.

3. Requests for Extension of Accountings

Extensions to file accounts in conservatorships and guardianships may be approved at the court's discretion. When requesting an extension, the conservator/guardian shall do so by filing an ex parte application and declaration in support of the extension as an "Order on Matter Not Requiring a Hearing" under the applicable Local Rule.

4. Original Account Statements in Conservatorship and Guardianship Matters

Wherever the Probate Code or these rules require the filing of original financial account, billing and/or escrow statements, such statements will be "lodged" with the clerk and not filed. All persons required to file documents electronically under these Local Rules shall confidentially lodge the documents through the e-filing system. A pleading caption page must be page one, and the first chronological statement of each financial institution shall be bookmarked separately. If multiple e-filing envelopes are required, please make a note in the comments box. Original scanned papers must be retained and delivered to the Court for inspection upon request.

Persons not mandated to electronically file may still do so or deliver paper copies to the Court for filing.

When paper documents are lodged, the documents must not be bound and must be contained in a 9" x 12" (or larger, if necessary) envelope. The envelop shall be prominently marked as "CONFIDENTIAL" and display the case title, number, and a brief description of the contents. If requested, original papers will be returned to the filer after the Court's determination of the account becomes final. In that case, the fiduciary must submit a self-addressed envelope of sufficient size and with adequate postage affixed to return the documents by mail at the time of lodging.

However the documents are submitted, the documents shall be organized by account and then chronologically for each account. If the document exceeds a hundred pages, an index should be included.

5. Waiver of Accounts

- a. General Rule: Except as noted below, no request or petition for waiver of any account or final account (upon the death of the conservatee or minor) in any conservatorship or guardianship will be approved.
- b. Small Estates: Waivers of Account in conservatorships and guardianships may be approved for small estates at the court's discretion under the provisions of Probate Code §2628. This will be a noticed hearing.
- c. Guardianship Final Account Waivers: Waivers of final guardianship accounts on termination are discouraged. Where the ward waives the final account, the court may require the ward to be present at the hearing.

E. Final Distribution in Conservatorships and Guardianships.

1. Investigator's Assessment on Final Accounting
Prior to the filing of a Petition for Termination of a conservatorship, counsel shall contact the Court Investigator to determine the Court Investigator's assessment of the conservatorship estate for services rendered. A request to pay the assessment and the amount of the assessment shall be included in the petition and final account and order thereon.
2. Small Estates
If the value of the conservatorship/guardianship estate does not exceed the amount determined under Probate Code § 13100 and distribution is intended by affidavit procedure pursuant to Probate Code § 13101, notice of hearing, a copy of the final account and report of the conservator/guardian, and a copy of the petition for final distribution, shall be served on the successor(s) of the deceased conservatee/ward.
3. Other Probate Estates
In all other cases, a petition for final distribution upon the death of conservatee or ward shall be approved only after appointment of a personal representative of the estate of the conservatee/ward. The final account and petition for distribution of the conservator/guardian shall identify the personal representative and the court and case number of the probate proceeding for the deceased conservatee/ward. Notice of hearing, a copy of the final account and report of conservator/guardian, and a copy of the petition for final distribution, shall be served on the personal representative of the estate of the deceased conservatee/ward.

F. Limited and LPS Conservatorships

1. **Limited Conservatorship Filings**
Every conservatorship involving a developmentally disabled proposed conservatee shall be filed as a limited conservatorship proceeding.
2. **Disclosure of Developmental Disability**
The involvement of a developmentally disabled conservatee shall be clearly set forth in all conservatorship and guardianship petitions and accountings.
3. **Limited Conservatorships Regional Center**
 - a. **Calendar Setting if Regional Center Report Required:** Any conservatorship proceeding requiring a Regional Center report shall be set at least thirty (30) days after mailing notice of the proceeding to the Regional Center, to allow the Regional Center report to be filed prior to the hearing.
 - b. **Regional Center and Public Defender Appointment:** The Order Appointing Regional Center (Sonoma County Local Form # PR-4) may be utilized to facilitate ordering the Regional Center report and appointment of the Public Defender to represent the conservatee. Such Orders shall be submitted with the initial Petition.
4. **Review of General Conservatorships**
In existing general conservatorships involving a developmentally disabled conservatee the court may direct that a new petition for conservatorship be filed under the limited conservatorship code provisions.
5. **Accountings**
Any accounting required in LPS or limited conservatorship matters shall comply with accounting requirements in other Sonoma County conservatorship estate matters unless otherwise directed by the court designated to hear the LPS calendar.
6. **Closed Status of Reports**
Reports by a Regional Center and the Office of the Probate Court Investigator, and other documents or materials containing sensitive information filed in LPS and limited conservatorship hearings, shall be maintained in a confidential status in the case file with disclosure only to authorized persons pursuant to Court order.

(Eff. 1/1/1997; Rev. and renumbered 1/1/2021; Rev. 7/1/2021, Renumbered 1/1/2024, Rev. 7/1/2024, [1/1/2025](#))

G. Report of Court Appointed Counsel in Conservatorship Matters

Report of Court Appointed Counsel in conservatorship matters shall include, at a minimum:

1. The number and length of visits to the proposed conservatee, and whether the visits were in-person or held in another manner (in person visit(s) are preferred if possible);
2. Whether other individuals were present during visits with the proposed conservatee, and, if so, who;
3. Other individuals or documents consulted in counsel's investigation of the facts and counsel's opinion of the merit of any claims of such parties for and against the conservatorship, so far as consistent with counsel's ethical obligations to the client (if there are individuals in favor of the conservatorship and others opposing the conservatorship, counsel is expected to consult with at least one individual representing each such position);
4. The proposed conservatee's wishes, desires, concerns, and objections, if any; and
5. Whether the attorney currently represents, or has previously represented, the conservator or proposed conservator.

(Eff. 1/1/2022)

6.8 TRUST PETITIONS

A. Trust Instrument

For every petition filed pursuant to Division 9 of the Probate Code, the petition must include a copy of the entire trust instrument(s) relevant to the action, including all amendments thereto, and all attachments, schedules, and exhibits.

B. Accountings: Required Form of Accounts

Accountings should conform to the requirements set forth in this rule and with Probate Code §§ 1060-1064. Accountings are designated as either standard or simplified. A standard accounting lists receipts and disbursements in subject-matter categories, with each receipt and disbursement category subtotaled. A simplified accounting lists receipts and disbursements chronologically, by receipt or payment date, without subject-matter categories. All trustees must file standard accountings unless prior court approval is sought and obtained to file a simplified accounting. If an item is not self-explanatory, an explanation must appear either in the accounting or in the report accompanying the accounting. The Court reserves

the right to require supplemental supporting documentation, including financial statements of the type described in Probate Code § 2620 as well as Cal. Rules of Court, Rule 7.575, if deemed necessary by the Court.

- C. Wherever the Probate Code or these rules require the filing of original financial account, billing or escrow statements in support of a trust accounting, such statements will be “lodged” with the clerk in the manner provided in Sonoma County Local Rule 6.4(D)(4), and not filed.

(Rev and renumbered 7/1/23, Rev. 1/1/2025)

6.9 GUARDIANSHIPS

A. General

The Guardianship Rules for Sonoma County Superior Court set forth local policies and procedures of the guardianship department. These rules do not attempt to restate or summarize statutory or case law in general. Guidance on guardianship law and practice may be found in publications such as California Guardianship Practice which is published by CEB Continuing Education of the Bar - California.

These rules, although binding on parties, may be departed from at the discretion of the Court.

B. Calendaring Guidelines

Calendaring information on the Guardianship calendars may be found on the court’s website, at <http://sonoma.courts.ca.gov/online-services/calendars/probate>.

C. Contact Information

Website: For current contact information, tentative rulings, and the online guardianship calendars parties should refer to the court’s website at: www.sonoma.courts.ca.gov.

All local forms referred to in this rule are available and can be downloaded from the court website.

One or more of the following may be helpful in matters presented to the Guardianship Court.

1. Clerk of the Probate Court: The mailing address of the Probate Clerk is 600 Administration Drive, Santa Rosa, CA 95403. The physical address of the

Probate Clerk's Office is 3055 Cleveland Avenue, Santa Rosa, CA 95403 (first floor).

2. Probate Court Examiner: The mailing address of the Probate Court Examiner is 3055 Cleveland Avenue, Santa Rosa, CA 95403. The email address is ProbateExaminer@sonomacourt.org.
3. Office of the Probate Court Investigator: The mailing address of the Office of the Probate Court Investigator is 600 Administration Drive, Santa Rosa, CA 95403. The email address is sci@sonomacourt.org.

D. Report of Proposed Guardian

A Report of Proposed Guardian Form shall be filed with any Petition for Appointment of Guardian. (Sonoma County Local Form PR-2). [School records must include records of grades and attendance.](#)

E. Investigations

1. The Office of the Probate Court Investigator shall make an investigation and file a report and recommendation with the court concerning each proposed guardianship of the person and estate where the proposed guardian is a relative.
2. Any investigation of a proposed guardianship of any non-relative proposed guardian shall be made by the county agency designated to investigate potential dependency.
3. When there are competing petitions of proposed guardians, the Court Investigator should file a CI Memo with the Court to inform the Court of the competing petitions and the need for an order from the Court before the investigation can begin.
4. If the Court orders an investigation of both proposed guardians, the resulting report to the court should be informational only and should not include recommendations.
5. The Court may choose to refer a matter to the local child welfare agency for an evaluation, investigation, and findings to determine if the minor may be described by Welfare and Institution Code 300 and that an application to commence Juvenile Court Proceedings and obtain a decision from a Social Worker may be appropriate. Welfare & Institutions Code § 329.
 - a. If the Court makes a referral for a Welfare & Institutions Code § 329 investigation and determination, the Probate Court Investigation shall pause the investigation. Welfare & Institutions Code § 319.1

- b. The assigned social worker shall file a report with their findings and conclusion with the Probate Court within three weeks.
- c. If a child involved in Probate Guardianship proceedings becomes the subject of dependency proceedings, custody-related matters will be addressed by Juvenile Court. The finding from the Juvenile Court shall be filed in the probate case. Welfare & Institutions Code § 304.
- d. If the child does not become a subject of dependency, the Probate Court Investigation shall resume the investigation per the order of the court.

F. Petition for Visitation

A request for an order of visitation will be filed using Local Form PR-15, which can be located on the court's public website. The petition will be filed and served on all parties following the Probate Code, California Rules of Court and Local Rules for Conservatorships and Guardianships.

G. Tentative Rulings - Guardianship Calendar

During the court day preceding each weekly guardianship calendar, commencing at 11:00 a.m., or earlier if feasible, the Court will cause a tentative ruling to be recorded for each matter noticed on such calendar. The tentative ruling may be obtained by telephoning (707) 521-6607 or by accessing the Court's website at www.sonoma.courts.ca.gov and selecting the option for Tentative Rulings. The tentative rulings will also be posted outside of the guardianship department.

- 1. Parties who do not object to the tentative ruling need not appear at the hearing, unless the ruling requires appearances or another party has requested a hearing pursuant to the procedure in subdivision (2), below.
- 2. Any interested party who wishes to be heard in relation to /the tentative ruling must call 707-521-6893 and leave a brief message that includes the name and telephone number of the party calling and the case name and number. Any interested party who wishes to be heard in opposition to a petition must also notify the attorneys for all represented parties as well as all unrepresented parties of their intent to appear. Notifications to the court and all attorneys and unrepresented parties must be completed no later than 4:00 p.m. on the court day immediately preceding the day of the hearing.
- 3. Unless notification has been given as provided in b, above, the tentative rulings shall become the rulings of the court when announced by the courtroom clerk at 9:15 a.m. on the day of the hearing.

(Adopted 1/1/2024, [Rev.1/1/2025](#))

RULE 8 RULES APPLICABLE TO CRIMINAL TRIAL PROCEEDINGS

8.2 FILING OF CRIMINAL COMPLAINTS

Time for Filing Criminal Complaints

- A.** Felony and misdemeanor complaints must be filed in the Criminal Clerk's Office.
- B.** All felony and misdemeanor complaints received for in-custody arraignment shall be filed no later than 2:00 p.m. the day preceding the arraignment. All in-custody felony and misdemeanor arraignments shall be heard on the morning calendar and within 48 hours of arrest.
- C.** All felony and misdemeanor complaints received for out of custody arraignment shall be filed by close of business, no later than two (2) court days before the date set for arraignment.
- D.** Upon showing of good cause, a later time for filing may be authorized by the ~~judge~~ Supervising Criminal Division Judge or their designee. ~~assigned to the arraignment.~~

(Eff. 7/1/2024, Rev 1/1/2025)

8.13 CALENDARING SYSTEM

A. First Appearance Date

First appearance date for out of custody felony defendants will be two weeks after arrest.

First appearance date for out of custody misdemeanor defendants will be four (4) weeks after arrest except in cases where defendant is charged with violations of Health and Safety Code §§ 11550 and 11377 in which the first appearance date shall be ten (10) days after arrest. See PC § 853.6.

When a defendant is charged with violations of PC §§ 243(e)(1), 273.5, 273.6, 166(a)(4) or 422, the first appearance date shall be fourteen (14) days after date of arrest when the defendant is not in custody.

B. Arraignments

A Deputy Public Defender, conflicts counsel, or privately retained defense counsel, and District Attorney shall be present at all arraignments.

C. Schedule of Events

Misdemeanors: After the entry of a plea of not guilty, the case shall be set for a settlement conference. If there is no settlement and no motions to be filed, the next event set shall be a readiness conference and jury trial. Misdemeanor cases shall be disposed in accordance with California Rules of Court - Judicial Administration Standards 2.2.

D. Calendar Events

1. Arraignments

The Office of the District Attorney shall give a defendant, designated by the court as in pro per, or an attorney appearing generally, a copy of all police and laboratory reports and the complaint.

The Office of the District Attorney shall file PC 1000 declarations if applicable.

2. Jury Trials

- a. Felony cases: Defendant is to be present at jury trial unless waived by the Court. Each judge shall conduct a pretrial conference to discuss in limine motions, jury instructions, witness schedules and voir dire procedures.
- b. Misdemeanor Cases: Defendant is to be present in-person at jury trial ~~readiness and jury trial~~ confirmation unless waived by the Court. Each judge shall conduct a pretrial conference to discuss in limine motions, jury instructions, witness schedules and voir dire procedures. All motions in limine, requested jury instructions listed by name and number, witness list, and verdict forms shall be filed with the court no later than the first day of trial. Unless specially set, the first day of trial is Thursday at 10:30 a.m.

(Eff. 7/1/2015; Rev. 7/1/2021, 1/1/2022, 1/2/2024, Rev and renumbered 7/1/2024, [Rev 1/1/2025](#))

RULE 9 RULES APPLICABLE TO FAMILY LAW PROCEEDINGS

9.14 MEDIATION AND CHILD CUSTODY RECOMMENDING COUNSELING (CCRC)

A. Purpose

The purpose of the Mediation and CCRC session is to reduce the acrimony which may exist between the parties and to develop a custody/visitation plan which ensures minor child(ren)'s frequent and consistent contact with their parents, when it is in their best interest. All parties shall make a good-faith effort to arrive at an agreement regarding child custody and visitation before scheduling appointments with Family Court Services ("FCS"), and before the court hearing, except in those cases where domestic violence or other restraining orders have been issued or are pending a hearing, or where there are allegations of child abuse or neglect currently under investigation.

B. Services

1. Confidential Mediation (Tier I): Tier I referrals are for confidential mediations for families ~~who have been~~ unable to reach an agreement regarding custody and parenting time. Tier I mediation shall be made available in all cases in which child custody or visitation is an issue.
 - a. Children shall not participate in Tier I.
 - b. Tier I is confidential except the mediator may report any suspected child abuse, elder abuse, if someone is a danger to themselves or others or if a parent reports to have committed or intends to commit a serious crime.
 - c. All cases filed with the Clerk's Office will be calendared in Tier I.
 - d. Any agreements reached by the parties, as well as any outstanding issues, will be reported to the Court and the parties, via a written report.
 - e. A hearing will be calendared following a Tier I session.
2. Information Review and Summary (Tier II): Tier II referrals are ~~for the purpose of reviewing and summarizing to review~~ specific information filed with the Court. A judicial officer has the discretion to include specific areas of inquiry in a Tier II referral including but not limited to, local criminal records, Child Protective Services records, ~~as well as~~ and child interviews. ~~Aside from these three aforementioned collaterals, should the Court require additional review information to be summarized by a Family Court Services staff member (i.e., law enforcement, school, medical or psychological records, etc.); the judicial officer will order the party to file such records with the Court, and for the Family Court~~

~~Services staff member to review and summarize the required information. The parties shall have 30 days from the date of such order to file the required documents. Failure to file the required documents may result in a continuance or a court decision being made without the additional information.~~ Tier II summary reports will be provided to the Court and the parties. The confidentiality of Tier II sessions is limited as a summary report is provided to the Court.

- a. A review hearing will be calendared when a Tier II session is ordered.
- b. ~~It is not the intent of the Court for parties to circumvent Tier II by referring parties directly to Tier III after Tier I.~~ Parties may not stipulate to bypass any tier in the tiered Family Court Services process.
- c. ~~In the absence of unusual circumstances as determined by the Director of Family Law or order of the Court after a hearing before a judicial officer, mediators will not be assigned to complete Tier II inquiries.~~

3. Child Custody Recommending Counseling (Tier III): The Court may refer parties to Tier III, child custody recommending counseling sessions. The child custody recommending counselor will report on any agreements reached. In the absence of any agreements, recommendations will be made based on the child(ren)'s best interest. Tier III reports will be provided to the Court and the parties. The confidentiality of Tier III is limited as a report is provided to the Court.

- a. A review hearing will be calendared when a Tier III session is ordered.
- b. In the absence of unusual circumstances as determined by the Director of Family Law or order of the Court after a hearing before a judicial officer, mediators will not be assigned to conduct Tier III sessions.

4. Relocation Mediation (Tier IV): The Court may refer parties to Tier IV relocation mediation sessions when one parent is moving, and the other remains, and a request is made to the Court to change custody orders. The child custody recommending counselor will report on any agreements reached. Without agreements, recommendations will be made based on the child(ren)'s best interest. Tier IV reports will be provided to the Court and the parties. The confidentiality of Tier IV is limited as a report is provided to the Court.

C. Referral to the Online Orientation Program and Family Court Services

All Requests for Orders regarding custody or parenting plan issues must be filed and served with Further Orders for Parties with Custody and Visitation Matters local form FL-017. Appointment dates for mediation or child custody recommending counseling appointments (hereafter referred to as recommending counseling) may be obtained through the Clerk's Office on the date of filing. No

contested child custody or parental contact cases, including requests for review dates and requests for modifications, will be heard by the Court unless and until the parties have been provided appropriate opportunity to view an orientation class and attend a mediation or recommending counseling session appointment.

All parties shall view the online orientation program and complete an online intake form, prior to attending the mediation or recommending counseling appointment as directed on the Further Orders for Parties with Custody and Visitation Matters document. ~~The online orientation program cannot be waived and must be viewed prior to the Family Court Services appointment. Should the parties fail to view the orientation or complete the intake form prior to their session, they will need to take time from the 90 minutes that are allocated to their respective session and view the online orientation program. The Family Court Services session will not move forward until the parties have complied with these two mandatory provisions.~~

D. Documents to be Delivered and Reviewed by the Mediator/Child Custody Recommending Counselor

All relevant materials to be considered by Family Court Services must be delivered to all other parties in a timely manner. E-mail delivery is permitted upon the attorney of a represented party. E-mail service is not permitted upon a self-represented party without the party's express consent on the Judicial Council Consent To Electronic Service And Notice Of Electronic Service Address, Judicial Council form EFS-005-CV.

Delivery shall be as follows:

1. Moving documents must be filed and personally delivered or e-mailed no less than seven (7) court days before ~~prior to~~ the appointment. If delivery is by US Mail, documents must be mailed to the opposing party seven (7) court days plus five (5) calendar days before ~~prior to~~ the appointment date. Proof of delivery is required. Responding documents must be filed and personally delivered or e-mailed no less than two (2) court days before ~~prior to~~ the appointment. If delivery is by US Mail, documents must be mailed to opposing party two (2) court days plus five (5) calendar days before ~~prior to~~ the Family Court Services appointment.
2. For review hearings, documents must be personally delivered or e-mailed ten (10) court days in advance of the FCS appointment. If sent by mail, then documents must be mailed five (5) additional calendar days in advance. This does not affect either party's right to timely file any appropriate pleadings with the Court before the review hearing itself. Documents filed or delivered after the time outlined ~~set~~

~~forth~~ in this paragraph will not be reviewed by the FCS staff. Courtesy copies shall not be submitted.

3. No court documents shall be served or exchanged at Family Court Services. Recordings, electronic communication, and photos shall not be submitted or shared at the time of the session.

E. Complaints or Requests for Change of Mediator or Recommending Counselor

Any request for a change of mediator or recommending counselors must be received by the Office of the Court Executive Officer or their designee no later than 30 calendar days after the mediation or recommending counseling session and should be addressed to the Court Executive Officer. Requests or complaints received after this time will not be considered. The request or the complaint should be completed and submitted using the Family Court Services Complaint Process Regarding a Mediator/Child Custody Recommending Counselor online form. A response to the complaint will be issued in writing 30 calendar days after the complaint is received. The other party will be copied with the response.

Complaints or disagreements related to the content of the Family Court Services report must be addressed with the Court.

F. Contact with Family Court Services

No party, attorney, or the Court is permitted to have ex parte contact with the assigned Family Court Services mediator or recommending counselor about the pending case.

Minor's counsel may contact Family Court Services according ~~pursuant~~ to Family Code § 3151(c)5 to obtain and provide relevant information regarding the child(ren) they represent. However, Family Court Services is prohibited from contacting the minor's counsel according ~~pursuant~~ to California Rule of Court 5.235.

Unsolicited communications (e-mails and correspondence via regular mail) are not permitted and will not be reviewed or considered.

G. Appointment of Child Custody Evaluators

1. Referral:

In the event of a referral to a private psychological expert for a custody evaluation and report, the parties shall complete the Order Appointing Child Custody Evaluator (FL-327) and the Court shall make an order regarding the payments of the costs of such evaluation at the time the evaluation is ordered.

2. Time Limits:

Custody Evaluation Reports will be lodged with the Court within ninety (90) days of the date such investigation has commenced (120 days if one party resides outside the county). The “commencement date” for a report by a private psychological expert shall be when the parties have paid the required deposit/retainer and submitted any required paperwork.

Custody Evaluation Reports are confidential and shall be distributed to parties, attorneys, experts, and the Court. The report, or any portions thereof, shall not be shown or distributed to any other person or used or attached to any document filed with the Court, except as authorized by the Court. Upon a request by the evaluator or a party, the Court may make additional and/or more limited restrictions regarding the release and distribution of the report. The Court shall impose sanctions for any unauthorized distribution or use of the report.

3. Complaints or Requests for Change of Private Evaluator:

An evaluator may only be disqualified or removed at the request of a party on grounds that are similar to the disqualification or removal of a judicial officer, referee or arbitrator (Code of Civil Procedure § 170.1).

An evaluator may decline appointment. Once appointed, an evaluator may petition the Court for withdrawal by submitting a letter to the Court, with copies to counsel and/or self-represented parties. The letter shall state the reasons for the request for withdrawal. The Court shall thereafter set a hearing to determine whether the request will be granted and if granted, to appoint a new evaluator. A party with a grievance regarding an evaluator shall first meet with the evaluator to attempt to resolve the issue, if the evaluator is willing to meet. If the evaluator is not willing to meet, or if after meeting with the evaluator, the grievance is unresolved, complaints regarding an evaluator shall be directed to the Family Law Judicial Officer who is or has been hearing the case. The complaint shall be in writing and should set forth the case name, number and the nature of the complaint, including all the facts and circumstances with as much clarity and specificity as possible.

4. Contact with Private Child Custody Evaluator:

No party, attorney, or the Court is permitted to have any ex parte contact with the assigned child custody evaluator about the pending case, except as directed by the child custody evaluator during the custody evaluation procedure.

H. Appointment of Parent Coordinator

1. Parties may stipulate to the appointment of a Parent Coordinator or Parent Coordinator Team.
2. Parent Coordinator Team: If the parties stipulate to the appointment of a Parent Coordinator Team, the parties or their attorneys, if represented by counsel, shall contact the proposed mental health and attorney members of the Team to obtain their consent to act as a Team. The Team may only be appointed by agreement of both parties and upon each Team member signing the Stipulation and Order Regarding Appointment of Parenting Coordinator (local form FL030) and the attorneys for the parties signing The Role of the Client's Attorney in Parent Coordinator Cases (local form FL031). Any requested modifications to the provisions of the local forms must be approved by each Team member. A Stipulation and Order for Appointment of Parent Coordinator Team may only be submitted to the Court for approval and signature after obtaining the confirming signatures of the mental health and attorney members of the Team.
3. Attorneys and mental health professionals who want to be appointed as parent coordinators must complete the application for approval to serve as a parent coordinator (FL-037) and submit it to the Court.
4. The Court shall maintain a list of approved Parent Coordinators who have satisfied the requirements set forth in the application.
5. The Court shall annually contact the parent coordinators on the list and request declarations from them stating their current education and licensing status.

I. Appointment of Minor's Counsel

Family Code § 3150 Appointments

1. The Court may appoint counsel to represent a child in a custody proceeding. Upon appointment of Minor's Counsel, all mediation or child custody recommending counseling services provided by Family Court Services are immediately terminated. The Court shall require the parties to submit financial information, such as an Income and Expense Declaration, in order to consider whether the parties are able to pay the minor's counsel fees. The appointed attorney shall receive a reasonable sum for compensation and expenses. The Court shall set the attorney's hourly rate taking into consideration the parties' financial circumstances. The rate may be up to the attorney's full hourly rate. The Court

shall apportion payment of the hourly rate between the parties depending on the parties' respective financial circumstances. The Court may order the parties to submit updated financial information.

2. If the Court finds that the parties cannot afford to compensate the minor's counsel, appointed counsel shall be compensated at the rate established by the Superior Court of Sonoma County. Fees and expenses including, but not limited to, travel time, mileage to or from any location, tolls, photocopy charges, telephone or fax costs, secretarial or document processing fees, postage, preparation of billing package, and court runner and messenger fees, shall not be reimbursed. Fees shall not be charged by the Court for the filings of appointed counsel. The Court shall make an order of appointment, which will include the rate of payment and an expiration date for the appointment. Minor's counsel, appointments will be reviewed annually, and the Court may require additional Income and Expense Declaration submissions by the parties to determine whether a change in circumstances has enabled the parties to pay future minor's counsel fees.

The appointed counsel shall submit invoices for payment on a quarterly basis. The Court uses a fiscal year that operates from July 1st - June 30th. Request for payment by appointed counsel must be submitted within the fiscal year that the services were performed or the invoice will not be paid. The only exception is at the close of the fiscal year (June 30th), where the appointed counsel may submit an invoice for work performed in the last quarter of the fiscal year by July 31st of that calendar year.

When submitting an invoice to the Court for reimbursement the appointed counsel must include: (1) the order indicating the appointment and the terms of compensation, (2) a declaration of the attorney and detailed invoice which clearly describes the services provided and the hours assigned to each service, and (3) a proposed order for payment.

All requests for payment are subject to judicial review. If the reviewing judge deems the charges excessive or not conforming to this rule, charges may be reduced or disallowed.

3. Application for Appointment for Family Code § 3150 Appointments:
 - a. To apply to be on the court-approved attorney panel for Family Code § 3150 appointments, an attorney must file an application and confirmation that they have met the educational requirements with the family law supervising judge.
 - b. The Court will evaluate the application and notify the applicant within 30 days of the Court's decision.
 - c. The Court will only appoint attorneys who are members of the court-approved attorney panel.
4. Annual Review:

- a. Upon appointment of minor's counsel, the Court will set an annual review of the appointment of minor's counsel. This date will be approximately twelve 12 months after the first appearance of minor's counsel in the case.
- b. At the annual review, the Court will determine whether the minor's counsel has satisfied their education requirements as set forth in California Rule of Court 5.242(c-e).
- c. The annual review will be scheduled in the order of appointment or at the child's counsel's first court appearance of the case.

5. Relieving Minor's Counsel of Appointment:

The Court, in its discretion, will consider relieving minor's counsel of appointment under the following circumstances:

- a. At the time a final order or judgment has been filed, or 90 days thereafter, or;
- b. A motion filed by any party for good cause; or
- c. A motion to be relieved filed by the minor's counsel if the minor's counsel does not believe they can effectively represent the child; or
- d. At the annual review.
- e. Minor's counsel will not be relieved if the Court, upon a showing of good cause, deems it necessary to extend the appointment, or if the Court requests periodic review or monitoring of the child related issues before the Court. At any hearing where the Court is considering relieving minor's counsel, the Court will address the issues of reimbursement of fees paid to minor's counsel by the Superior Court. All parties must file current income and Expense Declarations at the hearing.

6. Grievance:

A party or counsel who wishes to lodge a complaint regarding the performance of a minor's counsel appointed by the Court must do so in writing and serve the original of the complaint on the minor's counsel no later than 20 days after the event giving rise to the complaint or within 20 days of receiving any written report of the minor's counsel.

No later than 10 court days after the receipt of the complaint, the minor's counsel must serve the complainant with a written response to the complaint. Without conceding the accuracy of the contents of the complaint, minor's counsel may ask the Court to relieve them of the appointment and, if appropriate, appoint a new minor's counsel.

If the response served by the minor's counsel does not resolve the complaint, the complainant must serve a copy of the complaint and the response of the minor's counsel, if any, on the supervising family law judge whose decision concerning the complaint, which may include removing the minor's counsel from the panel of minor's counsel used by the Court, will be final. The decision by the supervising

judge must be served on the complainant and minor's counsel within 15 court days of receipt.

7. Minor's counsel may contact Family Court Services pursuant to Family Code § 3151(c)5 to obtain and provide relevant information regarding the child(ren) they represent. However, Family Court Services is prohibited from contacting the minor's counsel pursuant to California Rule of Court 5.235.
8. All other aspects of Family Code § 3150 appointments are governed by California Rules of Court 5.240 - 5.242.

J. Family Code § 7860 Appointments

The Court may appoint counsel to represent a child or parent in a freedom from parental custody and control proceeding. The appointed attorney shall receive a reasonable sum for compensation and expenses, the amount of which shall be determined by the Court. The amount shall be paid by the real parties in interest, other than the child, in proportions the Court deems just.

If the Court finds that the real parties in interest are unable to afford counsel, the amount shall be paid out of the general fund of the county.

All requests for payment are subject to judicial review. If the charges are deemed excessive by the reviewing judge, charges may be reduced or disallowed.

(Eff. 7/1/13; Rev. 7/1/14, Renumbered 1/1/2016; 1/1/2018, 7/1/19, 1/1/2021, 1/2022, 7/1/2024, [1/1/2025](#))

9.19 LAW AND MOTION MATTERS

A. Application

The provisions of this division of the Sonoma County Superior Court Rules shall apply to all family law and motion matters before trial or as otherwise provided in any other division of these rules. All law and motion matters shall be governed by Cal. Rules of Court, rule 3.1100 - 3.1362 and 5.92 et seq. The following motions shall be considered law and motion matters:

1. Bifurcation of Any Issue (Exception: If a bifurcation of status only motion is filed with any other issue, the motion will be set on the domestic calendar);
2. Change of Venue;
3. Claims of Exemption;
4. Discovery;

5. Enforce or Compel Discovery Requirements Pursuant to Family Code 2105 et seq.;
6. Enforce Settlement;
7. Execute Documents in Family Law Cases;
8. Motions for Reconsideration or Motions for New Trial;*
9. Quash;
10. Receivership;
11. Summary Judgment—Including Status Only;
12. Vacate or Set Aside Defaults, Judgments or Orders;
13. Withdraw as Counsel.

*These Motions shall be scheduled before the original judicial hearing officer on the appropriate law and motion calendar.

B. Scheduling

1. Family law and motion matters will be heard at such times and places as designated by the Supervising Judge of the Family Law Division. The calendar will include all family law and motion matters as listed in Sonoma County Local Rules, Rule 9.19. A schedule may be obtained from the Family Law Clerk or through the Sonoma County Superior Court website.
2. All family law and motion matters will be scheduled for a hearing date, time, and location at the Clerk's Office upon filing of all moving papers.
3. No hearing will be held unless a request has been made pursuant to local rule 9.19 E.1 after the tentative ruling.

C. Memorandum of Points and Authorities

All law and motion matters listed in Sonoma County Local Rules, rule 9.19, ~~may~~ shall be accompanied by a memorandum of points and authorities.

No opening or responding memorandum may exceed 10 pages. No reply or closing memorandum may exceed 7 pages. The page limit does not include exhibits, declarations, attachments, a table of contents, a table of authorities, or the proof of service.

A party may apply to the court for permission to file a longer memorandum. The application may be made ex parte, but with written notice of the application to all other parties at least 24 hours before the memorandum is due. The application must state reasons why the argument cannot be made within the stated limit.

A memorandum that exceeds the page limits of these rules will be filed and considered in the same manner as a late-filed paper.

To the extent practicable, all supporting memoranda, declarations, and affidavits must be attached to the Request for Order.

All references to exhibits or declarations in supporting or opposing papers must reference the number or letter of the exhibit, the specific page, and, if applicable, the paragraph or line number.

Any request for judicial notice must be made in a separate document listing the specific items for which notice is requested. A party requesting judicial notice must provide the court and each party with a copy of the material requested to be judicially noticed. If the material is part of a file in the Superior Court of California, County of Sonoma, the party must specify in writing the part of the court file sought to be judicially noticed.

If a proposed order or judgment is submitted, it must be lodged and served with the moving papers but must not be attached to them.

D. Meet and Confer Conference

The parties, and attorneys, if any, shall meet and confer in a good faith effort to resolve all of the issues in the case pursuant to Sonoma County Local Rules, rule 9.13. The meet and confer session may take place by telephone conference call. The meet and confer shall occur in a timely fashion so that the parties will be prepared to file a declaration regarding compliance with California Code of Civil Procedure § 2016.040 no later than five (5) court days prior to the date set for the hearing. All relevant documents must be exchanged by the parties while conferring, absent good cause to the contrary.

E. Hearings, Tentative Rulings and Oral Arguments

1. Commencing at 2:00 p.m. on the court day preceding each Law and Motion calendar, the court will cause to be recorded a tentative ruling (if available) on each motion set on the next day's Law and Motion calendar on the court's website <http://www.sonoma.courts.ca.gov>. For tentative rulings by phone, please call (707) 521-6607. The tentative ruling shall become the ruling of the court, unless any party desiring to be heard so advises the judicial assistant for the designated family law judicial officer no later than 4:00 p.m. on the court day preceding the Law and Motion calendar, and further advises the judicial assistant for the designated family law judicial officer that such party has notified all other parties of their intention to appear. Where appearance has been required or invited by the

court, oral argument may be presented.

2. Evidence received at a law and motion hearing shall be by declaration and affidavit and by request for judicial notice without testimony or cross-examination, except as allowed in the court's discretion for good cause shown or as permitted by these rules.

F. Continuances

Requests for continuances by stipulation or notification of dropping of law and motion matters must be presented by the parties to the clerk by 3:00 p.m. at least five (5) court days prior to the scheduled hearing date. Only one continuance by stipulation will be granted; after that, if the case cannot proceed, the court may drop the matter or require that it be re-noticed.

It is the responsibility of the moving party to notify the clerk when a pending motion may be dropped due to a stipulation or for any other reason. No hearing will be automatically dropped from the calendar by the clerk.

G. Orders of Examination

Orders of Examination shall follow Sonoma County Local Rules.

The Sheriff's Office will notify the Family Law Division Clerk's Office if the judgment debtor is taken into custody. Upon receipt of this notification, the clerk's office shall arrange a bail hearing. The clerk shall give notice to the judgment creditor of the date, time and location of the bail hearing by telephone.

H. Hearings on Claims of Exemption

Hearings on Claims of Exemption pursuant to Code of Civil Procedure §§ 703.570 and 706.105 shall be set at such times and places as designated by the Supervising Judge of the Family Law Division. Hearing dates shall be obtained from the clerk. No tentative rulings will be made available for these matters on this calendar.

I. Protective Orders (Discovery, etc.)

Any language incorporated in such an order that pertains to the filing of material under seal shall state that the party submitting confidential material to the court shall attach a cover sheet to that material which contains the following warning: "CONFIDENTIAL: SUBJECT TO PROTECTIVE ORDER," the case number

and caption, and the title(s) of the paper(s); that in parentheses beneath the title(s) of the paper(s) there shall be a reference to the confidentiality order, by file date and title [as, for example, (FILED UNDER SEAL PURSUANT TO PROTECTIVE ORDER FILED JANUARY 1, 2000)], under which the papers are submitted. These papers shall then be maintained as confidential on the court's file.

(Eff. 1/1/2004; Rev. 7/1/2009, 7/1/2010, 1/1/2021, 1/1/2022; Renumbered 7/1/2011 – formerly Rule 9.16; Rev. 1/1/2012, 7/1/2012, Renumbered 1/1/2016, Rev. 7/1/2022, 7/1/2024, [1/1/2025](#))

9.20 FAMILY LAW SETTLEMENT CONFERENCES

A. Family law judicial officers may refer cases for a Settlement Conference which shall be conducted by a settlement conference officer as directed by the family law judicial officers. When setting a settlement conference date, the Court shall always set a Case Resolution Conference date following the settlement conference date. The Court will serve all parties personally or by mail.

B. Interdisciplinary Settlement Conference Pilot Program

For child custody matters, the Court may, in its discretion, appoint a panel to assist the Court and the parties at the settlement conference. The panel may include attorneys, mediators, and/or mental health professionals. Experience requirements for panelists may be obtained from the Family Law Supervising Judge's Judicial Assistant or from the Court's website. Any such panelists will be appointed to serve as the Court's own expert pursuant to Evidence Code § 730, and the Court may find good cause to permit the panelists to review Family Court Services' recommendations and other confidential information in the file, pursuant to Family Code § 3025.5.

C. To request a Settlement Conference, parties (or their attorney, if represented) shall submit local form FL-074, Request/Response to Request for Settlement Conference or Settlement Conference and Trial. The family law judicial officer will review cases set on the domestic, Case Resolution Conference, Child Support, and Trial calendars. If the court determines the case could benefit from a Settlement Conference, an order will be entered and a date for the conference will be set as well as a Case Resolution Conference date. The court will serve all parties with an order regarding the conference personally or by mail.

Settlement Conferences will be scheduled only if Preliminary Declarations of Disclosure have been exchanged and an FL-141 has been filed by both parties or

the requesting party has complied and there is good cause for proceeding without the other party having filed the Preliminary Declaration of Disclosure and FL-141.

- D.** The request will be reviewed by a family law judicial officer. If the judicial officer determines a Settlement Conference is appropriate, the Court will issue an order and serve the parties and/or attorneys with the order setting both a Settlement Conference and a Case Resolution Conference. If the party requesting a Settlement Conference and/or Trial has provided a Preliminary Declaration of Disclosure and the responding party has not, if the Court does not set a Settlement Conference and/or Trial Date, the Court will place the matter on the next scheduled Case Resolution Conference at which time the Court may issue orders relating to the non-complying party's failure to exchange Preliminary Declaration of Disclosure, including, but not limited to, an order to comply, sanctions, and setting a trial and settlement conference as originally requested.
- E.** Each party shall serve and submit local form FL-002, Statement of Issues for Settlement Conference or Trial or local form FL-048, Settlement Conference Statement/Trial Brief prior to the conference. The Statement shall be filed ten (10) calendar days prior to the Settlement Conference. The Statement shall be stamped as "received." Failure to submit a Statement in a timely manner may result in the Court doing one or more of the following: 1) Rescheduling the Settlement Conference with the same panelist; 2) ordering the non-complying party to pay sanctions.
- F.** Any request to drop or continue the Settlement Conference and Case Resolution Conference must be made to the Family Law Judicial Assistant by 5:00 p.m. at least three (3) court days prior to the conference. Absent extraordinary circumstances, making a request in an untimely manner or failing to appear at the Settlement Conference may result in the Court ordering such party to pay sanctions. The Court will not drop the Case Resolution Conference unless a Judgment resolving all issues is submitted to the Court prior to the Case Resolution Conference date.

G. Appearances

Each party and principal trial attorney for each party shall attend the Settlement Conference. The Settlement Conference shall be conducted by a Settlement Conference officer to be appointed by the court. Unless notified otherwise, appearance by all parties is mandatory. An attorney or party who fails to attend or participate effectively in any Settlement Conference may be subject to sanctions. Any alternative to personal appearance shall be pre-approved by a judicial officer. When the local child support agency has intervened in a case, the agency will determine if its appearance is necessary and notify the Court whether it intends to appear. The agency may appear by telephone.

Settlement Conferences will last a maximum of three (3) hours or until the parties are excused by the Settlement Conference officer. Parties and counsel are expected to be present for the entire Settlement Conference, with the exception of the local child support agency, which may appear for support-related issues alone. If the agency is a party to the action, any settlement involving support issues requires the agency's signature.

- H.** If a complete settlement is not reached at the Settlement Conference, the case shall remain set for a Case Resolution Conference so the court can determine the next steps needed to resolve the case.

(Eff. 1/1/2005; Revised and renumbered 1/1/2016, Rev. 7/1/2022, 7/1/2024, [1/1/2025](#))

RULE 13 RULES APPLICABLE TO TRIAL JURY SERVICE

13.1 — COURT POLICY GOVERNING GRANTING OF EXCUSES

~~Pursuant to Code of Civil Procedure § 204, the following policy and principles are hereby adopted for the governing the granting of excuses from jury service on grounds of undue hardship:~~

- ~~A. — No class or category of persons should be automatically excluded from jury duty except as provided by law.~~
- ~~B. — A statutory exemption from jury service should be granted only when the eligible person claims it.~~
- ~~C. — Postponing jury service should be preferred to excusing a prospective juror for a temporary or marginal hardship.~~
- ~~D. — Inconvenience to a prospective juror or an employer is not an adequate reason to be excused from jury duty, although it may be considered a ground for deferral. (Eff. 1/1/1997; Rev. 1/1/1998, 1/1/2007)~~

Jury service, unless excused by law, is an obligation of citizenship. The court and its staff shall employ all necessary and appropriate means to assure that citizens fulfill this important civic responsibility.

13.1 METHOD OF SELECTION

A. Source Lists

All persons selected for jury service shall be selected at random, from a source or sources inclusive of a representative cross section of the population of the area served by the court. Sonoma County Superior Court will use the list of registered voters, the Department of Motor Vehicle's list of licensed drivers and identification card holders, and the list of resident state tax filers from the Franchise State Tax Board.

(Eff. 01/01/2025)

B. Random Selection

It is the policy of the Superior Court that all persons selected for jury service shall be selected at random from the population of the area served by the Court; and that all qualified persons have an equal opportunity to be considered for jury service in the State and an obligation to serve as jurors when summoned for that purpose. This rule shall apply to the selection of jurors, and the formation of trial juries, for both civil

and criminal cases, in all trial courts.

(Eff. 1/1/1997, Rev and renumbered 1/1/2025, formerly rule 13.3)

13.2 JURY QUALIFICATIONS

In accordance with Code of Civil Procedure § 204, no eligible person shall be exempt from service as a trial juror by reason of occupation, race, color, religion, sex, national origin, or economic status, or for any other reason, except as listed below.

A. Disqualification

All persons are eligible and qualified to be prospective trial jurors, with the exception of those described in Code of Civil Procedure § 203.

B. Excusals

Please see California Rule of Court 2.1008(d) for reasons that would permit a juror to be excused from jury service. Excusals may only be requested after a person has been summoned for jury duty.

C. Permanent Excusals

In accordance with California Rules of Court 2.1009, any request for a permanent excuse or exemption due to medical or other reasons, requires approval and authorization by the Jury Commissioner or designee.

D. Postponements

Upon receiving a summons for jury duty, a prospective juror may request a postponement of jury service. A maximum of two postponements may be granted within a 12-month period.

(Eff. 1/1/25)

~~13.2 DUTY OF CITIZENSHIP~~

~~Jury service, unless excused by law, is an obligation of citizenship. The court and its staff shall employ all necessary and appropriate means to assure that citizens fulfill this important civic responsibility.~~

~~(Eff. 1/1/1997; Rev. 1/1/1998)~~

~~13.3 JURORS TO BE SELECTED AT RANDOM~~

~~It is the policy of the Superior Court that all persons selected for jury service shall be selected at random from the population of the area served by the Court; and that all qualified persons have an equal opportunity to be considered for jury service in the State and an obligation to serve as jurors when summoned for that purpose. This rule shall apply to the selection of jurors, and the formation of trial juries, for both civil and criminal cases, in all trial courts.~~

~~(Eff. 1/1/1997; Rev. 1/1/1998)~~

13.3 FULFILLMENT OF SERVICE

A. Duration of Service

Sonoma County summons jurors for a period of one week, during which prospective jurors shall remain "on standby" until asked to appear. If a prospective juror is not required to appear for service during the week, they will be given credit for service and taken out of the pool as if jury service was completed.

B. Completion of Service

In accordance with California Rule of Court 2.1002, Sonoma County follows the "one day or one trial" practice. Jury service is considered fulfilled when a juror has completed one of the following:

1. Served on one jury trial through a verdict.
2. Been assigned to a trial department for jury selection and served until excused by a judicial officer
3. Appeared for service but was not assigned to a trial department

Once given credit for service, a juror shall not be summoned for a period of at least 12 months.

(Eff. 1/1/25)

13.4 DISCRIMINATION PROHIBITED IN SELECTING JURORS

~~No eligible person shall be exempt from service as a trial juror by reason of occupation, race, color, religion, sex, sexual orientation, national origin, or economic status, or for any other reason. No person shall be excused from service as a trial juror except as~~

~~specified in California Rules of Court, Standards of Judicial Administration, Section 2.1008 and 2.1009.~~

~~(Eff. 1/1/1997; Rev. 1/1/1998, 1/1/2007, 7/1/2008, 1/1/2021)~~

13.5 SOURCE LISTS OF JURORS

~~All persons selected for jury service shall be selected at random from sources inclusive of a representative cross section of the population of the area served by the court. The list of registered voters and the Department of Motor Vehicles' list of licensed drivers and identification cardholders resident within the area served by the court shall be considered appropriate source lists for the selection of jurors. These two source lists, when substantially purged of duplicate names, shall be considered inclusive of a representative cross section of the population.~~

~~The list provided by the Department of Motor Vehicles shall contain the names, addresses and other identifying information of persons residing in Sonoma County who are age 18 or older and who are holders of a current driver's license or identification card.~~

~~(Eff. 1/1/1997; Rev. 1/1/1998)~~

13.6 COMPILATION OF MASTER JURY LIST

~~Random selection shall be utilized in creating master and qualified juror lists, commencing with selection from source lists, and continuing through selection of prospective jurors for voir dire.~~

~~The jury commissioner shall, at least once in each 12-month period, randomly select names of prospective trial jurors from the source lists, to create a master list.~~

~~The master jury list shall be used by the jury commissioner for the purpose of summoning prospective jurors to respond or appear for qualification and service.~~

~~(Eff. 1/1/1997; Rev. 7/1/2000)~~

13.7 QUALIFIED JURORS

~~All persons are eligible and qualified to be prospective trial jurors, except the following:~~

- ~~A. — Persons who are not citizens of the United States.~~
 - ~~B. — Persons who are less than 18 years of age.~~
 - ~~C. — Persons who are not domiciliaries of the State of California.~~
 - ~~D. — Persons who are not residents of the jurisdiction wherein they are summoned to serve.~~
 - ~~E. — Persons who have been convicted of malfeasance in office or a felony, and whose civil rights have not been restored.~~
 - ~~F. — Persons who are not possessed of sufficient knowledge of the English language, provided that no person shall be deemed incompetent solely because of a loss of sight or hearing in any degree or other disability which impedes the person's ability to communicate or which impairs or interferes with the person's mobility.~~
 - ~~G. — Persons who are serving as grand or trial jurors in any court of this state.~~
 - ~~H. — Persons who are the subject of conservatorship.~~
 - ~~I. — Peace officer as defined in §830.1 and §830.2 section (a) of the Penal Code.~~
 - ~~J. — Persons who are incarcerated in prison or jail.~~
 - ~~K. — Persons on felony parole, post-release supervision, felony probation or felony mandated supervision.~~
 - ~~L. — Persons required to register as a sex offender under Penal Code section 290 based on a felony conviction.~~
- ~~No person shall be excluded from eligibility for jury service in Sonoma County, for any reason other than those reasons provided by this rule.~~

~~(Eff. 1/1/1997; Rev. 1/1/2005, 1/1/2021)~~

~~13.8 — REQUESTS TO BE EXCUSED~~

~~A. — **Medical Reasons**~~

~~A prospective juror who has a physical or mental disability or impairment, not affecting that person's competence to act as a juror, but which may expose the potential juror to undue risk of mental or physical harm, may request and be granted an excuse from jury service. Except where the person is age 70 years or~~

~~older, the prospective juror may be required to place such a request in writing and support the request with a physician's statement verifying the disability or impairment, its probable duration, and the particular reasons for the person's inability to serve as a juror.~~

~~**B. — Lack of Available Transportation, Excessive Travel Distance**~~

~~A prospective juror who lacks reasonably available means of public or private transportation to the court may request and be granted an excuse from jury service for one year.~~

~~A prospective juror who must travel an excessive distance, defined as reasonable travel time that exceeds one and one-half hours from the prospective juror's home to the court, may request and be granted an excuse from jury service.~~

~~**C. — Prior Jury Service**~~

~~A prospective juror who has served on a grand or trial jury or was summoned and appeared for jury service in any state or federal court during the immediately preceding 12 months, may request and be granted an excuse from jury service for one year.~~

~~**D. — Undue Hardship**~~

~~A prospective juror who requests to be excused on the ground of undue hardship upon themselves, or upon the public, as defined by the Judicial Council, or upon a finding by the court as defined in Code of Civil Procedure §204(b), may be granted an excuse from jury service by a judicial officer.~~

~~One form of undue hardship may be an extreme financial burden to the prospective juror. In determining whether to excuse a prospective juror for this reason, consideration must be given to the sources of the prospective juror's household income, the availability and extent of income reimbursement, the expected length of the service, and whether service can reasonably be expected to compromise the prospective juror's ability to support himself or herself or his or her dependents, or so disrupt the economic stability of any individual as to be against the interests of justice.~~

~~Another form of undue hardship may be undue risk of material injury to or destruction of the prospective juror's property or property entrusted to the prospective juror, and the lack of feasibility to make alternative arrangements to alleviate the risk, including a consideration of (A) the nature of the property; (B) the source and duration of the risk; (C) the probability that the risk will be realized; (D) the reason alternative arrangements to protect the property cannot be~~

~~made; and (E) whether material injury to or destruction of the property will so disrupt the economic stability of any individual as to be against the interests of justice.~~

~~Another form of undue hardship may be that the prospective juror's services are immediately needed for the protection of the public health and safety, and it is not feasible to make alternative arrangements to relieve the person of those responsibilities during the period of service as a juror without substantially reducing essential public services.~~

~~E. — Excuse Request in Writing~~

~~All requests to be excused from jury service that are granted for undue hardship should be in writing from the prospective juror, reduced to writing, or placed on the court's record. The prospective juror may be required to support the request with facts specifying the hardship and a statement why the circumstances constituting the undue hardship cannot be avoided by deferring the prospective juror's service.~~

~~F. — Person Care~~

~~Jury Services may excuse a prospective juror if he or she has a personal obligation to provide actual and necessary care to another, including sick, aged, or infirm dependents, and no comparable substitute care is either available or practical without imposing an undue economic hardship on the prospective juror or person cared for. If the request to be excused is based on care provided to a sick, disabled, or infirm person, the prospective juror may be required to furnish verification or a method of verification that the person being cared for is in need of regular and personal care.~~

~~Jury Services may excuse prospective jurors for one year for person care if the juror has children under the age of 5 years. A doctor's note will be required from persons providing supervised care of an immediate family member when an excuse is requested. This does not exempt business owners who provide child or person care.~~

~~(Eff. 1/1/1997; Rev. 1/1/2001, 7/1/2008)~~

13.9 — POSTPONEMENT OF JURY SERVICE

~~Upon receiving a summons for jury duty, a prospective juror may request a postponement of jury service. A maximum of two postponements may be granted within a 12 month period.~~

~~A postponement of jury service shall be available under most circumstances, including but not limited to: operators of small businesses; employees of one or two person offices; persons obligated to provide necessary care to another; individuals unable to serve due to peak periods of employment; persons with scheduled vacations or preplanned absences from the county; and the mother of a breast feeding child (CODE OF CIVIL PROCEDURE 210.5).~~

~~In considering a request for postponement of jury service, the Jury Commissioner's Office may require verification of the reasons provided by the prospective juror.~~

~~(Eff. 1/1/1997; Rev. 1/1/2005)~~

~~**13.10 FAILURE TO APPEAR FOR JURY DUTY WHEN SUMMONED**~~

~~Any prospective trial juror who has been summoned for service, and fails to attend upon the court as directed or to respond to the court or jury commissioner may be attached and compelled to attend; and following an order to show cause hearing, the court may find the prospective juror in contempt of court, punishable by fine, incarceration, or both, as otherwise provided by law.~~

~~(Eff. 1/1/1997; Rev. 7/1/2000)~~

~~**13.11 PERIOD OF SERVICE**~~

~~The period of jury service in the County of Sonoma is the completion of one trial to a verdict as a trial juror, or one appearance as a prospective juror, until excused or dismissed by the Court. Prospective jurors shall remain "on call" during the one week period of service until asked to appear. If a prospective juror is not required to appear for service during the week, they will be given credit for service and taken out of the pool as if jury service was completed. Completion of service is for a period of at least one year, before the juror may be summoned again. Prospective and sworn jurors will be paid, the approved fee, for each day's attendance after the first day. Mileage will be reimbursed, at the approved rate, one way after the first day's attendance. A government employee is not entitled to per diem pay for serving jury duty if they receive regular compensation and benefits while performing jury service from their employer. A government employee is one who is employed by federal, state, or a local government entity or by any other public entity such as the Regents of the University of California, a county, a city, district, public authority, public agency, and any other political subdivision or public corporation in the state (CODE OF CIVIL PROCEDURE 481.200).~~

~~(Eff. 1/1/1997; Rev. 1/1/2005)~~

~~13.12 CONTACT WITH TRIAL JURORS~~

~~Prior to discharging the jury from a case, the trial judge in a criminal action shall provide the notice required by Code of Civil Procedure § 237(b) and shall inform the jurors that they have an absolute right to discuss or not to discuss the deliberation or verdict with anyone. The judge shall also inform the jurors of the provisions set forth in CODE OF CIVIL PROCEDURE §177.5.~~

~~Any violation of this section shall be considered a violation of a lawful court order and shall be subject to reasonable monetary sanctions in accordance with CODE OF CIVIL PROCEDURE § 177.5.~~

~~(Eff. 1/1/1997; Rev. 7/1/2000)~~

~~13.13 RECORDS COMPILED AND MAINTAINED~~

~~All records and papers compiled or maintained by the jury commissioner in connection with the selection or service of a juror shall be preserved for three years after the list used in their selection is prepared or for any longer period ordered by the court or the jury commissioner.~~

~~(Eff. 1/1/1997; Rev. 7/1/2000, 7/1/2008)~~

~~13.14 PROSPECTIVE JURORS IN CIVIL CASES~~

~~If a panel is brought in for a specific civil case and the case is either settled or jury is waived while jurors wait, all jury fees will be charged to the parties who requested the jury.~~

~~(Eff. 1/1/1997; Rev. 7/1/2000, 7/1/2008)~~

RULE 17 RULES APPLICABLE TO FILING AND GENERAL PROCEDURE

17.21 FORMAT OF DOCUMENTS SUBMITTED FOR FILING

- A.** Original documents presented to the clerk for filing shall be submitted without staples and shall not be two-hole punched. [All multi-paged copies of documents shall be stapled.](#)
- B.** Exhibit attachments to pleadings shall be separated by a standard 8 ½ x 11 sheet of paper with a title identifying the sequence of the exhibit. No tabs shall be included in any original document submitted for filing.

17.22 MANDATORY ELECTRONIC FILING

- A.** Subject to the exceptions in Local Rule 17.23, all represented parties, ~~and~~ other represented persons, [and all attorneys, including but not limited to consulting attorneys, mediator/attorneys, and document-preparer attorneys,](#) are required to electronically file documents pursuant to Code of Civil Procedure, § 1010.6 and California Rules of Court, rule 2.250 *et seq* for the following Case Types/Categories:
1. All Civil Matters
 2. All Probate Matters
 3. All Family Law Matters (including Department of Child Support Services matters)
- B.** Self-represented parties, or other self-represented persons, are exempt from mandatory electronic filing requirements pursuant to California Rule of Court, rule 2.253 subdivision (b)(2).

(Adopted 1/1/2020, Rev 7/1/2023, [1/1/2025](#))

17.27 ELECTRONIC SERVICE

~~Unless otherwise ordered by the Court, electronic service of electronically filed documents is optional as provided in California Rules of Court, rules 2.251 and 2.253.~~
[Please refer to California Rules of Court § 2.251. If you are required to file electronically, please refer to California Rules of Court § 2.251\(c\)\(3\).](#)

(Adopted 1/1/2020, Renumbered 1/1/2023- formerly Rule 18, [Rev. 1/1/2025](#))