



**Superior Court of California  
County of Sonoma  
Summary of Proposed Amendments to the Local Rules**

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abcde Revised text  
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**RULE 4        RULES APPLICABLE TO ALL CIVIL CASES**

**4.2        ASSIGNMENT TO ONE JUDGE FOR ALL PURPOSES AND CASE MANAGEMENT  
CONFERENCE**

- A.        In every general civil case, at the time of filing a complaint, by order of the Presiding Judge, the Clerk of the Court will issue a Notice of Assignment of Case to One Judge for All Purposes and Notice of Case Management Conference. The Notice will include the name of the Assigned Judge and the date, time and location of the Case Management Conference. A copy of the Notice must be served with the summons and complaint, and with any cross-complaint.
- B.        Tentative Rulings: Three (3) court days preceding each scheduled Case Management Conference calendar, the Assigned Judge or his/her designee will cause to be recorded a tentative ruling for any cases set on the Case Management Conference calendar. The tentative ruling may be obtained by telephoning ~~(707) 521-6881 (tape recorded message)~~ (707) 521-6606 or on the court's ~~web page~~ website at [www.sonoma.courts.ca.gov](http://www.sonoma.courts.ca.gov). The tentative ruling will become the ruling of the court at the conference unless any party desiring to be heard so advises the judicial assistant in the Assigned Judge's chambers no later than 24 hours before the scheduled conference and also notifies all parties or their attorneys. Appearances will be required or dispensed with by the court as indicated in the tentative rulings. Where appearances are required by the court, or no tentative ruling is indicated on a case, then all principal trial counsel and self-represented parties shall appear at the conference at the time scheduled in any notice, order to show cause, or as otherwise directed by the court.

(Eff. 1/1/1997; Rev. 1/1/2003, 7/1/2004, 1/1/2014, Repealed 1/1/2016, Eff. 7/1/19; Rev. 1/1/2022)

#### **4.4 ORDERS TO SHOW CAUSE**

- A. Each case included by this Rule will be reviewed for compliance with these rules, and orders to show cause may be issued for failure to comply.
- B. Orders to Show Cause will be scheduled on calendars at such times and places as designated by the Assigned Judge.
- C. In the afternoon two (2) court days preceding the Order to Show Cause hearing, commencing at 2:00 p.m., the Assigned Judge or his/her designee will cause to be recorded a tentative ruling of any case set on the Order to Show Cause calendar. The tentative ruling may be obtained by telephoning ~~(707) 521-6881 (tape recorded message)~~ (707) 521-6606 or at the Web page of the Superior Court: on the court's website at [www.sonoma.courts.ca.gov](http://www.sonoma.courts.ca.gov). (Eff. 1/1/1997; Rev. 7/1/2004, 1/1/2016, 7/1/19, 1/1/2022)

### **RULE 6 RULES APPLICABLE TO PROBATE PROCEEDINGS**

#### **6.2 CALENDAR AND PROCEDURAL MATTERS**

##### **A. General Guidelines**

##### **1. General Probate Matters**

One department of the Superior Court shall be designated by the Presiding Judge of the Superior Court to hear general probate matters. General probate matters will be calendared and heard at such times and places as shall be designated by the Supervising Judge of the Civil Division (the "Regular Probate Calendar").

##### **2. Probate Calendar Day on Judicial Holiday**

When the date for the Regular Probate Calendar is a court holiday the calendar will be heard on a date and time as designated by the Supervising Judge of the Civil Probate Division. (Rev. 1/1/2022)

##### **F. Hearings and Tentative Rulings**

##### **1. Notices of Hearing**

Notices of hearing on cases scheduled for hearing on the Regular Probate Calendar shall indicate that the time for the commencement of the calendar.

##### **2. Tentative Rulings – Regular Probate Calendar**

During the court day preceding each weekly Regular Probate Calendar, by approximately 2:00 p.m., the Court will issue a tentative ruling for each matter noticed on such calendar. The tentative ruling may be obtained online on the

Court's website at [www.sonoma.courts.ca.gov](http://www.sonoma.courts.ca.gov) between the hours of 2:00 p.m. and 4:00 p.m. on the day before the hearing (Click on the "Online Services" tab on the home page, select "Tentative Rulings" in the drop-down menu, and then click on the link to "Probate"). The Tentative Rulings will also be posted at the probate department the day of the hearing. For tentative rulings by phone, please call (707) 521-6607.

- a.** 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 (b) below.
- b.** 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 relation to or opposition to a tentative ruling 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.
- c.** Unless notification has been given as provided in (b), above, the tentative rulings shall become the rulings of the Court, on the day of the hearing. Signed orders on approved matters are generally available at the Probate Clerk's office within hours after the hearing, and are not immediately available after the hearing.

### **3. 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 to be recorded a tentative ruling for each matter noticed on such calendar. The tentative ruling may be obtained by telephoning ~~(707) 521-6881 (Opt. #1)~~ [\(707\) 521-6607](tel:(707)521-6607) or by accessing the Court's website at [www.sonoma.courts.ca.gov](http://www.sonoma.courts.ca.gov) and selecting the option for Tentative Rulings. The tentative rulings will also be posted at the guardianship department.

- a.** 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 (b), below.
- b.** 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.

- c. 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.

#### **4. Appearances**

No appearances are required for pre-approved matters unless an interested person has asked to be heard in response to the tentative ruling and has given the required notice of such a request.

### **H. Ex Parte Applications and Stipulated Petitions**

#### **1. Ex Parte Procedure**

##### **a. Same Day Ex Parte Matters**

If a party has reason to believe that an order is urgently needed to prevent irreparable harm or immediate danger to person or property, that party may file a Same Day Ex Parte application for relief. Filing fees must be paid, and in the event a new case is being commenced a case number must be assigned, before a party presents any application for ex parte relief.

An order granting or denying a Same Day Ex Parte matter is generally available for pickup at 2:00 p.m. on the day it is presented.

##### **b. Drop-Off Ex Parte Matters/~~Consent Petitions~~**

Ex Parte Applications not based on an urgent need to prevent irreparable harm or immediate danger to person or property may be submitted to the Court as a “Drop-Off Ex Parte Matter” where otherwise authorized by statute, Rules of Court, court order, or these rules. All Drop-Off Ex Parte Matters must include “Drop-Off Ex Parte Matter” on the caption. Failure to include “Drop-Off Ex Parte Matter” on the caption will cause the pleading to be reviewed as a Same Day Ex Parte application and will be denied if it does not meet the standard for a Same Day Ex Parte application.

The following matters are expressly authorized to be presented as Drop-Off Ex Parte Matters:

- a. Approval of a stipulation, including a stipulated petition to approve settlement agreement;
- b. Petitions for letters of special administration or appointment of temporary conservatorship;
- c. Stipulated applications for a continuance of a hearing or trial;
- d. Matters authorized to be presented to the court ex parte by statute or Rule of Court (with citation to authorizing statute or Rule of Court);
- e. Requests to advance a hearing date and/or shorten time;
- f. Applications to correct an order;
- g. Applications to reduce or increase bond;
- h. Petitions to appoint a guardian ad litem;
- i. Petitions to authorize sale of personal property in a conservatorship matter;
- j. Petitions for final discharge and order;

- k. Petitions for allowance or rejection of a creditor's claim (by attorney or personal representative); or
- l. Petitions requesting court appointment of counsel.

The Court does not consider *Heggstad*, Probate Code section 15403 or section 15409 petitions as drop off ex parte matters. The Court may, with a sufficient showing of exigency per California Rule of Court, Rule 3.1202(c), consider such as an emergency same day ex parte, preassuming they are also accompanied by waiver(s) of notice and consent(s). (Eff. 1/1/2022)

An order granting or denying a Drop-Off Ex Parte Matter is generally available for pickup at 2:00 p.m. on the day which is five (5) court days after it is presented. (Rev. 1/1/2022)

## **6.4 CONSERVATORSHIPS AND GUARDIANSHIPS**

**H.** 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)

## **RULE 8 RULES APPLICABLE TO CRIMINAL TRIAL PROCEEDINGS**

### **8.4 CRIMINAL PRETRIAL LAW AND MOTION**

Criminal pretrial law and motion hearings shall be heard by the judge assigned the case at such time and place scheduled by the judge.

#### **A. Written Motion Procedures**

1. All motions shall be made in writing. With the exception of 1050 PC continuance motions, Notice of Motion and Motion for Transfer pursuant to PC 1203.9 and

motions to vacate bail bond forfeitures, or upon order of the court, **ALL** motions must be filed in court, except that the judge may authorize filing of a motion in the Clerk's Office by minute sheet entry. 1203.4 PC motions to expunge/reduce will be received in the Clerk's Office and filed in court. The court shall set a hearing date for all motions. Appearances for filing of motions in court may be calendared through the Clerk's Office.

~~All motions, including all Penal Code section 1538.5 motions, shall clearly state the grounds for the motion and be accompanied by points and authorities; which shall include a concise statement of the facts supporting the motion.~~

## **8.12 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 §§11550 and 11377 of the Health and Safety Code in which the first appearance date shall be ten (10) days after arrest. See, Penal Code §853.6

When a defendant is charged with violations of Penal Code §§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**

Public Defender and District Attorney shall be present at all arraignments.

~~Any person appointed an attorney shall be assessed fees if that person is found able to pay them.~~

### **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. (Effective 1/1/1997; Revised 1/1/2021, 1/1/2022)

### **D. Calendar Events**

#### **1. Arraignments**

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.

District Attorney shall file P.C. 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. (Eff. 1/1/1997; Rev. 1/1/2006, 7/1/2007; 7/1/15)
- b. Misdemeanor Cases: Defendant is to be present 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. 7/1/15; Rev. 7/1/2021, 1/1/2022)

## **RULE 9 RULES APPLICABLE TO FAMILY LAW PROCEEDINGS**

### 9.4 FAMILY LAW FACILITATOR

#### **A. Services Provided by the Family Law Facilitator**

1. Provide educational materials to parents concerning the process of establishing parentage and establishing, modifying, and enforcing child and spousal support in the Courts;
2. Provide educational materials and information to parents concerning the process of establishing child custody and parenting plan orders, particularly regarding how custody and parenting plans relate to child support, to the extent that funding is provided.
3. Distribute necessary court forms and voluntary declarations of paternity;
4. Provide assistance in completing forms;
5. Prepare support schedules based upon statutory guidelines;
6. Provide referrals to the local child support agency, Family Court Services, and other community agencies and resources that provide services for parents and children.

#### **B. Additional Services Designated by Local Rule**

1. Meet with the litigants to mediate issues of child support, spousal support, and maintenance of health insurance, where at least one of the parties is not represented by an attorney;

2. Draft stipulations and stipulated judgments regarding all Family Law issues, where neither party is represented by an attorney;
3. At the request of the court, prior to or at the Domestic or Child Support Calendar or other hearing, review paperwork, examine documents, prepare support calculations, and advise the judge or commissioner whether or not the matter is ready to proceed;
4. Prepare formal orders consistent with the court's announced orders where neither party is represented by an attorney;
- ~~5. Assist and advise the Family Law clerk with procedures and maintenance of records;~~
- ~~5. 6.~~ When requested by the court, serve as a special master and make findings and recommendations to the court, unless the Family Law Facilitator has served as a mediator in that case;
- ~~6. 7.~~ ~~When requested by the court, provide the services specified in Family Code section 10004 concerning the issues of child custody and parenting plans as they relate to calculating child support, if funding is provided for that purpose.~~  
Assist the court with research and any other responsibilities which will enable the court to be responsive to the needs of unrepresented parties;
- ~~7. 8.~~ Develop and provide programs for Bar and Community Outreach that will assist unrepresented and financially disadvantaged parties to gain equal access to the Family Law Court. (Eff. 1/1/1997; Rev. 7/1/2005, 7/1/2009, 7/1/2010, 7/1/2012, 1/1/2022)

## 9.13 DOMESTIC AND CHILD SUPPORT CALENDARS

### C. Meet and Confer Requirements

No case on the Domestic Calendar, Case Resolution Calendar, Settlement Conference Calendar, Trial Calendar, or the Child Support Calendar will be heard unless and until ALL THE PARTIES, COUNSEL, AND THE LOCAL CHILD SUPPORT AGENCY (when involved in the case) have met and conferred, face to face, in a good faith effort to resolve all issues. All relevant documents shall be exchanged by all the parties, their counsel, and the local child support agency while conferring, absent good cause to the contrary.

The requirement to meet and confer may be satisfied by a meeting on the day of the hearing prior to the case being heard, ~~except in cases in which one or more parties will appear by telephone.~~

Failure to so meet and confer may result in the matter being dropped from calendar or continued, or rejection of documents not so exchanged, or other appropriate sanctions. Contempt proceedings shall not be subject to this rule.



## 9.14 MEDIATION AND CHILD CUSTODY RECOMMENDING COUNSELING (CCRC) CHILD CUSTODY

### 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 that minor child(ren)'s frequent and consistent contact with both 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, 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: Mediation, Information Review and Child Custody Recommending Counseling

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 intend to commit a serious crime (Penal Code section 11166).
2. **Information Review and Summary (Tier II).** Tier II referrals are for the purpose of reviewing and summarizing 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 child interviews. Aside from these three aforementioned collaterals, should the Court require additional review information to be summarized by the recommending counselor (i.e., law enforcement, school, medical or psychological records, etc.); in that case, the judicial officer will order the party to file such records with the Court, and for the recommending counselor to review and summarize the required information. The parties shall have 30 days 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 report must be provided to the Court.

3. **Child Custody Recommending Counselling (Tier III).** Tier III referrals are child custody recommending counselling sessions. Should an agreement be reached, in such case the child custody recommending counselor will document the agreement. If an agreement is not reached or only a partial agreement is reached, in that case the child custody recommending counselor will report and submit the partial agreement or recommendation to the Court. Tier III summary 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.
4. **Tier II or Tier III referral assignments.** Assigned mediators will not be assigned to conduct Tier II or Tier III sessions, 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.

**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 local form FL-017, entitled "Further Orders for Parties with Custody and Visitation Matters." 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 eCourt unless and until the parties have been provided appropriate opportunity to attend view an orientation class and attend a mediation or recommending counseling appointment.

All parties shall view ~~complete~~ the online orientation program and complete an online intake form, prior to attending and attend the mediation or recommending counseling appointment as directed on the ~~order~~ entitled, "Further Orders for Parties with Custody and Visitation Matters" document. (Sonoma County form FL-017). The online orientation program cannot be waived and must is to be viewed ~~completed~~ before prior to the recommending counseling Family Court Services appointment, at Family Court Services. 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 his/her 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 form EFS-005-CV.

Delivery shall be as follows:

1a. Moving documents must be filed and personally delivered, faxed or e-mailed no less than seven (7) court days prior to the ~~recommending counseling~~ appointment. If delivery is by US Mail, documents must be mailed to opposing party seven (7) court days plus five (5) calendar days prior to the appointment recommending counseling date. Proof of delivery is required. Responding documents must be filed and personally delivered, ~~faxed or~~ e-mailed no less than two (2) court days prior to the ~~recommending counseling~~ appointment. If delivery is by US Mail, documents must be mailed to opposing party two (2) court days plus five (5) calendar days prior to the ~~recommending counseling~~ Family Court Services appointment.

2b. For review hearings, documents must be personally delivered, ~~faxed 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. ~~The parties are not permitted to provide FCS with any documents, including replies, after the time set forth in this paragraph except for compliance certificates and documents as set forth in subparagraph "e" of this Rule 9.14.~~ This does not affect either party's right to timely file any appropriate pleadings with the eCourt before the review hearing itself. Documents filed or delivered after the time set forth in this paragraph will not be reviewed by the FCS staff, child custody ~~recommending counselor~~. Courtesy copies ~~are not required~~ shall not be submitted.

3e. No court documents shall be served or exchanged at Family Court Services. ~~Videotapes, recordings, electronic communication and photos shall not be submitted or shared at the time of the session. brought to the child custody recommending counseling session.~~

~~Only the following types of documents showing compliance with prior court orders may be presented at Family Court Services at the time of the appointment without being previously filed and served if they were not available to be served and delivered in compliance with paragraph 9.14, A1.a: Counseling, education, self-help programs, drug test results, law enforcement records, supervised visitation, day care, anger management/domestic violence/psychological/substance abuse assessments and medical records.~~

~~The Court may impose a financial penalty on a party or attorney who failed to provide documents to the opposing party in a timely manner.~~

~~When the parties have reached an agreement concerning any issues, Family Court Services shall report any agreement to the court in writing.~~

~~If the parties fail to reach any agreements, Family Court Services shall provide the court with its recommendation as to custody, parenting plans and restraining orders pending further proceedings, pursuant to Family Code section 3183. Such recommendations shall be in writing and may include referral for an investigation and/or a child custody evaluation and~~

~~report pursuant to Evidence Code section 730. The court may consider the Family Court Services recommendation when making any custody or parenting plan orders.~~

~~Copies of all reports to the court regarding Family Court Services agreements and/or the child custody recommending counselor's recommendations will be delivered to the parties and/or their attorneys as soon as practical prior to the hearing.~~

~~2. Appearing by Telephone~~

~~Party(ies) may appear telephonically for their appointment at Family Court Services if they are 60 miles or more driving distance, in one direction, from the Family Court Services Office. Party(ies) shall contact Family Court Services by telephone at (707) 521-6800 no later than one day before the scheduled appointment to make arrangements to appear by telephone for the appointment.~~

~~3. Failure to Attend Recommending Counseling Appointments at Family Court Services~~

~~The court may impose a fine on a party who receives reasonable notice of the appointment and fails to appear. Inquiry may be made by the court on the reasons why one or all the parties missed their appointment. Fines as deemed appropriate by the judicial officer may be levied and collected by the Court Collections Division. A "Failure to Appear" report will be filed by Family Court Services prior to the imposition of any fine.~~

~~Failure to cancel or re-schedule an appointment at least 48 hours before the appointment may result in sanctions.~~

~~ED. Complaints or Requests for Change of Mediator or Recommending Counselor, or Complaints Regarding Recommending Counselors~~

~~Any request for a change of mediator or recommending counselors ~~or any complaints relating to general problems with Family Court Services sessions recommending counseling~~ must be received by the Office of the Court Executive Officer or his/her designee no later than 30 ~~thirty (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 ~~frame~~ 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, in writing and should set forth the case name, case number, and the nature of the request for a change in recommending counselor, and should set forth all of the facts and circumstances~~

~~with as much clarity and specificity as possible.~~ A response to the complaint will be issued in writing 30 ~~thirty (30)~~ calendar days after the complaint is received by the eCourt. The other party will be copied with the response.

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

**F5.**     **Contact with Family Court Services**

No party, attorney, or the eCourt is permitted to have ~~any~~ ex parte contact with the assigned Family Court Services mediator or recommending counselor about the pending case. ~~Communication with the Family Court Services staff shall be conducted by a mutually agreed upon conference between each party, or if represented, his or her attorney, and the recommending counselor. Family Court Services' staff other than the assigned recommending counselor may be contacted regarding scheduling and timing of the recommending counseling process.~~

Minor's counsel may contact Family Court Services pursuant to Family Code section 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.

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

**B.**     **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 eCourt 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 eCourt 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 sanction unauthorized distribution or use of the report.

3. **Complaints or Requests for Change of Private Evaluator or Complaints Regarding Evaluators**

**Private Psychological Evaluators**

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, section 170.1).

An evaluator may decline appointment. Once appointed, an evaluator may petition the eCourt for withdrawal by submitting a letter to the eCourt, with copies to counsel and/or self-represented parties. The letter shall state the reasons for the request for withdrawal. The eCourt 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 eCourt 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.

**HC. Appointment of Parent Coordinator**

1. Parties may stipulate to the appointment of a Parent Coordinator or Parent Coordinator Team.

2. Parent Coordinators 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 his/her 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 FL-030 and the attorneys for the parties signing The Role of the Client's Attorney document, Sonoma County Local Form FL-031. 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.

**1D. Appointment of Minor's Counsel**

**1. Family Code section 3150 Appointments**

- ai.** The Court may appoint counsel to represent a child in a custody proceeding. 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.

- bii.** 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 1<sup>st</sup> - June 30<sup>th</sup>. 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 30<sup>th</sup>), where the appointed counsel may submit an invoice for work performed in the last quarter of the fiscal year by July 31<sup>st</sup> 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.

- ciii.** **Application for Appointment for Family Code section 3150**  
**Appointments**



- aa. To apply to be on the court approved attorney appointment panel for Family Code section 3150 appointments, an attorney must file an application and confirmation that they have met the educational requirements with the family law supervising judge.
- bb. The Court will evaluate the application and notify the applicant within 30 days of the Court's decision.
- cc. The Court will only appoint attorneys who are members of the court approved counsel panel.

**div. Annual Review**

- aa. 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.
- bb. At the annual review, the Court will determine whether the minor's counsel has satisfied his/her education requirements as set forth in CRC 5.242(c-e).
- cc. The annual review will be scheduled in the order of appointment or at the child's counsel's first court appearance of the case.

**v. ~~Inter-Agency Exchange of Information~~**

- ~~aa. This rule addresses the exchange of information between Family Court Services, Probation Department, Department of Human Services, Case Management Council, minors counsel and the Court Investigator in juvenile delinquency, juvenile dependency, child custody, conservatorship, guardianship, and criminal proceedings. The disclosure of information concerning children and their parents by any of these agencies is generally prohibited by law. Nevertheless, a limited exchange of information about children or parents between these~~

~~agencies in certain circumstances will serve the best interests of the child who is before the court. The court hereby finds that the best interests of children and victims appearing in court, the public interest in avoiding duplication of effort by the courts and by the investigative agencies serving the juvenile and family courts and the value of having relevant information gathered by a court agency outweighs the confidentiality interests reflected in Penal Code sections 11167 and 11167.5 and W&I sections 827 and 0850 et seq., Family Code section 1818, and Probate Code section 1513, and therefore good cause exists for this rule.~~

~~**bb.** The representatives of the above listed agencies who are investigating or supervising cases involving children may orally disclose information to each other as follows:~~

~~Whether the child before the court, his/her parents, guardians, or caretakers are or have been the subject of a child custody, delinquency, dependency criminal or probate investigation, the findings and status of that investigation the recommendations made or anticipated to be made to the court by the agencies listed above, and the progress while under court supervision including compliance with court orders, and any court orders in existence with respect to the child, parents, guardians, or caretakers.~~

~~Any statement made by the child or the child's parents, guardians, or caretakers which might bear upon the issue of the child's best interests in the pending case.~~

~~Each agency may include this information in court reports and keep such information in their case files.~~

~~All of the above listed agencies may provide written documents to each other. These documents may include but are not limited to relevant portions of investigation notes, progress notes and summaries, and court reports containing information described in (a) and (b) above. However, child abuse and neglect reports described by Penal Code section 11167.5 (Suspected Child Abuse Report form #S-8572), information disclosing the identity~~

~~of a reporting party, or court ordered psychological evaluations will not be exchanged between the agencies absent a court order. Copies of HSD or Juvenile Probation Department documents used by the above listed agencies will not be made available to the public without a court order.~~

~~ee. Any disclosure authorized by this rule shall be subject to the following conditions: The agency receiving the request shall first establish to its satisfaction that the inquiring party is in fact a member of an agency designated above; all information shall be provided orally; if an agency desires written documentation, it shall make written application for a court order releasing that documentation; the information gathered shall be used exclusively in the investigation being conducted and the subsequent court proceedings, and shall not be repeated to anyone not a party to those proceedings without court order.~~

~~dd. Nothing in this rule is intended to limit any disclosure of information by any agency which is otherwise required or permitted by law or by other court orders.~~

~~ee. The release of information by Family Court Services is subject to limitations imposed by state and local rules.~~

**evi. Relieving Minor's Counsel of Appointment**

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

- aa.** At the time of a final order or judgment has been filed, or 90 days thereafter, or;
- bb.** A motion filed by any party for good cause; or
- cc.** A motion to be relieved filed by the minor's counsel if the minor's counsel does not believe that he or she can effectively represent the child; or
- dd.** At the annual review.

- ee. 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.

**fvii.** **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 him or her 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.

- g.viii.** Minors counsel may contact Family Court Services pursuant to Family Code section 3151(c)5 to obtain and provide relevant information regarding the child(ren) they represent. However, Family Court Services is prohibited from contacting the minors counsel pursuant to California Rule of Court 5.235.

- hix.** All other aspects of Family Code Section 3150 appointments are governed by California Rules of Court 5.240 - 5.242.

**J2. Family Code section 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)

**9.19 LAW AND MOTION MATTERS**

**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 her/his 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.

**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.

~~Settlement Conferences will be scheduled only if Preliminary Declarations of Disclosure have been exchanged and an FL-141 has been filed by the requesting party and, if required, by the responding party; or the requesting party has complied and there is good cause for proceeding without the other party having provided the Preliminary Declaration of Disclosure and filed an FL-141.~~

**F. 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.

~~A Settlement Conference calendar will be called by an assigned judicial officer at 1:30 p.m. on Thursday and 8:30 a.m. on Friday each week. At the calendar call, the court will assign the case to a Settlement Conference officer and also may consider the imposition of sanctions for failure to comply with any part of this rule.~~

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.

## 9.24 CHILD CUSTODY TRIALS

Either party may request an expedited custody trial on custody issues by filing a Request for Settlement Conference/Request for Settlement Conference and Trial, Sonoma County form FL-074. The request for trial does not need to be a joint request of the parties. The parties are not required to complete a Statement of Issues prior to trial.

The Court shall set ~~a hearing and~~ a Case Resolution Conference on the Domestic calendar approximately two weeks after receiving the request for an expedited child custody trial. ~~the settlement conference.~~

At the ~~hearing/~~Case Resolution Conference, ~~following the settlement conference~~ the Court may ~~make set a settlement conference,~~ make interim orders, set the matter for trial, or make other pertinent orders. The Case Resolution Conference shall be continued to a date consistent with the status of the case.

## 9.26 JUDGMENTS

### D. Bifurcation of Marital Status

Contested bifurcation motions in cases where both parties have appeared are law and motion matters governed by Rule 9.19.

The following documents are required for bifurcation of status only judgments:

#### 1. Bifurcation without Agreement.

- a. Declaration Regarding Service of Preliminary Declaration of Disclosure from Petitioner (FL-141).
- b. Request for Order (FL-300) for Bifurcation and Request or Response to Request for Separate Trial (FL-315), (Sonoma County requires a hearing for bifurcation of marital status that proceeds by default. The hearing must be set at least six months from the service date of the petition on the Respondent.)
- c. Declaration for Default or Uncontested Dissolution (FL-170)
- d. Status Only Judgment (FL-180)
- e. Notice of Entry of Judgment (FL-190) with a stamped, self-addressed envelope for each party. The submitting party must provide enough postage for return of all documents submitted.
- f. Bifurcation of Status of Marriage or Domestic Partnership - Attachment (FormFL-347)

## 9.289 DELIVERY OF COURTESY COPIES

When filing documents for a hearing fewer than 10 court days prior to the hearing date, the filing party shall deliver a courtesy copy to the judicial officer's chambers. (Eff. 7/1/15) (Renumbered 1/1/2016, 1/1/2022)

## 9.2930 REQUESTS FOR SPECIAL IMMIGRANT JUVENILE FINDINGS:

Requests for Special Immigrant Juvenile Findings pursuant to Code of Civil Procedure section 155 in family law matters shall be filed as a separate stand-alone filing. Such requests shall not be made in the form of an attachment to the Petition, but should be submitted separately in the form of pleading, or as a separate Request for Order. Any Request for Order shall not be combined with other issues, and shall be a stand-alone application relating only to the Special Immigrant Juvenile Findings pursuant to Code of Civil Procedure 155. (Eff. and renumbered 1/1/2016; Renumbered 1/1/2022)

## RULE 10 RULES APPLICABLE TO JUVENILE COURT PROCEEDINGS

(Rule 10 was ~~became~~ effective 1/1/1997, Revised 7/1/2006)

### 10.1 JUVENILE ABBREVIATIONS, ADMINISTRATION AND DEFINITIONS

The Juvenile Court hears both Juvenile Dependency and Juvenile Justice actions. All cases in Juvenile Court shall be subject to assignment to a judicial officer for all purposes at the time of filing of the action who shall thereafter handle all proceedings involving the matter, including trial, except as otherwise provided or required by law.

The following abbreviations are used throughout these rules:

CASA	=	Court Appointed Special Advocate
CRC	=	California Rules of Court
HSD	=	Human Services Department
ICWA	=	Indian Child Welfare Act
IEP	=	Individual Education Plan
NBRC	=	North Bay Regional Center
W&I	=	Welfare & Institutions Code

The following definitions are used throughout these rules:

“Standing Order” means orders executed by the Presiding Judge of the Juvenile Court of general application to the Court, attorneys, parties, agencies and organizations that appear before or transact business with the Juvenile Court, Social Services Agency, or Probation, and that are designed to expedite and facilitate the business of the Court or those agencies.

“Court”, unless otherwise specified, means the Sonoma County Juvenile Court, sitting as such pursuant to Welfare and Institutions Code section 245.

“Court Protocol” means agreements of practice or procedure made between the Court and juvenile justice or human services partners.



“Judge”, unless otherwise specified, means those judges or judicial officers designated to hear juvenile cases, pursuant to Welfare and Institutions Code section 246.

(Eff. 1/1/14, Revised 1/1/2022)

## **10.2 JUVENILE CALENDARS**

Juvenile calendar matters with regard to Sections 300 et seq. and 600 et seq. of the W&I Code shall be heard as designated by the Presiding Judge. A copy of the current designation may be obtained at the Sonoma County Superior Court website at [www.sonoma.courts.ca.gov](http://www.sonoma.courts.ca.gov) or at the courthouses. Dependency and ~~delinquency~~ Juvenile Justice matters shall be heard by a judicial officer or persons specified by the Presiding Judge. (Eff. 1/1/14, Revised 1/1/2022)

## **10.3 RULES OF PROCEDURE AND STANDING ORDERS**

CRC, rules 5.500 - ~~5.830~~ 5.906 apply to all juvenile proceedings.

### **Standing Orders:**

(Standing orders are posted on the court’s website at [www.sonoma.courts.ca.gov](http://www.sonoma.courts.ca.gov).)

~~Release and Sharing of Education Related Records of Juvenile Court Wards and Dependents;~~  
No. 2004(1); Issued August 16, 2004

~~Release and Sharing of Confidential Education and Mental Health Records to Assist Probate, Guardianship, and Juvenile Court Investigators;~~ No. 2004(2); Issued December 16, 2004  
(Revised 1/1/2007, 1/1/2022)

## **10.4 ATTENDANCE AT HEARINGS (CRC, RULE 5.530) AND OTHER PROCEEDINGS**

Unless excused by the Court, each adult party and attorney shall attend each scheduled Juvenile Court hearing, including settlement conferences and mediation sessions.

In Juvenile Justice matters, minors shall attend all hearings unless specifically excused by the Court or Probation. If a minor is in placement or foster care out of county or out of state, the physical presence of the minor can be excused and the minor may appear electronically.

(Revised 1/1/2007, 1/1/2022)

## **10.6 PRE-HEARING DISCOVERY**

### **A. Informal Discovery**

Pre-hearing discovery shall be conducted informally in accordance with CRC 5.546. Except as protected by privilege or statute, all relevant material shall be disclosed in a timely fashion to all parties to the litigation.

**B. Formal Discovery**

Only after all informal means have been exhausted, may a party petition the court for discovery. Any noticed motion shall state the relevance and materiality of the information sought and the reasons why informal discovery was not adequate to secure that information.

The date for the hearing shall be obtained from the Juvenile Court. A copy of the motion shall be served on all parties at least five (5) court days before the hearing date. At the time of service, a courtesy copy shall be delivered to the judicial officer before whom the matter is scheduled to be heard. Any responsive papers shall be filed and served and a courtesy copy delivered to the designated judicial officer two (2) court days prior to the hearing.

There shall be no depositions, requests for production of documents, interrogatories, and requests for admissions or other similar types of civil discovery without approval of the Judge of Juvenile Court upon noticed motion. See *Joe Z. v. Superior Court* (1970) 3 Cal.3d 797.

**C. Experts and Other Witnesses**

The name(s) of any experts to be called by any party and copies of their reports, the names of any witnesses to be called, and copies of any documents to be introduced at the hearing on the merits shall be made available to all parties no later than (2) two court days after the settlement conference in dependency proceedings or pre-trial confirmation in delinquency proceedings, unless otherwise ordered by the court. If no settlement conference is held in a dependency case, disclosure shall be made at least three (3) court days prior to the master calendar.

(Revised 1/1/2007, 1/1/2022)

**10.10 REFERRALS TO OTHER COURTS ATTORNEY COMPETENCE (Juvenile Justice Proceedings)**

Each court appointed attorney who practices before the Juvenile Justice Court must meet the educational requirements of CRC 5.664. The Court may require evidence of the competency of any attorney appointed to represent a youth in a juvenile justice proceeding, including requesting documentation of training attended. The court may also require attorneys who represent youth in juvenile justice proceedings to complete Declaration of Eligibility for Appointment to Represent Youth in Juvenile Justice Court (JV-700).

(Effective 1/1/2022)

**10.11 CONTINUANCES**

**A.** Attorneys for parties are required to adhere to the statutory time lines for all hearings.

- B. Dependency:** Continuances will be granted and time waivers accepted pursuant to W&I section 352 and CRC, rule 5.550. Requests for stipulated continuances shall be presented to the court by noon one (1) court day prior to the hearing.
- C. Delinquency Justice:** Continuances of jurisdictional hearings will be granted only upon written motion with notice to all attorneys and unrepresented parties filed within two (2) court days of the date set for hearing. All other hearings may be continued by written motion noticed on an ex parte basis if all attorneys and parties agree to the continuance and the new date for hearing.  
(Revised. 1/1/2007; 1/1/2022)

## **10.17 RELEASE OF INFORMATION RELATING TO JUVENILES**

### **B. Documents Excluded from the Term “A Juvenile Case File”**

Medical and psychiatric records, including Evidence Code section 730 evaluations and any child abuse reports, are strictly confidential and not available for inspection or copying except from the subject of the record or his/her attorney.

### **C. Inspection and Copying**

The following persons may inspect and receive copies of juvenile case files without filing a petition pursuant to W&I section 827:

- 1.** Court personnel ~~and court investigators from any county;~~
- 2.** ~~Any attorney representing the minor, minor’s parents, minor’s guardians. The~~ district attorney, a city attorney or city prosecutor authorized to prosecute criminal or juvenile cases under state law;
- 3.** ~~The minor or minor’s parents or guardians if they are self represented. The minor~~ who is the subject of the proceeding;
- 4.** The minor’s parent or guardian;
- 5.** The attorneys for the parties, judges, referees, other hearing officers, probation officers, and law enforcement officers who are actively participating in criminal or juvenile proceedings involving the minor;
- 6.** The county counsel, city attorney or any other attorney representing the petitioning agency in a dependency action;
- 7.** Members of the child protective agencies as described in section 11165.9 of the Penal Code;
- 8.** The State Department of Social Services;
- 9.** Authorized staff who are employed by, or authorized staff of entities who are licensed by the State Department of Social Services; and
- 10.** The Department of Justice.

**D. Inspection**

Other persons or entities as listed in W&I section 827 shall be entitled to inspect a juvenile case file but shall not be entitled to copy a juvenile case file.

Pursuant to W&I section 676(d), when a petition has been sustained for an offense listed in W&I section 676(a), the following information contained in the court file shall be available for public inspection: (a) the charging petition, (b) the minutes of the proceeding, and (c) the orders of the adjudication and orders of the disposition of the court.

**10.18 LOCAL RULES RELATING TO CHILD ADVOCATES**

**A. The CASA Program**

The Juvenile Court may appoint a CASA to represent the interests of dependent or ~~delinquent~~ justice children. The CASA program must operate under the guidelines set forth in W&I section 100 et seq.; W&I section 356.5; and CRC, rule 5.655.

The CASA program shall report regularly to the Presiding Judge of the Juvenile Court with evidence that it is operating under the guidelines established by the National Court Appointed Special Advocate Association and the California State Guidelines for child advocates.

**F. Procedures in ~~Delinquency~~ Juvenile Justice Cases**

A request for appointment of a CASA in a delinquency case may be made orally or in writing in open court or ex parte by the probation officer or any party to the case, or by the court on its own motion. If the court grants the request, it shall order that the case be referred to CASA for screening.

1. When the court grants the request for appointment of a CASA, CASA shall prepare and present to the court an order appointing the CASA.
2. Any party to the proceeding may petition the court for a hearing to reconsider the appointment.
3. A CASA may petition the court to set the minor's case for a review hearing.
4. CASA reports shall be submitted to the court three (3) court days prior to the hearing for which it is prepared. CASA reports shall be copied and distributed by the CASA program to the court, District Attorney, Juvenile Probation, and the minor's attorney (or the minor's parents if unrepresented) at least two (2) court days prior to the hearing.

**I. Access to Records**

A CASA may inspect and copy records pursuant to W&I section 107. Confidential records and information acquired by a CASA shall remain confidential and shall be disclosed only pursuant to a court order pursuant to W&I section 105.

The CASA shall present his/her identification as a CASA to any such record holder in support of his/her request for access to specific records. No consent from the parent(s) or guardians(s) is necessary for the CASA to have access to any records relating to the child. See also Sonoma County local rule 10.17. F.

Pursuant to W&I Code section 107(b), a CASA may not have access to records of a nonminor dependent without the written and informed consent of the nonminor dependent.

#### **10.34 REQUEST FOR COMPUTER ACCESS TO JUVENILE CASE MANAGEMENT SYSTEM**

In an effort to maintain confidentiality requirements with regard to juvenile matters, access to juvenile case information via the automated case management system will be limited. Requests for computer access to the Juvenile Case Management System by criminal justice and law enforcement agencies are to be submitted to the ~~juvenile court judicial officer~~ Presiding Judge of the Juvenile Court for approval, with a copy submitted to the juvenile court division manager. (Eff. 1/1/14, Revised 1/1/2022)

#### **10.39 DUAL STATUS JURISDICTION**

Pursuant to WIC 241.1, Sonoma County is a Dual Status Jurisdiction. Refer to the written protocol between the Sonoma County Probation Department and the Sonoma County Human Services Department for details. (Effective 1/1/2022)

#### **10.40 COMPETENCY PROTOCOL**

The Juvenile Justice Court will follow the written Juvenile Competency Protocol in dealing with competency issues. This protocol is consistent with and supplements the requirements of WIC §709 and CRC 5.645. In the event of modifications to WIC §709 and CRC 5.645, the Statute and Rule of Court shall control. (Effective 1/1/2022)