GLENN COUNTY SUPERIOR COURT

LOCAL
RULES OF COURT

Effective January 1, 2026

LOCAL RULES OF COURT
SUPERIOR COURT OF CALIFORNIA, COUNTY OF GLENN

Adoption and Applicability of Rules

The judges of Glenn County Superior Court have formally adopted Local Rules of Court effective January 1, 2026, having complied with the provisions of the California Rules of Court 10.613. Unless otherwise noted, rules are applicable to all cases including cases of limited jurisdiction.

Filing Instructions

These Local Rules supersede all other local rules previously adopted by Superior Court of Glenn County.

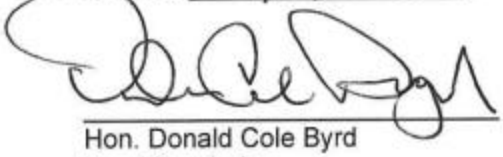
Availability of Local Rules

Copies of the Local Rules of Court of the Glenn County Superior Court have been filed with the Judicial Council in accordance with Rule 10.613 and Government Code Section 68071. Copies of the rules may be purchased from the Clerk of the Court 526 W. Sycamore Street, Willows, CA 95988.

Certification of Presiding Judge

I, Donald Cole Byrd, Presiding Judge of the Glenn County Superior Court, do hereby certify that this Court has complied with the applicable provisions of Rule of Court 10.613, California Rules of Court.

DATED: 10/2/2025



Hon. Donald Cole Byrd
Presiding Judge

GLENN COUNTY SUPERIOR COURT

EFFECTIVE DATE OF LOCAL RULES

January 1, 2026

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2.6	SUBSTITUTION OF ATTORNEYS	7/1/19
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RULES OF THE SUPERIOR COURT OF CALIFORNIA,

COUNTY OF GLENN

GENERAL PROVISIONS

INTRODUCTION

The following Rules of Court, as adopted by Superior Court of California, County of Glenn, are intended to supplement and enhance the statutes and rules provided in the California statutes and the California Rules of Court. To the extent any of these rules may conflict with either statutory requirements or the California Rules of Court, the local rule is of no legal effect.

Unless otherwise indicated herein, the following shall have the meanings designated below:

Clerk	**Clerk of the Superior Court, County of Glenn**
Counsel	**The attorney who represents a party, or the party if appearing in propria persona**
County	**The County of Glenn**
Court	**Superior Court of California, County of Glenn**

CPS	**Glenn County Department of Child Protective Services**
CC	**California Civil Code**
CCP	**California Code of Civil Procedure**
CRC	**California Rules of Court**
EC	**California Evidence Code**
FC	**California Family Code**
Gov. Code	**California Government Code**
PC	**California Penal Code**
PROB	**California Probate Code**
W&I	**California Welfare and Institutions Code**
GCRC	**Glenn County Rules of Court**
GCSC	**Glenn County Superior Court**
JC	**Judicial Council**

CHAPTER 1. ORGANIZATION OF THE COURT

1.0 PRESIDING JUDGE

The Presiding Judge shall serve for a two-year term and shall be selected in even numbered years at the January judges' meeting. If selection cannot be agreed on and neither judge has at least four years of experience, the senior judge must hold office of presiding judge until both judges have at least four years of experience.

(Effective 7/1/19)

1.1 ASSISTANT PRESIDING JUDGE

When the Presiding Judge is absent or unable to act, the Assistant Presiding Judge shall perform the duties of the Presiding Judge.

(Effective 7/1/19)

1.2 JUDGES' MEETINGS

The judges shall hold meetings on such day as they may from time to time designate.

(Effective 7/1/19)

1.3 DEFINITION OF JUDICIAL DAY OF VACATION

A "Day of Vacation" for a judge of the Superior Court of California, County of Glenn is an approved absence from the Court for one quarter of a day to one full business day. Absences from the Court listed in CRC 10.603(c)(2)(h) are excluded from this definition.

(Effective 7/1/19)

1.4 COURT EXECUTIVE OFFICER

The Court Executive Officer, under the direction of the Presiding Judge, shall administer, direct, and be responsible for all personnel who serve the Court in the following capacities:

Deputy Clerk of the Court

Mediator

Family Law Facilitator

Court Investigators

Financial Officer

Court Division Managers

Court Clerk Supervisors

Court Information Services Staff

Executive/Judicial Secretary

Court Clerks (I/II/III/IV)

Fiscal Technician/Specialist

Custodian

(Effective 7/1/19)

1.5 JUDICIAL DEPARTMENTS AND ASSIGNMENTS

Superior Court of California, County of Glenn's judicial officers serve in the following departments:

Department 1 Hon. Donald Cole Byrd

Department 2 Hon. Alicia Ekland

Department 3 Hon. Nicholas L. Boening, Child Support Commissioner

(Effective 7/1/19. Amended 7/1/2022; Amended 1/1/26)

CHAPTER 2. GENERAL

2.0 PAPERS

A. FILING OF DOCUMENTS

Except in cases where eFiling is mandatory as provided in Rule 2.5, parties are required to file the following copies of documents:

1. One (1) original in a format pursuant to California Rules of Court, rule 2.100 et seq. Secure binding shall be accomplished through clipping or rubber-banding.

Secure binding in this fashion, in lieu of other binding or staples, expedites the court's ability to convert the document into digital format and allows for greater public access to the digital case files, as permitted by law or rule.

Exhibit attachments to pleadings shall be separated by a standard size sheet of paper with a title identifying the sequence of the exhibit.

2. Up to two (2) copies to confirm each document. Parties are encouraged to take their conformed copies to make additional copies as needed.

(Effective 1/1/20, Amended 1/1/26)

B. RETURN ENVELOPE

A self-addressed, stamped envelope must be provided for the return of endorsed-filed copies. Documents forwarded without a return envelope will be placed in a holding bin for a period of thirty- (30) days, after which time they will be discarded.

(Effective 7/1/19)

C. COMPLAINT TO BE FILED ON DEMAND

Except for noncompliance with Rule 2.100 et seq of the California Rules of Court, these local rules, or the failure to pay the filing fee without a court order waiving the fee, a complaint must be filed on demand and may not be refused. However, any obvious discrepancy may be pointed out to the filing party, so that the error can be corrected prior to filing. Once filed, any corrections must proceed by amendment or court order; a party cannot alter papers to correct mistakes once the complaint is filed with the court. Unsigned complaints will not be filed without court order.

(Effective 7/1/19)

2.1 PAYMENT OF FILING FEES

A. FILING FEE

Documents shall not be filed, received, or forwarded to the Judge for review unless the full, correct filing fee, or an approved application for waiver of fees, accompanies such document.

(Effective 7/1/19)

B. FEE WAIVERS

1. VERIFICATION OF INFORMATION PROVIDED IN APPLICATION

Superior Court of California, County of Glenn hereby authorizes the Court Collection Division, or his/her agents, to verify all information provided in the Application for Waiver of Court Fees and Costs (hereinafter called "Application"). Should erroneous information be discovered, penalties may be assessed and/or the documents filed thereunder may be stricken by the Court.

2. RECOVERY OF WAIVED FEES

At any time within three years after the Court has granted a litigant permission to proceed in forma pauperis, the Clerk or Court Collection Division may notify the Court of any change in financial condition, which may enable the litigant to pay all, or a portion of the fees and costs, which had been waived. The Court may authorize the Clerk or the Court Collection Division to require the litigant to appear before and be examined by the Court. The Court may then order the litigant to pay to the Court such sum and in such a manner as the Court deems appropriate given the litigant's ability to pay.

(Effective 7/1/19)

C. STIPULATION AND ORDER

The fee for filing a stipulation and order, regardless of the title of said document, is $20. Unless such fee accompanies the document(s) when presented, the documents will not be processed.

(Effective 7/1/19)

D. RETURNED CHECKS

Pursuant to CCP § 411.20 regarding a check which is returned without payment, the payor shall pay, in addition to reimbursement for the returned check, $25 insufficient check charge to Superior Court of California, County of Glenn in cash or cashier's check. If both the reimbursement and the insufficient

check charges are not paid within said time limit, any papers covered by the returned check will be stricken from the Court's record.

(Effective 7/1/19)

2.2 TIME FOR FILING PAPERS

A. MOTIONS IN LIMINE; TRIAL BRIEFS

1. MOTIONS IN LIMINE; TRIAL BRIEFS

Motions in limine and trial briefs must be filed prior to the Criminal and Civil Trial Confirmation hearing, usually two weeks prior to the trial date or at such other time as the Court may order.

2. CIVIL JURY TRIALS

The parties will lodge joint jury instructions five (5) judicial days prior to the trial date or at such other time as the court may order. The joint instructions will include all instructions to be offered by any party. Any instructions on which the parties do not agree will be tabbed.

3. FAMILY LAW

Trial briefs must be filed five (5) judicial days prior to the trial/hearing date, with a courtesy copy provided for the trial judge.

4. LATE FILED PAPERS

Jury trials by necessity involve imposition upon the personal and business lives of the citizens who discharge their civic duty by their service. Trials and hearings require substantial preparation in advance by the judges and staff. Failure to timely file papers as required by this rule causes delay, is therefore discourteous, and subverts the efficient administration of justice. Accordingly, absent good cause shown, the court may refuse to consider late filed trial briefs and motions in limine.

(Effective 7/1/19, Amended 1/1/26)

B. FILING OF LATE MOTION PAPERS

Any document presented for filing on the day of the hearing shall be filed in the courtroom in addition to the Processing Counter.

(Effective 7/1/19)

C. COMPUTATION OF TIME

Except for cases where eFiling is mandatory as provided in Rule 2.5, a paper submitted before 4:30 p.m. Monday through Friday (except for legal holidays) to the Clerk on the day the paper is due is deemed timely filed.

(Effective 7/1/19, Amended 1/1/26)

2.3 CALENDARED MATTERS

A. CONTINUANCES

1. TRIALS, SETTLEMENT CONFERENCES, CASE MANAGEMENT CONFERENCES

This Court practices a firm continuance policy. Requests for continuances of settlement conferences, case management conferences, or trials, whether contested or uncontested, are to be requested with supporting declarations and proper filing fee. Motions for continuance shall be heard by the Department or Judge assigned to the case.

(Effective 7/1/19)

2. LAW AND MOTION MATTERS

Requests for continuances of Law and Motion matters shall be made as follows:

a. By written stipulation of the parties or counsel filed with the Court; or

b. By oral agreement of the parties, provided the requesting party files with the Court, prior to the date and time set for the hearing, written notification with proof of service to opposing party/counsel.

c. No law and motion matter will be continued more than twice without leave of court first obtained.

d. No continuance will be granted if requested less than five (5) court days prior to the date set for hearing absent a showing of good cause.

(Effective 7/1/19)

3. FEE FOR CONTINUANCE OF CALENDARED EVENT-CIVIL/FAMILY LAW

The fee for continuance of any calendared event, which is continued at the request of a party, is $20 (GC70617(c)(1). This fee is payable at the time the request is made, whether orally or in writing. If the request is made orally in open court, the Clerk's minutes shall reflect who made the request and whether the $20 fee was paid. If the $20 fee is not paid prior to the date of the continued event, the event will be dropped from the calendar, to be reset only upon the re-filing of all moving papers.

Superior Court of California, County of Glenn will not accept a portion of the $20 nor be responsible for collecting the balance from the other party. The entire $20 is due immediately upon the request being made.

The fee for continuance of any trial, which is continued at the request of a party, is $60.

(Effective 7/1/19)

B. EX PARTE APPLICATION/ORDER

1. SUBMITTING PLEADINGS AND/OR SCHEDULING HEARINGS

a. All ex parte matters shall be conducted in strict accordance with CRC, Rule 3.1200 et seq.

b. Except for matters for which no personal appearance is required per CRC, Rule 3.1207, the ex parte applicant, or his or her counsel shall file the ex parte request and all supporting documentation to the clerk of the court.

c. Ex parte applications for Orders to Shorten Time will be considered only when accompanied by the proposed moving papers. Orders to Shorten Time will be filed only when the motion has been previously filed or is simultaneously filed.

d. If requested by the Judge, ex parte hearings dates and times will be set by the Court and will be heard only after each party with papers to present has given them to the Court and other affected party's counsel, and after both Court and counsel have had adequate time to review them. Therefore, whenever practicable, moving papers should be served on the affected party or that party's attorney by personal delivery, fax, express mail, or similar means before the hearing.

(Effective 7/1/19)

C. ATTORNEY FEES

1. ATTORNEY FEES

All application for attorney's fees, in both opposed and unopposed matters, except where the amount of fees is set by law, shall be supported by competent evidence sufficient for the Court to make the "lodestar" determination enunciated in *Serrano v. Priest* (1977) 20 Cal.3d 25.

(Effective 7/1/19)

2. ATTORNEY FEES IN CIVIL MATTERS

When the Clerk will enter Judgment for Attorney Fees:

Open Book Fees: If the complaint pleads a cause of action on Open Book Account for a debt owing by a natural person for goods, money or services, which were primarily for personal, family, or household purposes, the clerk, will enter a requested award of attorneys' fees of $960, or 25 percent of the obligation, whichever is less. For all other book accounts, attorney's fees will be $1200, or 25 percent of the obligation, whichever is less. CC § 1717.5(a). If, however, there is a written agreement between the parties signed by the party to be charged, open books fees will not be entered unless the agreement contains a statement that the prevailing party in any action between the parties is entitled to fees provided by § 1717.5. Persons requesting that the clerk enter an award of open book fees must submit a declaration identifying the paragraph of the parties' agreement compliant to the requirements of § 1717.5. If the agreement is not appended to the complaint, it must be appended to the declaration.

All Other Cases: Because the Glenn County Superior Court does not have an attorney's fees schedule, the Clerk will not ministerially enter an award of attorneys' fees in any other circumstance. Rather, the Court will determine the amount of the reasonable fee. CCP § 585 (a).

When the Court will enter Judgment for Attorney's fees:

Contract/Statutory Fees: Because the Glenn County Superior Court does not have an attorney's fee schedule, in contract cases where the contact provides for attorney's fees to the prevailing party, or in cases where entitlement to fees is established by statute (excluding open book accounts.), application must be made for the Court to fix the amount of the reasonable fee. CCP § 585(a).

Sufficiency of Showing**:** A showing sufficient to support an award of attorney's fees must be verified by counsel and must conform to the requirements enunciated in *Serrano v. Priest* (1977) 20 Cal.3d 25, 48-49. Declarations which state a claim for fees with no itemization, or which otherwise present insufficient evidence for the court to make the so-called "lodestar" determination will be rejected.

(Effective 7/1/19)

2.4 LOCAL FORMS

A. PRINTED MINUTE ORDER FORMS

Whenever a printed minute order form is used by a Clerk or the Court, those portions checked or filled in shall be deemed to be the order of the Court, and those portions not checked or left blank shall be deemed to be purposefully omitted from the order.

(Effective 7/1/19)

B. PAYMENT OF CLAIMS

Any party submitting a claim for payment by the County of Glenn, or the Court, whether for services rendered per court order or related expenses, must submit his/her claim upon the County of Glenn General Claim form or the Superior Court of California General Claim form. The top half of the form must be completed by the claimant, dated and signed, and must include claimant's Social Security number and/or federal tax identification number. The completed form must be submitted to the Court Executive Officer or the Judge upon whose order the services were rendered.

(Effective 7/1/19)

2.5 ELECTRONIC FILING

A. AUTHORITY

1. Mandatory Electronic Filing: The Superior Court of California, County of Glenn, requires electronic filing of documents pursuant to California Code of Civil Procedure sec. 1010.6 and California Rules of Court, Rule 2.250 et seq. for the following Case Types/Categories:
    a. Juvenile Dependency Matters;
    b. All Civil Matters;
    c. All Probate Matters;
    d. All Family Law Matters (including Department of Child Support Services matters).
2. Self-Represented parties are exempt from mandatory electronic filing requirements pursuant to California Rule of Court 2.253(b)(2) but are encouraged to participate voluntarily in filing electronically.
3. Permissive Electronic Filing: The Superior Court of California, County of Glenn, permits the electronic filing of documents pursuant to California Code of Civil Procedures sec. 1010.6

and California Rules of Court, Rule 2.250 et seq. for all case types not enumerated in subsection (A), including but not limited to Criminal (Felony/Misdemeanors), Traffic/Infractions, and Juvenile Delinquency matters.

(Effective 1/1/26)

B. ELECTRONIC FILING SERVICE PROVIDERS

Approved Electronic Filing Service Providers (EFSP's) are listed on the Court's website at www.glenncourt.ca.gov.

(*Effective 1/1/26*)

C. FILING DATES AND TIMES

Documents may be electronically transmitted to the Court at any time of the day. Acceptance of documents for filing shall be deemed ot occur on the date the document was received by the Court in accordance with CCP sec. 1010.6(b)(3). Nothing in this section shall limit the clerk's ability to reject deficient filings.

(*Effective 1-1-26*)

D. LIMITATIONS ON FILINGS

Notwithstanding any other provision of law or of this rule, the following items may not be electronically filed:

a. Any Will, codicil;

b. Bond or undertaking;

c. Subpoenaed documents;

d. Financial institution documents, care facility documents or escrow documents as defined under Probate Code Sec. 2620, submitted by conservators, guardians, or trustees of court supervised trusts;

e. California state vital records forms;

f. Any documents with attachments/exhibits that cannot be accurately transmitted via electronic filing due to size or type;

g. Documents typically submitted during the course of a proceeding (e.g. Trial exhibits);

h. Lodge Documents;

i. Documents for cases under seal;

j. Copy Requests;

k. Labor Commissioner deposit of cash or check. While the Labor Commissioner Appeal must be filed electronically, it will not be processed until the filing party has deposited the award with the Court. The deposit must be made in person or through the mail and must be completed within five (5) court days of submitting the Appeal for filing with the Court.

E. CONTROLLING AUTHORITY

To the extent this Rule 2.5 conflicts with any other local rule concerning the filing of documents with the Court, this rule controls.

(*Effective 1/1/26*)

2.6 SUBSTITUTION OF ATTORNEYS

Papers presented for filing by attorneys/parties who have not been properly substituted in as attorney of record, whether the party was previously in pro per or represented by counsel, will be accepted and marked "Received" rather than "Filed."

(Effective 7/1/19)

2.7 CONSOLIDATION WITH THE LOWEST NUMBER

Whenever it appears that two or more cases with different numbers have been filed with reference to the same proceeding, the Court may, on its own motion, consolidate all the matters with the file bearing the lowest number. The file bearing the lower or lowest number will be referred to as the "lead file." All documents filed after consolidation shall bear the case number of the lead file. Upon consolidation, the Clerk shall transfer all documents in the consolidated files to the lead file except for a copy of the order of consolidation. *(Effective 7/1/19)*

2.8 PROHIBITION OF FIREARMS IN THE COURTROOM

The only individuals who may carry a weapon into a courtroom are: (1) the bailiff(s) providing courtroom security; (2) an individual described in PC § 830.1(a); (3) State Traffic Officers in the employ of the California Highway Patrol, unless the individual is appearing as a party to the action before the Court.

Unless the individual is in uniform, any weapon must be worn in a fashion where it is not visible. An individual not in uniform who is authorized to carry a weapon pursuant to this rule shall notify the courtroom bailiff of the fact that he/she is armed.

(Effective 7/1/19)

2.9 DRESS POLICY

All persons who appear in any courtroom shall dress appropriately. The bailiff on duty, under the supervision of the judges, shall have the authority to enforce this rule and prevent the public or any other person with inappropriate attire from entering the courtroom. Hats shall not be permitted unless worn for religious purposes. Shoes shall be worn. Shorts shall not be worn. Glasses with darkened lenses shall not be permitted except when prescribed or worn for medical reasons.

(Effective 7/1/19)

2.10 COURT REPORTERS

A. REPORTED PROCEEDINGS

Notice is hereby given that Superior Court of California, County of Glenn does not routinely provide court reporters, except in proceedings for criminal domestic violence, preliminary calendar, felony law and motion, criminal trial confirmation, juvenile delinquency and juvenile dependency, adoptions, drug court, prop 36, behavioral health and criminal jury trials and other proceedings where the Court may be required by law on request to provide a transcript of proceedings. Parties who desire to have a court reporter present for any other proceedings must make their own arrangements with any reporting service they desire. A party who has been granted a waiver of court fees and costs may request the services of an official court reporter for a proceeding for which a reporter is not normally available and for which electronic recording is not provided. Party(ies) to the case who do not qualify for a waiver of court fees and costs will be responsible for a pro-rata share of the fees.

1. The court shall provide court reporters in accordance with Gov. Code §68086 and CRC 2.956.
2. Pursuant to CRC 5.123 Glenn County Superior Court does not regularly provide court reporters or electronic recording for requests for orders or motions in family law matters.
3. Parties may obtain a reporter for proceedings other than those listed in GCRC 2.10A, B and C by making their own arrangements with a court reporting service.

(Effective 7/1/19)

2.11 COURT INTERPRETERS

Interpreters are provided by the Court in actions where the Court is required to do so by law. In such cases, counsel shall notify the Court that an interpreter is required fourteen (14) days before the hearing or a shorter time upon a showing of good cause.

(Effective 7/1/19)

2.12 SANCTIONS

Failure to comply with any provisions of the Local Rules may result in the imposition of sanctions pursuant to CCP § 575.2.

(Effective 7/1/19)

2.13 ELISORS

Where one of the parties fails to execute a document necessary to carry out a court order, the Clerk of the Superior Court, or the Clerk's authorized representative or designee, may be appointed as elisor to sign the document. When applying for an appointment of an elisor, the application and proposed order must designate "The Clerk of the Court or Designee" as the elisor and indicate for whom the elisor is being appointed and in what capacity they are to sign the document. An application for appointment

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an elisor may be made ex parte or by emergency request in family law. The application must not set forth a specific court employee. The order must expressly identify the document(s) being signed and a copy of the document(s) must be attached to the proposed order. The original document, presented for signature by the elisor must match the copy of the document attached to the proposed order.

The order shall clearly identify the documents: A deed must state the type of deed (i.e. grant deed, interspousal transfer deed, et cetera). Escrow documents must be listed separately (i.e. Escrow Instruction Dated, Disclosure Regarding Real Estate Agency Relationship, Hazard Report, et cetera). The sample copy shall be highlighted in the location(s) where the elisor is to sign his/her name. Beneath the signature line(s) on the sample copy the moving party shall print the language being requested to identify the elisor's signature.

The declaration supporting the application must include specific facts establishing the necessity for the appointment of an elisor.

If the Court grants the application of an elisor, the moving party shall contact Court Administration to arrange for a time for the actual signing of the documents. The appointed elisor has up to three (3) court days to complete the actual signing of the documents. Any exceptions to the three-day period shall be addressed on a case-by-case basis by the Court.

If the elisor is signing documents requiring notarization, the applicant must arrange for a notary public to be present when the elisor signs the documents.

(Effective 1/1/2020)

2.14 REMOTE APPEARANCES

A. DEFINITION AND AUTHORIZATION

"Remote appearances" refer to appearances for a court hearing made by remote technology by a party, as defined by California Rules of Court (CRC), rule 3.672(c).

Remote appearances are generally authorized for civil and juvenile matters pursuant to Code of Civil Procedure (CCP) § 367.75 and CRC, rule 3.672 and shall remain in effect concurrently with CCP § 367.75 and CRC, rule 3.672. Remote appearances may be authorized for criminal matters in select circumstances and proceedings pursuant to Penal Code (PC) § 977, 977.2, and 977.3.

B. GENERAL RULES

By choosing to voluntarily appear remotely for any case type, all parties, defendants and/or attorneys acknowledge and agree to the following general rules regarding a remote appearance. All persons and appearances under the guidelines of this Rule are subject to CRC, rule 1.150. Persons and appearances made under this Rule are representing familiarity and compliance with CRC, rule 1.150.

1. All rules of courtroom civility and decorum apply to a remote appearance. A remote appearance is the equivalent of an in-person appearance and any actions that occur in the hearing are subject to all applicable rules, statutes, and laws and are enforceable in the same manner as if the attendee was in the courtroom.
2. It is the sole responsibility of the party appearing remotely, either by audio or video, to ensure they have sufficient internet speed and/or connectivity as well as an appropriate indoor location with no background noise or disruptions. By voluntarily appearing remotely, the person appearing remotely agrees to appear from an indoor location free from distraction or other noise. The Court retains the discretion, in the interest of justice, to terminate the remote appearance if there is a disruption, noise, misconduct, a communication problem, a technical problem, or other issues which interfere with the pro per hearing of a matter.
3. If the party making the remote appearance is not connected at the time the Court calls the case, or if the party has insufficient video or audio quality during, the Court shall have the following options:

    a. The Court may consider alternative communication with the party who is not connected or whose connection is problematic.

    b. The Court may consider continuing the hearing and/or requiring in-person appearances.

c. In the interest of justice, the Court may proceed with the hearing and/or make rulings in the absence of an appearance.

4. Parties shall not have any scheduling conflicts when making a remote appearance and shall be available to participate in the hearing when the case is called by the Court.

5. Parties shall not be engaged in any other distracting activity while participating in the scheduled hearing.

6. Any recording of a remote appearance is prohibited.

C. The Court provides for telephonic appearances as listed below. The Court provides CourtCall as the conference call provider, to be contacted at 1-888-882-6878.

1. In Civil matters:

a. The Court generally authorizes telephonic appearances. Parties may give notice of their telephonic appearance orally at the time of the hearing.

2. In Criminal matters:

a. The Court may authorize telephonic appearances in select circumstances and proceedings pursuant to PC §§ 977, 977.2, and 977.3. Parties must submit a written request at least five (5) calendar days prior to the hearing by filing amotion.

3. In Juvenile matters:

a. The Court may authorize telephonic appearances. Parties must submit a request at least five (5) calendar days prior to the hearing by either:

i. Contacting the Juvenile Division by phone; or

ii. Filing a written request or motion.

D. The Court provides for video appearances as listed below. The Court provides for video appearances using Zoom as the platform.

1. In Civil matters:

a. Parties must file and serve a *Notice of Remote Appearance* (form RA-010) at least ten (10) court days before the hearing for an evidentiary hearing or small claims trial, or five (5) court days before all other hearings.

b. In response to a notice of a remote appearance by video for an evidentiary hearing or small claims trial, a party may file and serve an *Opposition to remote Proceedings at Evidentiary Hearing or Trial* (form RA-015) at least five (5) court days before the proceeding.

2. In Criminal matters:

a. The Court may authorize appearance by video in select circumstances and proceedings pursuant to PC §§ 977, 977.2, and 977.3. Parties must file and serve a motion at least five (5) court days before the hearing.

3. In Juvenile Dependency matters:

a. Parties must file and serve a *Request to Appear Remotely-Juvenile Dependency* (form RA-025) at least ten (10) court days before the hearing, except for hearings set to take place with less than ten (10) days' advance notice, wherein parties must file and serve notice of their intent to appear remotely no later than 2:00 p.m. on the court day before the proceeding.

b. In response to a request for remote appearance by video, a party may file and serve a *Request to Compel Physical Presence-Juvenile Dependency* (form RA-030) at least five (5) court days before the proceeding, except for hearings set to take place with less than ten (10) days' advance notice, wherein parties must file and serve notice of their objection no later than 2:00 p.m. on the court day before the proceeding.

4. In Juvenile Justice matters:

a. Juvenile Justice proceedings are considered "evidentiary" as defined by CRC, rule 3.672.

b. Parties must file and serve a *Notice of Remote Appearance* (form RA-010) at least ten (10) court days before the hearing, except for hearings set to take place with less than ten (10) days' advance notice, wherein parties must file and serve notice of their intent to appear remotely no later than 2:00 p.m. on the court day before the proceeding.

c. In response to a request for remote appearance by video, a party may file and serve a *Opposition to Remote Proceedings at Evidentiary Hearing or Trial* (form RA-015) at least five (5) court days before the proceeding, except for hearings set to take place with less than ten (10) days' advance notice, wherein parties must file and serve notice of their objection no later than 2:00 p.m. on the court day before the proceeding.

5. For all matters, if a video appearance is authorized, the Court will schedule the video conference and provide connection information to involved parties and/or attorneys.

(Effective 1/2/22; amended 3/27/25)

2.15 REQUESTING AND USE OF AUDIO/VISUAL PRESENTATION EQUIPMENT

A. To coordinate external requests for the use of audio/visual presentation equipment in Glenn County Superior Court, the following procedure shall apply at all court facilities.

1. Parties who require the use of the Court's audio/visual presentation equipment shall complete a *Request for Courtroom Audio Visual Presentation Equipment* (form AV) and submit the completed form to the Clerk's Office no later than five (5) court days before the date the equipment is to be utilized. In the event the court date is set less than five (5) court days before the hearing, the request must be made at the time the hearing is set or by the close of business on that day.

2. Parties who require the use of non-court provided equipment must complete a Request for *Courtroom Audio Visual Presentation Equipment* (form AV) and submit the completed form to the Clerk's Office no later than five (5) court days before the date the equipment is to be utilized. The party shall confirm with the Clerk's Office that the equipment is working properly and is compatible with any court equipment that might also be used a minimum of five (5) court days before it is scheduled to be used. It is not the responsibility of Glenn County Superior Court staff or Sheriff's Deputies to assist in operating or setting up of non-court provided equipment. If a party is unable to operate, connect, or set up non-court provided equipment in a reasonable period of time, as determined by the judicial officer presiding over the matter, the matter will proceed without use of the equipment.

CHAPTER 3. CIVIL LAW

3.0 CASE MANAGEMENT

A. NOTICE OF CASE MANAGEMENT CONFERENCE

A Notice of Case Management Conference [GCSC CV-020] must accompany all civil complaints for service.

(Effective 7/1/19)

B. IMPOSITION OF SANCTIONS FOR FAILURE TO APPEAR

Any counsel or party appearing in propria persona who fails to timely file the Case Management Conference Questionnaire, to attend the conference or who fails to participate effectively in the conference shall be subject to the imposition of sanctions as provided in GC § 68608 (b), and CCP § 575.2.

It is the policy of the Superior Court of Glenn County to track and manage all cases from the moment the case is filed until disposition and to conclude all civil cases as expeditiously as possible.

(Effective 7/1/19)

C. DISPOSITION GOALS

1. It is the goal of the Court to conclude 75% of all Unlimited Jurisdiction Civil cases and 90% of Limited Jurisdiction Civil cases within 12 months of the filing of the complaint; 85% of all Unlimited Jurisdiction Civil cases and 98% of all Limited Jurisdiction Civil cases filed within 18 months of the filing of the complaint; and 100% of all civil litigation cases within 24 months of the filing of the complaint.
2. It is the policy of the Court that all civil cases, not court designated as 'complex' are presumed to be appropriate for a disposition goal of 12 months. The Court may modify this disposition goal at any time upon the showing of good cause.

(Effective 7/1/19)

D. HEARINGS

It is the policy of the court that unnecessary hearings, which tend to delay the progress of litigation be avoided. The Court urges counsel to meet and confer on disputed issues before motions are filed.

(Effective 7/1/19)

3.1 UNLAWFUL DETAINERS

A. Unlawful detainer plaintiffs shall attach to the complaint as exhibits true and correct copies of the written rental/lease agreement, if any, and all statutory notices served on the defendant(s).

(Effective 7/1/19)

B. Requests for defaults in which it does not appear from the Request for Entry of Default form and documentation submitted therewith that there has been full compliance with all applicable statutory procedures for notice and service thereof shall be rejected by the clerk and the matter set for hearing.

(Effective 7/1/19)

3.2 SETTLEMENTS AND SETTLEMENT CONFERENCES

A. SETTLEMENTS

1. Whenever a civil case has settled, counsel shall immediately notify the Court in writing. If a hearing, conference or trial is imminent, notice must be given orally to the assigned department followed by a confirmation in writing. The writing must specify when all closing papers will be filed with the Court. If a case settles within five (5) calendar days of the trial date, counsel shall have on file a dismissal, stipulated judgment, or a conditional settlement or make an appearance at the time and place designated for trial to place the settlement on the record. If a case settles before that time, counsel shall:

    a. Immediately give written notice to the Court, and;

    b. File a request for dismissal of the entire case within 45 days after the date of settlement of the case. If the plaintiff or other party require to serve and file the request for dismissal does not do so, the court must dismiss the entire case 45 days after it receives notice of settlement unless good cause is shown why the case should not be dismissed.

(Effective 7/1/19)

B. SETTLEMENT CONFERENCES

At this conference the parties shall:

1. Serve and file five (5) court days before the conference, a written statement of the facts, law and respective contentions of the parties.

2. Serve and file five (5) court days before the conference, a written statement of the facts, law and respective contentions of the parties.

(Effective 7/1/19)

C. SANCTIONS

If the Court determines that a party has not proceeded with due diligence or has otherwise failed to comply with the rule, the Court may impose sanctions as set forth in CCP§575.2.

(Effective 7/1/19)

3. 3 LAW and MOTION

A TELEPHONIC APPEARANCE ON LAW AND MOTION CALENDAR

(Rule 3.3(A) repealed effective 7/1/22, adopted effective 7/1/19)

B DISCOVERY

This Court will not accept for filing any discovery pleadings (i.e., interrogatories, requests for admissions) unless filed in support of motions to compel responses. Where the motion is one to compel further responses, the discovery will not be filed, but rather a statement as required by CRC, Rule 3.1345, shall be filed. Original depositions will not be accepted for lodging with the Court until the first day of trial or thereafter.

Papers to Comply with State Rules.

1. Moving, opposing and reply papers must be filed and served with the Court and parties within the time prescribed by law. The Court will not consider late filed papers unless good cause is shown.
2. All memoranda and other papers filed in support of, and in opposition to, motions shall comply with the requirements of the California Rules of Court.

(Effective 7/1/19)

C CLAIM OPPOSING FORFEITURE

No claim opposing forfeiture will be filed unless it contains proof of service on the claim on the District Attorney.

(Effective 7/1/19)

CHAPTER 4. PROBATE DEPARTMENT

4.0 GENERAL

A. PROBATE CALENDAR

The Probate and Guardianship Calendar is heard the first, second and third Monday of the month at 11:00 a.m., at the Willows Courthouse. All guardianship matters where temporary orders are being requested will be submitted to the judge for review and set for a hearing within twenty (20) days. All other probate matters will be calendared for hearing a minimum of sixty 60 calendar days after filing.

LPS and Conservatorships are heard the 1st and 3rd Fridays of each month at the Willows Courthouse.

(Effective 7/1/19, amended 7/1/20)

B. SCHEDULED HEARING DATES

All matters shall be set for hearing initially by the Clerk upon the filing of the first petition. All subsequent documents, which are required to be filed prior to a hearing, e.g., proof of service, proof of publication, proof of subscribing witness, etc., shall bear the hearing date.

(Effective 7/1/19)

C. POSTED NOTICE

Notices requiring the Clerk's posting are to be completed on a Judicial Council form of notice of hearing, together with all necessary copies, and filed concurrently with the petition. Said notices shall be posted within the courthouse.

(Effective 7/1/19)

D. PREPARATION OF ORDERS

Orders must be submitted to the Probate Division at least three (3) court days in advance of the scheduled hearing date. The hearing date shall be stated in the order. The proposed order shall be prepared on the assumption the petition will be granted, including requested fees. Orders submitted later will be reviewed and processed after the hearing and will generally be available the morning after the hearing.

(Effective 7/1/19)

E. COSTS OF INVESTIGATIONS

Court investigations will be conducted upon filing of a guardianship or conservatorship petition and at the time of each accounting. Charges will be assessed for each investigation and review pursuant to PROB § 1513.1 and shall be a lien on the estate until paid.

(Effective 7/1/19)

F. RECOVERY OF WAIVED FEES

Filing fees waived pursuant to CRC Rule 3.50 et seq and GC § 68633 are recoverable at the time of appointment of the guardian or conservator. If the guardian or conservator can reimburse the Court for waived fees, said fees shall be due and payable prior to the issuance of letters.

(Effective 7/1/19)

G. CONFIDENTIAL REPORTS

Any confidential report filed in a guardianship or conservatorship proceeding shall be filed as a separate document, shall contain the word **"CONFIDENTIAL"** in the caption, and shall be verified by the party presenting it.

(Effective 7/1/19)

4.1 APPOINTMENT OF EXECUTORS AND ADMINISTRATORS

A. FORMAL ORDERS

The proposed formal order for a noticed hearing shall be presented to the Clerk not less than two (2) judicial days prior to the scheduled hearing. Orders not so presented may not be signed at the time of the hearing.

(Effective 7/1/19)

B. ATTORNEYS FEES

Petitions, which include a request for statutory attorney's fees, must include a calculation of the way the fee is calculated.

(Effective 7/1/19)

4.2 GUARDIANSHIPS OF MINORS

A. APPOINTMENT OF GUARDIAN OF MINOR

1. The attorney for petitioner (or petitioner if in propria persona) shall be responsible for the mailing of all required notices.

2. If there are no relatives within the second degree, the petition shall so allege. A copy of the petition shall accompany each notice of hearing.

3. All petitions for appointment shall be set for a hearing no sooner than 30 days after filing.

4. There shall be no ex parte appointment of a permanent guardian.

5. Petitions for guardianship shall contain an allegation as to whether the minor(s) has been or is a party to a civil action in which monetary damages are claimed. If the minor(s) is such a party, the file number of the action must be indicated, as well as the name of the county in which the case is pending.

(Effective 7/1/19)

B. ORDER APPOINTING INVESTIGATOR

Pursuant to PROB §§ 1513, et seq. and 1543, Superior Court of California, County of Glenn requires an investigation and report when a petition for guardianship is filed. The required form of *Order Appointing Investigator* [GCSC PR-0001.]

(Effective 7/1/19)

C. NON-RELATIVE GUARDIANSHIP OF PERSON

If investigation is required pursuant to PROB § 1540, et seq., the petition for appointment of guardian shall be calendared a minimum of 45 days after filing in order to give the appropriate agency(ies) time within which to conduct the investigation.

(Effective 7/1/19)

D. EFFECT OF OTHER PROCEEDINGS

A guardianship of the person will not be granted by the Probate Court under any of the following circumstances:

1. Family Law Court has jurisdiction over custody of the proposed ward;
2. Adoption proceedings are pending; or
3. The minor is subject to the jurisdiction of the Juvenile Court.

(Effective 7/1/19)

4.3 CONSERVATORSHIPS

A. APPOINTMENT OF CONSERVATOR

1. The attorney for the petitioner (or the petitioner if in propria persona) shall be responsible for the mailing of all required notices. If there are no relatives within the second degree, the petition shall so allege. There shall be a separate proceeding for each person for whom the appointment of a conservator is sought. If there are relatives within the second degree whose whereabouts are alleged to be unknown, service upon any such relative at the county seat will be sufficient ONLY if a declaration is filed showing that reasonable efforts were made to locate such relatives.
2. All petitions for appointment shall be set for hearing no sooner than 45 days after filing.

(Effective 7/1/19)

B. PLACING PETITION ON CALENDAR

When a petition is filed, the Clerk shall set the same for hearing and upon presentation, issue the citation. If service of the citation is incomplete on the return date, it cannot be perfected by continuance and completion of service, except by issuance of an amended citation. In such circumstances, the original citation shall be filed showing no service.

(Effective 7/1/19)

C. TERMINATION OF CONSERVATORSHIP

1. A conservatorship may be terminated in the manner prescribed in PROB § 1860, et seq. Except in cases where the conservatee is deceased, a petition for termination of a conservatorship shall be set for hearing no sooner than 20 days after filing.

2. A petition for termination of conservatorship of a living person will not be granted unless the conservatee personally appears in court or is excused after the filing of a physician's affidavit or declaration setting forth the reasons why the conservatorship is no longer required.

(Effective 7/1/19)

CHAPTER 5. FAMILY LAW DEPARTMENT

5.0 HEARING AND TRIALS IN GENERAL

A. LAW AND MOTION CALENDAR

The Family Law and Motion Calendar is heard the 1st, 2nd and 3rd Thursdays of each month at 9:00 a.m.

Matters to be heard on the Family Law and Motion Calendar shall include the following: Requests for Orders, motions relating to enforcement or modification, and all other motions preliminary to trial.

(Effective 7/1/19, amended 7/1/20)

B. EX PARTE APPLICATIONS (FAMILY LAW/DOMESTIC VIOLENCE)

1. All ex-parte matters shall be conducted in strict accordance with CRC, rule 3.1200 et seq.
2. Any party seeking emergency orders ex-parte shall at the onset complete and file a Declaration Regarding Notice and Service of Request for Temporary Emergency (Ex Parte) Orders (Non-Domestic Violence) (JC FL-303). If for a Domestic Violence Case, the party seeking the emergency order shall complete and file a Declaration RE: Notice of Ex Parte Application for Order (GCSC FL-020). If the Court denies the request to waive notice, then notice must be given as outlined in CRC, rule 5.165.
3. The ex-parte applicant, or his or her counsel shall submit the ex parte application along with all supporting documents to clerk of the court. The judicial officer will set a hearing date and time if required.
4. Any responsive declarations shall be lodged in the court file until the ex parte hearing.

(Effective 7/1/19)

C. MATTERS EXCEEDING 15 MINUTES; SPECIAL SETTING

Hearings on the Law and Motion Calendar are limited to fifteen (15) minutes and are subject to further time limitations to accommodate the Court's calendar. In the event both parties in good faith believe that the matter cannot be completed in fifteen (15) minutes, they shall, at the time the matter is called, so inform the Court. The Court may set the matter on its long cause calendar or make such other order as may be appropriate under the circumstances.

(Effective 7/1/19)

D. FINANCIAL DECLARATIONS

In all matters in which the filing of an *Income and Expense Declaration* [JC FL150] or Financial Statement is required, the moving party shall file the *Income and Expense Declaration* [JC FL150], or Financial Statement with the papers seeking relief, and the opposing party will file the *Income and Expense* Declaration with the responsive papers.

(Effective 7/1/19)

E. MEET AND CONFER REQUIREMENT

No case set for long cause hearing or trial in the Family Law Department will be heard unless and until counsel, with their respective clients either physically present or immediately physically available, have met and conferred in a good faith effort to resolve all issues. All relevant documents shall be exchanged by counsel while conferring, absent good cause to the contrary. Failure to meet and confer may result in the matter being dropped from the calendar or continued, or rejection of documents not so exchanged, or other appropriate sanctions pursuant to these rules.

(Effective 7/1/19)

E. TELEPHONIC APPEARANCES (FAMILY LAW MATTERS)

[Repealed]*Rule 5.0(F)* (*repealed effective 7/1/22, adopted 7/1/19, amended 7/1/20)*

5.1 CHILD CUSTODY RECOMMENDING COUNSELING

A. SCOPE OF RULE

All proceedings relating to the custody or visitation of children shall be governed by FC § 3160, et seq., and the following rules. "Mediation," as used in these rules, means Orientation and/or Child Custody Recommending Counseling.

(Effective 7/1/19)

B. GOOD FAITH EFFORT

Parties shall make a good faith effort to arrive at an agreement regarding child custody or visitation before any court hearing.

(Effective 7/1/19)

C. GENERALLY

All cases involving custody and/or visitation issues will be subject to mediation, and the parties will be required to appear for mediation as requested by the court.

Failure to Appear at any Family Court Services appointment by a party who receives a notice of the appointment and fails to appear without good cause or who cancels within 48 hours of the appointment, shall result in a monetary penalty of $50 for the first such failure. The second failure to appear within one-year period shall result in an additional monetary penalty of $100. The court may order additional sanctions.

(Effective 7/1/19)

D. SCHEDULING OF INITIAL CHILD CUSTODY RECOMMENDING COUNSELING SESSIONS

California law requires that parties complete an orientation prior to mediation. Glenn County Superior Court utilizes an on-line orientation which parties are required to complete before their appointment.

Any party residing over 100 miles from the Court may with permission of the Court complete an intake packet prior to mediation with the packet to be returned to the court prior to the scheduled mediation.

(Effective 7/1/19)

E. SETTLEMENT REACHED

If the parties agree as to custody and visitation issues, no pending Mediation date(s) will be vacated unless an executed stipulation has been approved by the Court.

All parties filing a Request for Order related to custody and visitation of minor children are required to complete a parent orientation workshop prior to their mediation appointment unless the parties have completed a parent orientation video within two years prior to filing the Request for Order or other matter at issue.

(Effective 7/1/19)

F. PRIVACY OF CHILD CUSTODY RECOMMENDING COUNSELING SESSION; RECOMMENDATIONS

All mediation proceedings shall be held in private, with only the parties and the Counselor present.

Absent permission of the Court, attorneys for parties are not permitted to attend sessions. Counsel for the minor children may attend sessions with permission of all parties.

If agreement is not reached, the Counselor will provide a written report to the Court containing the Counselor's opinion and recommendations as to what parenting plan would provide for the best interests of the minor(s). The Counselor shall provide the court with written statements of the parties' positions; results of any investigation that has been conducted; summaries of statements taken by the Counselor; and the evidence upon which the Counselor is relying in forming his/her opinion as to what custody and visitation arrangement would provide for the best interests of the minor child (ren). This report shall be made available to the parties as soon thereafter as practicable, per FC 3186, subd. (a).

(Effective 7/1/19)

G. CHILD ABUSE AND/OR THREATS; CHILD AT RISK

All communications with the Counselor are confidential; however, required confidentiality does not limit reports of known or suspected child abuse, nor is the Counselor prevented from disclosing information involving a person who threatens injury or harm to the intended victim(s) and/or their property.

(Effective 7/1/19)

H. DOMESTIC VIOLENCE

In mediating cases with domestic violence allegations, special guidelines will be followed, and the parties may be interviewed separately. The battered spouse may, if requested, be accompanied in the mediation session by a support person who does not participate in the session. After both parties have been interviewed separately, they may be brought together only if both parties and the Counselor determine it to be safe for the victim.

If the domestic violence is disclosed in a regular mediation session where there was no prior indication, or if intimidation of one spouse by the other becomes

pparent to the Counselor, the parties may be separated and interviewed individually.

The Counselor will report to the Court on the existence of circumstances described in FC § 4320 (i).

(Effective 7/1/19)

I. COUNSELOR'S RECOMMENDATION FOR INVESTIGATION/EVALUATION

At any time during the mediation process, the Counselor may recommend to the Court that (a) an investigation and report be made pursuant to FC § 3110, et seq., (b) a referral be made pursuant to EC § 730, or (c) independent counsel be appointed for the child(ren) pursuant to FC § 3150.

(Effective 7/1/19)

J. TEMPORARY ORDERS PENDING MEDIATION

While the mediation process is ongoing, the Court may make temporary orders concerning custody and visitation until the mediation process is completed.

(Effective 7/1/19)

K. PEREMPTORY CHALLENGE

Counselors and other staff members and employees of the Court, with the exception of Court Investigators, are not subject to peremptory challenge by the parties or their attorneys.

(Effective 7/1/19)

L. NO TESTIMONY

If mediation is unsuccessful, the Counselor shall not be subject to being subpoenaed to testify in Court on the law and motion calendar, absent permission of Court. However, the Counselor may be subpoenaed to testify in Court subject to compliance with Gov. Code §68097.1, et seq. and upon ten (10) court days' notice to the Counselor and the Court unless good cause is shown to shorten notice. A subpoena fee of $275.00 is required.

(Effective 7/1/19)

M. CONFIDENTIALITY OF REPORT

In any proceeding involving custody or visitation of minor children, any written report or recommendation from the Counselor, an investigator, or any person appointed by the Court to render a report shall be confidential and unavailable to any persons except the Court and court staff, the parties or attorney(s) of record for parties, and any persons to whom the Court expressly grants access by written order made with prior notice to all parties. No person who has access to a report shall make copies of i

nor disclose its contents to any child who is the subject of the report.

Upon completion of the hearing or upon settlement of the matter, all reports shall be placed in the confidential portion of the Court file.

(Effective 7/1/19)

N FILING OF AGREEMENT

If the parties reach agreement on a Parenting Plan, the original Plan shall be presented to the Court. The Court shall review the Plan. Subject to the Court's approval, whether as reflected upon the clerk's minutes or by Order After Hearing, the Plan shall become the order of the Court and shall be filed in the Court file. The Plan shall not be treated as confidential in nature.

(Effective 7/1/19)

O. GRIEVANCES

Grievances relating to mediation services, investigator and facilitator shall be presented to the Court Executive Officer. *Complaint Form* [AD-050]

(Effective 7/1/19; Amended 1/1/20)

P. REQUESTS TO CHANGE MEDIATORS

Requests to change mediators shall be addressed to the Court Executive Officer.

(Effective 7/1/19)

5.2 EVALUATIONS

A. PURPOSE AND INTENT

It is the Court's intent to establish principles and standards to provide each family and the Court with accurate, comprehensive, and constructive information regarding the best interest of the child in a way that promotes understanding and cooperation within the family, and to adopt the best possible plan relating to duties and responsibilities of parents in raising their children. When the care and upbringing of a child are contested issues, the quality, and conduct of an evaluation is of the utmost im

rtance for the well-being of the child and for society at large. Whenever possible and appropriate, multiple examinations of the child by different examiners shall be avoided.

(Effective 7/1/19)

B. COURT-ORDERED EVALUATIONS

1. All custody evaluations must comply with California Rules of Court 5.220 et. seq.
2. The court may appoint an evaluator under Evidence Code section 730 or Family Code section 3110.
3. Evaluators must meet the education, experience and training standards set forth in Family Code section 3110.5, California Rule of Court 5.225, and 5.230.
4. No peremptory challenge to a Court-appointed evaluator is allowed.
5. Evaluators may petition to withdraw from a case by submitting a request in writing to the court and mailing copies to counsel for the parties, or to the parties if they are unrepresented. The request shall include the reason for the request and a status report on any action taken by the evaluator appointed to the case.
6. Grievances in connection with court-ordered evaluations shall be presented, in writing, to the Court within five (5) days of the receipt of the report and such grievances shall be addressed at the scheduled custody hearing. Complaint Form [GCSC AD-050]
7. Ex parte Communication
    a. In the absence of a stipulation, ex parte communications by the attorneys with the evaluator are prohibited, except to schedule appointments. After the first appointment, no party or attorney for a party may initiate one-sided contact with the evaluator. The evaluator may contact the parties at any time.
    b. An attorney for a party or minor's counsel must not provide the evaluator with documents or unsolicited comments pertaining to the case, without first providing the other side and minor's counsel, if any, with a copy of those documents at least 72 hours in advance, plus an additional five (5) days for mailing so that any objections to submission may be addressed. After 72 hours from receipt has elapsed, unsolicited comments may only be presented by the scheduling of a conference call involving all parties.
    c. The evaluator may initiate an ex parte communication with the Child Custody Recommending Counselor to obtain copies of the court file, any previous reports, or investigations, and to obtain necessary addresses.
8. A copy of the appointment of the evaluator under Evidence Code section 730 will be made available to the court assigned evaluator. A court ordered evaluation may be limited in scope to the issues identified by the Court.
    a. The Court determines and allocates between the parties any fees or costs of the evaluation.

(Effective 7/1/19; Amended 1/1/2020

C. EVALUATION REPORT/CONFIDENTIALITY

The Court shall establish a specific date the evaluator shall return the report to the Court, which shall be not less than ten (10) days prior to hearing. The date may be extended by order of the Court or by written agreement of the parties with Court approval. The evaluation report shall be in writing and shall be admissible into evidence subject to cross-examination and motions to strike. The report shall be distributed to the Court and the parties or their counsel of record, and shall not be distributed to minor children, except upon a showing of good cause and order of the court. The report and information contained in the report shall be used only in the legal proceedings and for no other purpose and shall not be copied or disseminated in any fashion by the parties absent order of the court. Upon completion of the hearing or upon settlement of the matter, the Court's copy of the reports shall be placed in the confidential portion of the court file.

The recipient shall be advised in writing of the confidentiality of the report and the potential consequences for unwarranted disclosure per FC 3111 and CRC 5.220(i)A. (JC form FL-328)

(Effective 7/1/19)

D. UNAUTHORIZED REMOVAL OF REPORT

Unauthorized removal of the evaluator's report from the Court file or the jurisdiction of the Court is a felony [GC § 6200, et seq.]

(Effective 7/1/19)

E. TESTIMONY OF EVALUATOR

The Evaluator must receive a subpoena at least five (5) court days prior to the hearing or trial, unless good cause is shown.

(Effective 7/1/19)

5.3 INVESTIGATIONS

A. PURPOSE AND INTENT

The Court orders investigations to assist it in determining the health, safety, welfare, and best interests of children with respect to disputed custody and visitation issues.

(Effective 7/1/19)

B. COURT-ORDERED INVESTIGATIONS

All investigators shall meet the requirements of CRC, **r**ule 5.225.

(Effective 7/1/19)

C. PEREMPTORY CHALLENGE

Peremptory challenges to an investigator appointed by the Court shall not be permitted.

(Effective 7/1/19)

D. INVESTIGATION REPORT/CONFIDENTIALITY

The Court shall establish a specific date the investigator shall return the Child Custody Investigation report to the Court, which shall be not less than ten (10) days prior to hearing. The date may be extended by order of the Court or by written agreement of the parties with Court approval.

Partial **i**nvestigation reports shall be provided to the parties at the time designated by the Court.

Upon reaching an agreement regarding child custody and visitation in mediation, a copy of the Mediated Agreement, signed by all parties and the Counselor, shall be provided to the parties before leaving mediation.

All Child Custody Investigation reports and Child Custody Recommendations of the Counselor shall be in writing and shall be admissible into evidence subject to cross-examination and motions to strike. The report shall be distributed to the Court and the parties or their counsel of record, and sh

ll not be distributed to minor children, except upon a showing of good cause. The report and information contained in the report shall be used only in the legal proceedings and for no other purpose. Upon complet

on of the hearing or upon settlement of the matter, all reports shall be placed in the confidential portion of the Court file.

(Effective 7/1/19)

E. UNAUTHORIZED REMOVAL OF REPORT

Unauthorized removal of the investigator's report from the Court file or the jurisdiction of the Court is a felony [GC § 6200, et seq.]

(Effective 7/1/19)

F. TESTIMONY OF INVESTIGATOR

The Investigator must receive a subpoena at least five (5) court days prior to the hearing or trial, unless good cause is shown.

(Effective 7/1/19)

G. GRIEVANCES

Grievances in connection with court-ordered investigations shall be presented, via *Complaint,* (Local Form Number AD-050) in writing, to the Court Executive Officer within five (5) days of receipt of the report.

(Effective 7/1/19)

5.4 COURT APPOINTED COUNSEL FOR CHILD

Complaints regarding the performance of a court-appointed counsel for a child shall be in writing and addressed to the Court Executive Officer. The Court Executive Officer of his/her designee, in consultation with the Family Law Judge, will investigate, evaluate and respond to the complaint in due course.

(Effective 7/1/19)

5.5 PENALTY

A. Any party who has received reasonable notice of and fails to attend and complete orientation without good cause or who cancels within 48 hours of the appointment shall be assessed a $50 monetary penalty for the first violation. The court may assess a $100 monetary penalty for each subsequent failure. The court may order additional sanctions.

(Effective 7/1/19)

B. Any party who has received reasonable notice of and fails to attend and complete mediation (child custody recommended counseling) without good cause or who cancels within 48 hours of the appointment shall be assessed a $50 monetary penalty for the first violation. The court may assess a $100 monetary penalty for each subsequent failure. The court may order additional sanctions.

(Effective 7/1/19)

C. Any party who has received reasonable notice and fails to comply with any court-ordered drug test shall be assessed a $50 monetary penalty for the first violation and may be assesses an additional $100 monetary penalty for each subsequent failure. The court may order additional sanctions.

(Effective 7/1/19)

D. Any party who fails to sign releases of information necessary for FCS investigations/evaluation shall be assessed a fee of $50 for the first failure, $100 for the second and any subsequent failures. The court may order additional sanctions.

(Effective 7/1/19)

E. Any party who fails to timely complete investigative packets without good cause shall be subject to a $50 monetary penalty for the first failure and $100 for any additional failures. The court may order additional sanctions.

(Effective 7/1/19)

F. Any party who fails to timely report to Glenn County Court Collections when ordered to do so without good cause shall be subject to a $50 monetary penalty for the first failure and $100 for any additional failures. The court may order additional sanctions.

(Effective 7/1/19)

5.6 STIPULATION MODIFYING EXISTING ORDER

In any family matter in which a modification of an existing order is sought by stipulation, the stipulation must be signed by both parties and their respective attorneys, if represented by counsel, and minor's counsel, if minor's counsel has been appointed. The stipulation shall then be presented to the court along with appropriate filing fees.

(Effective 7/1/19)

5.7 UNCONTESTED TRIALS-DOCUMENTS REQUIRED

If the Court determines that an uncontested matter is to be set for hearing, the following documents shall be filed:

A. Either (1) a Request to Enter Default and supporting declaration in the form prescribed by the Judicial Council or (2) an executed written stipulation that the matter may be treated on an uncontested basis; and

(Effective 7/1/19)

B. Current Income and Expense Declaration and Property Declaration forms, completed as prescribed by the Judicial Council, infra, unless excused by FC § 2330.5.

(Effective 7/1/19)

C. At the hearing of the uncontested matter, counsel shall provide to the Judge the original of the proposed judgment, including any marital settlement agreement. In the event of a stipulated judgment, the stipulation must be signed by both parties and their respective attorneys, if represented by counsel. At the option of counsel, blank spaces may be left for insertion of the amount of child and spousal support.

(Effective 7/1/19)

5.8 CONTESTED TRIALS

A. PURPOSE OF RULES; DUTIES OF COUNSEL

The purpose of this rule is to ensure that contested family law matters are thoroughly prepared and expeditiously tried, and to avoid using the trial itself as a vehicle for what should be pretrial deposition, discovery, and settlement procedures. Counsel, vested with full authority from their clients to dispose of these matters, shall confer in good faith to review the pretrial statements required by these rules prior to the time set for any settlement conference and/or trial in order that, to the fulle

extent possible, issues can be resolved by stipulation and those issues remaining for determination by the Court can be clearly delineated.

(Effective 7/1/19)

B. AT-ISSUE MEMORANDUM

An At issue Memorandum [GCSC FL-050] shall be filed and served before any contested case will be set for trial, unless the court sets the trial date in open court with all parties present. The filing of an At Issue Memorandum will result in the Calendar Clerk scheduling a status conference and a trial date, provided that both parties have completed final disclosure.

If both parties have not completed final disclosure and filed declarations pursuant to FC § 2105 [JC Form FL-141] or waivers of final disclosure pursuant to FC § 2105(d) [JC Form FL-144], the Calendar Clerk shall notice all parties and set a status conference where the Court will set the trial date.

If custody and visitation issues have not been resolved, during status conference, the Court will refer the case to mediation.

Absent permission of the Court, no case will be set for trial until both parties have either filed declarations re: final declarations of disclosure pursuant to FC § 2105 or filed waivers of final disclosure pursuant to FC § 2105(d).

At the status conference, the Court will set the matter for trial, relying upon the time estimation that is provided by the parties. The Court will not continue the trial absent noticed motion and a showing of good cause, or stipulation by all counsel approved by the court. Any motion to continue must be filed and timely served prior to the trial date.

During trial, if the parties exceed their time estimation, the remainder of the trial may be reset.

(Effective 7/1/19)

C. STATEMENT OF ISSUES, CONTENTIONS, AND PROPOSED DISPOSITION OF THE CASE

1. Where a matter is set for contested trial/hearing, either short or long cause, both parties shall file and serve at least five (5) court days prior to the trial/long cause date, the following:

    a. A statement of the issues (disputed and undisputed), contentions, and proposed disposition of the case.

b. A current income and expense declaration, if either support or attorney's fees are at-issue.

c. An updated statement of assets and debts, if additional assets or debts have been discovered.

d. A witness list in which counsel may utilize the non-mandatory JC form FL-321, specifying for each witness, his/her name, address, contact telephone number, and a brief summary of the witness' expected testimony. Only disclosed witnesses will be permitted to testify at trial, except for rebuttal witnesses or for good cause shown.

e. A list of Exhibits with legible copies to be exchanged with opposing counsel. Only disclosed exhibits will be permitted to be offered at trial, except for good cause shown.

f. Supporting documentation regarding any request for a needs-based award of attorney's fees, including, but not limited to billing/statements.

2. A Failure to do so by both sides may result in the matter being dropped from the trial or settlement conference calendar.

3. Failure by one party may allow the complying party to continue the cause and/or sanctions to be imposed, as permitted by law;

4. Failure of any party to specify an issue in dispute in a statement of issues may result in an issue sanction (no evidence may be presented relating to omitted issues) or other sanction at the hearing or trial.

(Effective 7/1/19)

2. TRIAL BRIEF AND REPLY BRIEF

Trial and reply briefs shall include a full and complete statement of property and income and expenses, and shall set forth the following information in the following order, as it applies to the party filing, except as hereafter provided:

(Effective 7/1/19)

3. SEPARATE PROPERTY

List each item of separate property, the year it was acquired, the basis upon which it is claimed as separate rather than community property, the current market value, the nature, extent and terms of payment of any encumbrance against the property, and manner in which title thereto is presently vested, and the relevant title data.

(Effective 7/1/19)

4. COMMUNITY PROPERTY

List each item of community property, the year it was acquired, the basis upon which it is claimed as community rather than separate property, the current market value, the nature, extent and terms of payment of any encumbrance against the property, the manner in which title thereto is presently vested, and the record title data.

(Effective 7/1/19)

5. FUNDS HELD BY OTHERS

To the extent that either separate property or community property consists of funds held by others, such as insurance policies, pensions, profit sharing or other trust or retirement funds, the statement shall fully identify the policy or fund, including policy, serial or account numbers, the present values and basis for calculations and all terms or conditions imposed upon withdrawal of such funds. If any loans exist against any of these funds, details regarding those loans should be set forth.

(Effective 7/1/19)

6. TRACING

If a segregation of community property and separate property interests in a single asset is to be an issue in the case, the statement shall set forth in detail, with dates, values, and dollar amounts, the transactions relevant to the tracing issue, as well as the basis for computation or proration.

(Effective 7/1/19)

7. CURRENT OBLIGATIONS

Separately list all debts and obligations of the spouses, which are liabilities of the community and, so far as known, debts, and obligations, which are alleged to be the separate liabilities of the respective spouses. Specify the identity of the creditor, the purpose for which the debt was incurred, the

balance currently due thereon, the terms of payment and the security, if any, held by the creditor.

(Effective 7/1/19)

8. CURRENT INCOME AND EXPENSE

Specify and set forth current income and expenses by completing and filing the form adopted for mandatory use, Judicial Council of California, Form FL-150 prescribed by CRC, rule 5.112.1. Previously **filed** Income and Expense Declarations shall not be considered as compliance with this requirement.

(Effective 7/1/19)

9. PROPOSAL FOR PROPERTY DIVISION AND SUPPORT

Set forth a proposed equal division of community property of the parties, giving due consideration to the liabilities, costs and attorney's fees. In addition, specify each party's contentions as to child custody and visitation, and as to amount and duration of child and spousal support.

(Effective 7/1/19)

10. EVIDENCE

The court does not receive telephones or computers into evidence. If a party wishes to submit evidence obtained from an electronic device it must be printed out, in the case of text messages or social media texts or copied onto a disc in the case of videotapes for receipt into evidence, after proper authentication. The parties must comply with applicable evidentiary and discovery statutes and the applicable Rules of Court**.**

(Effective 7/1/19)

11. JUDGMENTS - DUTY TO PREPARE

After a contested trial, the petitioner, or other party directed by the Court, shall prepare the judgment in accordance with the Court's decision and shall submit it to opposing counsel for signature under the legend, "Approved as Conforming to Court Order." If not so approved, the preparing party shall submit the proposed judgment to the Trial Judge with a cover letter explaining why it was submitted without such approval and showing that a copy of said correspondence has been sent to opposing counsel.

(Effective 7/1/19)

5.9 CONTINUANCES

Continuances for Family law by stipulation shall be submitted at least two court days prior to the scheduled Court trial/hearing (GCSC FL-030) submitted to the Court for its Order approving or denying the continuance. A continuance fee shall be paid to the Court Clerk's office at the time of filing.

(Effective 7/1/19)

5.10 STEPPARENT VISITATION

Pursuant to FC § 3101, a stepparent may petition for visitation utilizing local forms: *Petition for Stepparent Visitation and Notice of Hearing re Petition for Stepparent Visitation (*Local Form Number FL-040**).** Pursuant to CRC, rule 5.24 a stepparent or grandparent must also file a request for joinder and serve summons on joinder if the petition is filed in a dissolution proceeding.

(Effective 7/1/19)

5.11 GRANDPARENT VISITATION

Pursuant to FC § 3103, a grandparent may petition for visitation utilizing local forms: *Petition for Grandparent Visitation (Dissolution Action Filed), and Notice of Hearing and Petition for Grandparent Visitation (No Dissolution Action Filed) and Notice of Hearing (*GCSC FL-045, FL-046). Pursuant to CRC, rule 5.24, a stepparent or grandparent must also file a request for joinder and serve summons on joinder if the petition is filed in a dissolution proceeding.

(Effective 7/1/19)

5.12 FAMILY LAW FACILITATOR

As required by the Family Law Facilitator Act, FC § 10000, et seq. this Court maintains an Office of the Family Law Facilitator. Pursuant to FC § 10005, this Court may designate certain additional duties of the Family Law Facilitator.

(Effective 7/1/19)

5.13 COMMUNICATIONS REGARDING CRIMINAL PROTECTIVE ORDERS AND CHILD CUSTODY/VISITATION ORDERS

Courts issuing criminal protective orders shall make reasonable efforts to determine whether any child custody, visitation order or domestic violence order exist that involve any party to the pending criminal action. Court staff shall, at a minimum, check reasonably available resources to determine such information. Courts issuing orders involving child custody or visitation shall make reasonable efforts to determine whether a criminal court protective order exists that involves any party to the pending c

il action. Court staff shall, at a minimum, check reasonably available resources to determine such information. A court that has issued a criminal protective order may, after consultation with a court that has issued a subsequent child custody or visitation order, modify the criminal protective order to allow or restrict contact between the person restrained by the order and his or her children and also modify the domestic violence restraining order regarding issues not previously addressed.

CHAPTER 6. CRIMINAL LAW DEPARTMENT

6.0 TRIAL READINESS CONFERENCE

A Trial Readiness conference shall be set prior to the scheduled trial date. It is the standing order of the Court that trial counsel shall appear at the conference and shall be prepared to meaningfully participate to accurately represent the status of trial readiness, including but not limited to witness availability, counsel's scheduling problems, and any other matters which could impact the ability of the case to commence trial as scheduled. It is the further standing order of the Court that if, due to the counsel's unavailability, any other attorney appears on behalf of counsel at the conference, trial counsel will ensure that the attorney appearing on his or her behalf is prepared to meaningfully participate in the conference as required by this rule, and any attorney so appearing on behalf of trial counsel shall be under an affirmative duty to so acquaint him or herself with the case so as to be able to meaningfully participate. "Meaningfully Participate," as used in this rule, expressly means possessing full authority to dispose of the case.

(Effective 7/1/19)

6.1 DISCOVERY

Discovery in criminal actions is reciprocal in nature and is governed by PC §§ 1054 through 1054.7. There shall be a standing order in each criminal action requiring all parties and their attorneys to comply with PC §§ 1054-1054.7. The order is deemed to have been made and communicated to all counsel at the time of arraignment.

Before a party may seek court enforcement of any of the disclosures required by law, the party shall make an informal request of opposing counsel for the desired materials and information in the manner required by Penal Code section 1054.5(b). Failure to make such request shall be grounds for denial of a discovery motion. Informal requests should be presented to opposing counsel in writing.

Motions for discovery shall be focused upon specific items, which remain in dispute after presentation of informal requests. "Boilerplate" discovery motions are disfavored. Counsel shall meet and confer before the hearing of any discovery motion in a good faith effort to resolve or narrow the disputed issues.

(Effective 7/1/19)

6.2 CONTINUANCES

No matters will be continued, even by stipulation of the parties, except with the approval of the Court for good cause shown. Compliance with PC § 1050 is required unless excused by the Court.

(Effective 7/1/19)

6.3 JURY INSTRUCTIONS

The People and the defense shall, in each case, lodge copies of proposed jury instructions with the clerk no later than two (2) days before the swearing of the jury. Compliance with this procedure is without prejudice to later requests to add or withdraw proposed instructions.

(Effective 7/1/19)

6.4 EVIDENCE AT VEHICLE INFRACTION TRIALS

Pursuant to VC § 40901, at the trial of any alleged infraction involving violation of the Vehicle Code or any local ordinance enacted pursuant to the Vehicle Code testimony and other relevant evidence may be introduced in the form of a notice to appear issued pursuant to § 40500 of the VC and, notwithstanding Division 10, commencing with § 1200 of the EC, a business record or receipt.

(Effective 7/1/19)

6.5 LODGING OF SPEED SURVEY EVIDENCE

Insofar as the prosecution has the burden as part of its prima facie case of establishing that the evidence at trial is not based on a speed trap (*People v. Peterson* (1986) 181 Cal.App.3d.Supp.7, 8) the Clerk will make available a place for the lodging of certified copies of traffic surveys. This arrangement is an accommodation only and ensuring that the lodged surveys are current is not the

responsibility of the Court.

(Effective 7/1/19)

CHAPTER 7. JUVENILE LAW DEPARTMENT

7.0 JUVENILE LAW DEPARTMENT CALENDAR

A. COMPETENCY REQUIREMENT

Absent a knowing and intelligent waiver by the represented party, all attorneys appearing in juvenile dependency proceedings must meet the minimum standards of competence set forth in these rules CRC 5.660(d). Except as specified, these local rules are applicable to attorneys representing public agencies, attorneys employed by public agencies, attorneys appointed by the court to represent any party in a juvenile dependency proceeding, and attorneys who are privately retained to represent a party in a juv

ile dependency proceeding.

(Effective 7/1/19)

B. SCREENING AND CERTIFICATION

A. Any attorney appointed by the court in a dependency matter must complete and submit to the court a Declaration of Certification of Attorney Competency on Local Form JV-020 within 10 days of his or her first appointment.

B. Attorneys who meet minimum standards of training and/or experience as set forth in these rules, as demonstrated by the information contained in the Certification of Competence submitted to the court, shall be deemed competent for appointment by the juvenile court in dependency cases except as provided in subdivision (b)(ii) of the Rule.

C. Notwithstanding the submission of a Certificate of Competence demonstrating the attorney has met the minimum standards for training and/or experience, the court may determine, based on conduct or performance of counsel before the court in a dependency proceeding, that a particular attorney does not meet the minimum competency standards. In such case, the court shall proceed as set forth in GCRC.

D. In the case of an attorney who maintains his or her principal office in a California county other that Glenn County, proof of certification by the juvenile court of the county in which the attorney maintains an office shall be sufficient evidence of competence to be appointed to represent a child or party in a juvenile proceeding in Glenn County.

E. Any attorney appearing before the court in a dependency matter must disclose if he/she does not meet the competency requirement set forth in these rules and CRC 5.660(d). The

Court may, in its discretion, require evidence of competency at any time.

(Effective 7/1/19; Amended 1/1/2020)

C. MINIMUM STANDARDS OF EDUCATION AND TRAINING

Each attorney appearing in a dependency matter before the juvenile court must meet one of the following requirements:

A. Has completed the minimum training and education required by CRC 5.660 (d)(3); or

B. Has sufficient recent experience in dependency proceeding in which the attorney has demonstrated competence. In determining whether the attorney has demonstrated competence, the court shall consider whether the attorney's performance has substantially complied with the requirements of these rules.

C. Every three years, attorneys who meet the education or experience requirements set forth in subsection (c)(i) must complete at least eight (8) hours of continuing education related to dependency. Attorneys appointed by the court to represent parties in juvenile dependency proceedings must submit a new Certification of Competence to the court. If an appointed attorney fails to submit a new Certification of Competence demonstrating compliance with the continuing education requirement, the court shall notify the attorney the he or she will be decertified.

Said attorney shall have 20 days from the date of the mailing of the notice to submit evidence of his or her completion of the required education. If the appointed attorney fails to submit the required evidence or fails to complete the required minimum hours of continued training or education, the court may order that certified counsel or counsel compliant with this Rule be substituted for the attorney.

(Effective 7/1/19)

D. STANDARDS OF REPRESENTATION

All attorneys appearing in juvenile dependency proceedings must meet the minimum standards of representation set forth in CRC 5.660(d)(4).

(Effective 7/1/19)

E. ATTORNEY CONTACT INFORMATION

All attorney's representing children in dependency proceedings shall provide their contact information as required by CRC 5.660 (d)(5).

(Effective 7/1/19)

F. ATTORNEY CASELOAD

An attorney representing a child in a dependency proceeding must have a caseload that allows the attorney to perform the duties required by Welfare and Institutions Code section 317 (e) and CRC 5.660 and meet the requirements of CRC 5.660 (d)(3)-(5).

(Effective 7/1/19)

G. PROCEDURES FOR REVIEWING AND RESOLVING COMPLAINTS

Any party's complaint regarding his or her appointed attorney must be in writing and addressed to the Court Executive Officer. A complaint may be lodged on a child's behalf by a social worker, caretaker, relative, or foster parent. Complaints shall be as specific as possible in describing what the attorney did or did not do. The Court Executive Officer of his/her designee, in consultation with the Presiding Judge, will investigate, evaluate and respond to the complaint in due course. Nothing in these rules precludes any person or public agency from pursing rights afforded them by any other statute or rule of law.

(Effective 7/1/19)

H. PROCEDURES FOR INFORMING THE COURT OF THE INTEREST OF A DEPENDENT CHILD

1. At any time during the pendency of a dependency proceeding, any interested person may notify the court that the minor who is the subject of the proceeding may have an interest or right that needs to be protected or pursued in another judicial or administrative forum. If counsel for the minor becomes aware that the minor may have such a right or interest, counsel for the minor shall notify the court as soon as reasonably possible.
2. Notice may be given by the filing and service on all parties of a declaration. The person giving notice shall set forth the nature of the interest or right that needs to be protected or pursued, the name and address, if known, or the administrative agency or judicial forum in which the right or interest may be affected, and the nature of the proceeding being contemplated or conducted there.
3. If the person filing the notice is the attorney for the child, the motion shall state what action on the child's behalf the attorney believes is necessary, whether the attorney is willing or able to pursue the matter on the child's behalf, whether the association of counsel specializing in practice before that agency or court may be necessary or appropriate, whether the appointment of guardian ad litem may be necessary to initiate or pursue the proposed action, whether joinder of an administrative agency to the juvenile court proceedings

pursuant to Welfare and Institutions Code section 362 may be appropriate or necessary to protect or pursue the child's interest, and whether further investigation may be necessary.

4. If the person filing the notice is not the attorney for the child, a copy of the notice shall be served on the attorney for the child, or, if the child is unrepresented, the notice shall so state.

5. If the court determines that further action on behalf of the child is required, the court shall do one or more of the following:

    a. Authorize the child's attorney to pursue the matter on the child's behalf;

    b. Appoint an attorney for the child if the child is unrepresented;

    c. Notice a joinder hearing pursuant to Welfare and Institutions Code section 362 compelling the responsible agency to report to the court with respect to whether it has carried out its statutory duty with respect to the child;

    d. Appoint a guardian ad litem for the child for the purpose of initiating or pursuing appropriate action in the other forum(s); and/or

    e. Take any other action the court deems necessary or appropriate to protect the welfare, interests, and rights of the child.

(Effective 7/1/19)

6. TIMELINES

Attorneys for parties are required to adhere to the statutory timelines for all hearings. Requests for continuances shall be in writing unless waived by the court for good cause. Time waivers will be accepted, and continuance granted only on a showing of good cause.

(Effective 7/1/19)

7. GUARDIAN AD LITEM

In proper cases, the court will appoint an attorney as guardian ad litem.

(Effective 7/1/19)

7.1 CONTESTED MATTERS: TIMELINE AND PROCEDURES

A. PRE-HEARING DISCOVERY

a. Informal Discovery: Pre-hearing discovery shall be conducted informally under the procedures set forth in CRC 5.546.

b. Motions: All parties shall meet and confer in good faith on any and all discovery issues prior to filing a pre-hearing discovery motion. Only after all informal means have been eliminated may a party petition the court for discovery by way of motion pursuant to CRC 5.546(f). The date for the hearing shall be obtained from the Court Clerk, Juvenile Division. A discovery motion under this Rule shall be filed and served on all parties at least five (5) court days before the hearing. Any responsive papers shall be filed and served two (2) court days prior to the hearing.

(Effective 7/1/19)

B. PRESENTATION OF EVIDENCE

Social Study Reports prepared by CPS shall be filed with the court and made available to all counsel before the hearing in accordance with the following time limitation, unless otherwise ordered by the court:

1. Jurisdictional Reports shall be filed a reasonable time before the hearing.
2. Dispositional Reports shall be filed at least 48 hours before the hearing.
3. Reviews of Family Reunification, Family Maintenance and Permanent Plans shall be filed at least ten (10) calendar days before the hearing.
4. Addenda, Status Reports, and all other reports shall be filed a reasonable number of days before the hearing.

If the Social Study Report is not timely filed or made available to all counsel, then any affected party or the court may request a continuance of the hearing to the extent permitted by law.

The names of experts to be called by any party and copies of their reports shall be provided to all counsel at least ten (10) calendar days before the hearing.

Witness lists shall be filed with the court and provided to all counsel at least 48 hours prior to the hearing.

In order to eliminate unnecessary delays, counsel shall confer regarding contested issues at least one court day prior to the hearing.

(Effective 7/1/19)

C. SETTLEMENT CONFERENCES

Settlement conferences shall be calendared and held prior to the jurisdictional hearing by court order at the convenience of the parties, if the court deems them necessary. The trial attorneys and their clients shall be present at the settlement conference, unless excused by the court. A representative of CPS with authority to settle cases shall be present at the settlement conference.

(Effective 7/1/19)

7.2 COURT-APPOINTED SPECIAL ADVOCATES

A. Establishment of CASA Program

1. The court hereby adopts as a Local Rule of Court the guidelines for court-appointed special advocate (CASA) programs set forth in Welfare and Institutions Code Sections 100-109 and California Rules of Court, Rule 5.655, by incorporation
2. The court may appoint child advocates (Special Advocates) to represent the interests of dependent children. In order to qualify for appointment, the Special Advocate must be trained by and function under the auspices of CASA program formed and operating under the guidelines adopted in subsection (a), above.
3. The CASA program shall report regularly to the Presiding Judge of the Juvenile Court with evidence that it is operating under the guidelines for CASA programs.
4. The CASA program and all Special Advocates appointed under this Local Rule of Court shall comply with the confidentiality requirements of California Rules of Court, Rule 5.655, subdivision (d).

B. Duties of Special Advocates

1. A Special Advocate is an officer of the court and is bound by these rules. Each Special Advocate shall be sworn in by a judge or court commissioner before beginning his or her duties and shall subscribe to a written oath. Special Advocates serve at the pleasure of the court having jurisdiction over the proceeding in which the Special Advocate has been appointed.
2. In general, a Special Advocate's functions are as follows:
    a. To support the child throughout the court proceeding;
    b. To establish a relationship with the child to better understand his or her particular needs and desires;
    c. To communicate the child's needs and desires to the court in written reports and recommendations;
    d. To identify and explore potential resources which will facilitate early family reunification or alternative permanency planning;
    e. To provide continuous attention to the child's situation to ensure that the court's plans for the child are being implemented;
    f. To the fullest extent possible, to communicate and coordinate efforts with the case manager (probation officer or social worker);
    g. To the fullest extent possible, to communicate and coordinate efforts with the child's attorney; and
    h. To represent the interests of the child in other judicial or administrative

proceedings

3. Specific Duties. In its initial order of appointment, and thereafter in subsequent orders as appropriate, the court may specifically delineate the Special Advocate's duties in each case, including interviewing and observing the child and other appropriate individuals, reviewing appropriate records and reports, consideration of visitation rights for the child's grandparents and other relatives, and reporting back directly to the court as indicated. If no specific duties are outlined by the court order, the Special Advocate shall discharge his or her obligation to the child and the court in accordance with the functions set forth in section 7.2(B)(b), above
4. Report of child abuse. A Special Advocate is a mandated child abuse reporter with respect to the case in which he or she is appointed.
5. Visitation throughout dependency. A Special Advocate shall regularly visit the child to whose case he or she has been appointed. The Special Advocate shall monitor the case as appropriate until dependency is dismissed.
6. Communication. There shall be ongoing, regular communication concerning the child's best interest, current status, and significant case developments, maintained among the Special Advocate, case manager, child's attorney, attorneys for parents, relatives, foster parents, and therapist for the
7. child.
8. Family law advocacy. Should the court dismiss the dependency action and create family law court orders pursuant to Welfare and Institutions Code section 362.4, the Special Advocate's appointment may be continued in the family law proceeding, in which case the court order shall set forth the nature, extent and duration of the Special Advocate's duties in the family law proceeding.

C. Rights of special advocates.

1. To accomplish the appointment of a Special Advocate, the judge or commissioner making the appointment shall sign an order granting the Special Advocate the authority to interview parties involved in the case, as well as persons having significant information relating to the child, to the same extent as any other officer appointed to investigate proceedings on behalf of the court. Upon appointment, a Special Advocate shall have the right to inspect and copy records relating to the child he or she is appointed to represent that are in the possession of the child's case manager (social worker or probation officer). Pursuant to Welfare & Institutions Code section 107, the Special Advocate may be granted access to records regarding the child that are not in the possession of the case worker upon further order of the court. The Special Advocate shall present the further order of the court and his or her identification as a Court Appointed Special Advocate to the holder of any such records in support of his or her request for access to specific records. No consent from the parent or guardian is necessary for the Special Advocate to have access to any records relating to the child.
2. The moving party shall provide the Special Advocate timely notice of any motions

concerning a child for whom a Special Advocate has been appointed.

3. A Special Advocate shall have the right to be present and be heard at all court hearings and shall not be subject to exclusion by virtue of the fact that he or she may be called to testify at some point in the proceedings. A Special Advocate shall not be deemed to be a "party" as described in Title III of Part 2 of the Code of Civil Procedure. However, the court at its discretion shall have the authority to grant the Special Advocate amicus curiae status, which includes the right to appear with counsel.

D. Distribution of CASA reports.

1. CASA reports shall be submitted to the court at least five (5) court days prior to the hearing. CASA shall serve a copy of the report on the parties to the case, including but not limited to county counsel, attending case social worker, child's attorney, parents' attorney, child (via foster family agency), ICWA representative (if applicable) and de facto parents. CASA shall serve a copy of the report on the parties entitled to receive a copy at least two (2) court days prior to the hearing.

(Effective 1/1/2020)

CHAPTER 8. LOCAL FORMS

8.0 ADOPTION OF LOCAL FORMS

The Court has adopted the following local forms: Available on the court's website **www.glenncourt.ca.gov**.

NUMERICAL LISTING OF THE LOCAL FORMS FOR GLENN COUNTY SUPERIOR COURT

Form Name	Form Number	Mandatory or Optional	Effective Date
Complaint Form	AD-050	Optional	3/2019
Declaration (Section 170.6 CCP)	AD-060	Optional	3/2021
Request and Use of Audio/Visual Presentation Equipment	AV	Mandatory	11/2024
First Offense DUI Advisement of Rights, Waiver & Plea Form	CR-001	Mandatory	6/2015
Felony Plea Form	CR-101	Mandatory	1/2018
DV Misdemeanor Plea Form	CR102	Mandatory	7/2015
Notice of Case Management Conference	CV-220	Mandatory	7/2019
Unlawful Detainer Supplemental Cover Sheet	CV-230	Optional	1/1/2021
Consent to Confer Separately During Settlement Conferences	CV-240	Optional	6/2021
Family Law Case Management Statement	FL-010	Mandatory	7/2019
Defendant's Financial Statement & Notice to Defend (Spanish)	FL-015	Mandatory	7/1/19
Declaration Re: Notice of Ex Parte Application for Order	FL-020	Mandatory	3/2019
Application and Order for Continuance	FL-030	Mandatory	7/2019
Petition for Stepparent Visitation and Notice of Hearing	FL-040	Mandatory	7/2019
Petition for Grandparent Visitation-Disso Action Filed	FL-045	Mandatory	7/2019
Petition for Grandparent Visitation-No Disso Action	FL-046	Mandatory	7/2019

Filed			
At Issue Memorandum	FL-050	Mandatory	7/2019
Records and Copy Requests	AD-055	Mandatory	7/2020
Request for Elisor	FL-055	Optional	7/2020
Request for Elisor Information	FL-057	Optional	7/2020
Certificate of Competency to Practice in Juvenile Dependency Court	JV-020	Mandatory	3/2019
Order Appointing Investigator	PR-001	Mandatory	4/2006
Petition to Establish Fact of Birth	PR-003	Mandatory	
Information Sheet Court Investigator	PR-025	Mandatory	3/2010

ALPHABETICAL LISTING OF THE LOCAL FORMS FOR GLENN COUNTY SUPERIOR COURT

Form Name	Form Number	Mandatory or Optional	Effective Date
Application and Order for Continuance	FL-030	Mandatory	7/2019
At Issue Memorandum	FL-050	Mandatory	7/2019
Certificate of Competency to Practice in Juvenile Dependency Court	JV-020	Mandatory	3/2019
Complaint Form	AD-050	Optional	3/2019
Consent to Confer Separately During Settlement Conferences	CV-240	Optional	6/2021
Declaration Re: Notice of Ex Parte Application for Order	FL-020	Mandatory	3/2019
Declaration (Section 170.6 CCP)	A060	Optional	3/2021
Defendant's Financial Statement & Notice to Defend (Spanish)	FL-015	Mandatory	7/1/19
DV Misdemeanor Plea Form	CR102	Mandatory	7/2015
Family Law Case Management Statement	FL-010	Mandatory	7/2019
Felony Plea Form	CR-101	Mandatory	1/2018
First Offense DUI Advisement of Rights, Waiver & Plea Form	CR-001	Mandatory	6/2015

Information Sheet Court Investigator	PR-025	Mandatory	3/2010
Notice of Case Management Conference	CV-220	Mandatory	7/2019
Order Appointing Investigator	PR-001	Mandatory	4/2006
Petition for Grandparent Visitation-Disso Action Filed	FL-045	Mandatory	7/2019
Petition for Grandparent Visitation-No Disso Action Filed	FL-046	Mandatory	7/2019
Petition for Stepparent Visitation and Notice of Hearing	FL-040	Mandatory	7/2019
Petition to Establish Fact of Birth	PR-003	Mandatory	7/2019
Records and Copy Requests	AD-055	Mandatory	7/2020
Request and Use of Audio/Visual Presentation Equipment	AV	Mandatory	11/2024
Request for Elisor	FL-055	Optional	7/2020
Request for Elisor Information	FL-057	Optional	7/2020
Unlawful Detainer Supplemental Cover Sheet	CV-230	Optional	1/1/2021

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