Local Rules of

Superior Court of California

County of Yolo

Effective January 1, 2007; As amended, eff. 01/01/08; As amended, eff. 01/01/09; As amended, eff. 01/01/10; As amended, eff 07/01/10; As amended, eff. 01/01/11; As amended, eff. 01/01/12; As amended, eff. 01/01/13; As amended, eff. 01/01/15; As amended, eff. 01/01/19; As amended, eff. 01/01/21; As amended, eff. 01/01/22; As amended, eff. 03/02/22; As amended, eff. 01/01/23

The following rules of court for the Superior Court of Yolo County are adopted January 1, 2023 and replace the rules previously adopted by the Superior Court of Yolo County.

In addition to these local rules, Yolo Superior Court enforces all applicable state statutes and the California Rules of Court. Counsel and self-represented litigants are responsible for knowing and complying with applicable state statutes and the California Rules of Court. In general, the local rules do not contain rules that are duplicative of state statutes or the California Rules of Court.

List of Current Effective Dates

Chapter 1		Effective Date	Revised Date
Rule 1. General Rules			
1.1	Name, Citation and Effective Dates	01/01/2007	
1.2	Construction	01/01/2007	
1.3	Severability of Rules	01/01/2007	
1.4	Sanctions for Violation of Local Rules	01/01/2007	
Rule 2. Location and Organization			
2.1	Court Location	01/01/2007	01/01/2010
2.2	Filings and Mail Filings	01/01/2007	01/01/2010
2.3	Court Documents and Files	01/01/2008	01/01/2022
2.4	Remote Appearances	01/01/2022	03/02/2022; 01/01/2023
Rule 3. Appellate Division			
3.1	Assignment	01/01/2007	01/01/2022
3.2	Appellate Record	01/01/2011	01/01/2022
Rule 4. Court Security and Conduct			
4.1	Security	01/01/2007	
4.2	Weapons	01/01/2007	01/01/2009
4.3	Dress Policy	01/01/2007	
4.4	Restricted Areas	01/01/2007	
4.5	Recording Equipment Prohibited	01/01/2007	01/01/2008; 01/01/2011; 01/01/2015; 01/01/2022
4.6	Use of Laptop Computers and Electronic Devices	01/01/2008	01/01/2010
4.7	Bias Informal Complaint Policy	01/01/2021	
Rule 5. Ex Parte Hearings			
5.1	Ex Parte Hearings	01/01/2007	01/01/2008; 01/01/2022
Rule 6. Court Reporter			
6.1	Court Reporter Services	01/01/2007	01/01/2010; 01/01/2022
6.2	Court Reporter Requests for Civil, Family & Probate	01/01/2007	01/01/2009; 01/01/2010; 01/01/2022
Rule 7. Electronic Filing and Service			
7.1	Authority and Compliance	01/01/2021	01/01/2022
7.2	Mandatory Electronic Filing and Service	01/01/2021	01/01/2022
7.3	Permissive Electronic Filing and Service	01/01/2021	01/01/2022
7.4	Electronic Filing Requirements	01/01/2021	01/01/2022
7.5	Electronic Filing Acceptance Deadline	01/01/2021	01/01/2022
7.6	Electronic Filing Fee Waiver	01/01/2021	01/01/2022
7.7	Confidential Documents	01/01/2021	01/01/2022
7.8	Documents Not Filed Electronically	01/01/2021	01/01/2022
7.9	Exhibits	01/01/2021	01/01/2022

Chapter 2			
Rule 11. General Civil			
11.1	Calendared Matters	01/01/2021	
11.2	Tentative Rulings	01/01/2007	01/01/2010; 01/01/2011; 01/01/2021
11.3	Attorney Fees	01/01/2007	01/01/2021
11.4	Self-Addressed Stamped Envelopes	01/01/2007	01/01/2021
Rule 12. Case Management			
12.1	Purpose and Goal	01/01/2007	01/01/2021
12.2	Notice of Case Management	01/01/2021	
Rule 13. Civil Trials			
13.1	Trials	01/01/2007	01/01/2021
13.2	Trial Statement and Motions in Limine	01/01/2007	01/01/2010; 01/01/2021
13.3	Marking Exhibits	01/01/2007	01/01/2021
13.4	Original Depositions	01/01/2007	01/01/2021
Chapter 3			
Rule 16. General Criminal			
16.1	Criminal Complaints-Time for Filing	01/01/2007	01/01/2008; 01/01/2009
16.2	Arraignment	01/01/2007	01/01/2010; 01/01/2023
16.3	Calendaring Requests	01/01/2007	01/01/2010; 01/01/2023
16.4	Appearances	01/01/2007	01/01/2010; 01/01/2023
16.5	Plea Forms	01/01/2007	01/01/2023
16.6	Violation of Probation Declarations and Hearings	01/01/2007	01/01/2009; 01/01/2023
16.7	Responsibilities of Relieved Counsel of Record	01/01/2007	01/01/2023
16.8	Pre-Trial Conferences in Misdemeanors	01/01/2007	01/01/2013; 01/01/2023
16.9	Purpose of Trial Readiness Conferences	01/01/2007	01/01/2010; 01/01/2013; 01/01/2015; 01/01/2023
16.10	Real Property Bonds	01/01/2009	01/01/2023
Chapter 4			
Rule 17. General Family Law			
17.1	Law and Motion	01/01/2007	01/01/2009; 01/01/2010; 01/01/2011; 01/01/2015; 01/01/2022
17.2	Bench Trial Continuance	01/01/2015	01/01/2022
17.3	Court Ordered Child Custody Evaluations	01/01/2022	
17.4	Complaint Process	01/01/2022	
Rule 18. Child Custody and Child/Spousal Support			

18.1	Disputes re: Custody	01/01/2007	01/01/2011; 01/01/2015; 01/01/2019; 01/01/2022
18.2	Guidelines for Temporary Child/Spousal Support	01/01/2007	01/01/2011; 01/01/2015
Rule 19. Settlement and Trial of Family Law Matters			
19.1	Mandatory Settlement Conferences	01/01/2007	01/01/2011; 01/01/2015; 01/01/2022
19.2	Good Faith Attempt at Informal Resolution	01/01/2007	01/01/2015; 01/01/2022
Chapter 5			
Rule 21. General Juvenile			
21.1	Filing of Papers	01/01/2007	01/01/2008; 01/01/2015; 01/01/2022
21.2	Ex Parte Requests for Orders Other Than for Psychotropic Medications or Medical Care	01/01/2007	01/01/2022
21.3	Complaint Process	01/01/2022	
21.4	CASA Reports	01/01/2012	01/01/2022
Chapter 6			
~~Rule 25. General Probate~~ - Deleted			
Chapter 7			
Rule 26. Guardianship of the Person of a Minor			
26.1	Petition for Appointment: Notice and Hearing	01/01/2007	
26.2	Pending Adoption	01/01/2007	
26.3	Indian Child Welfare Act (ICWA)	01/01/2007	
26.4	Guardianship Hearing	01/01/2007	
26.5	Probate Investigator or Social Services	01/01/2007	01/01/2010; 01/01/2011
26.6	Temporary Guardianship	01/01/2007	
26.7	Appointment of Successor Guardian	01/01/2007	
26.8	Appointment of Legal Counsel for the Minor	01/01/2007	

Table of Contents

CHAPTER 1 – ORGANIZATION AND ADMINISTRATION

Rule 1 General Rules
1.1 Name, Citation and Effective Date 2
1.2 Construction 2
1.3 Severability of Rules 2
1.4 Sanctions for Violation of Local Rules 2

Rule 2 Location and Organization
2.1 Court Location 3
2.2 Filings and Mailed Filings 3
2.3 Court Documents and Files 3
2.4 Remote Appearances 3

Rule 3 Appellate Division
3.1 Assignment 4
3.2 Appellate Record. 4

Rule 4 Court Security and Conduct
4.1 Security 5
4.2 Weapons 5
4.3 Dress Policy 5
4.4 Restricted Areas 5
4.5 Recording Equipment Prohibited 6
4.6 Use of Laptop Computers and Electronic Devices 6
4.7 Bias Informal Complaint Policy 6

Rule 5 Ex Parte Hearings
5.1 Ex Parte Hearings 9

Rule 6 Court Reporter
6.1 Court Reporter Services 10
6.2 Court Reporter Requests for Civil, Family & Probate 10

Rule 7 Electronic Filing and Service
7.1 Authority and Compliance 11
7.2 Mandatory Electronic Filing and Service 11
7.3 Permissive Electronic Filing and Service 12
7.4 Electronic Filing Requirements 12
7.5 Electronic Filing Acceptance Deadline 12
7.6 Electronic Filing Fee Waiver 12
7.7 Confidential Documents 12
7.8 Documents Not Filed Electronically 12
7.9 Exhibits 13

CHAPTER 2 – CIVIL RULES

Rule 11 General Civil
11.1 Calendared Matters 15
11.2 Tentative Rulings 15
11.3 Attorney Fees 16
11.4 Self-Addressed Stamped Envelopes 16

Rule 12 Case Management
12.1 Purpose and Goal 17
12.2 Notice of Case Management Conference 17

Rule 13 Civil Trials
13.1 Trials 18
13.2 Trial Statement and Motions in Limine 18
13.3 Marking Exhibits 18
13.4 Original Depositions 18

CHAPTER 3 – CRIMINAL RULES

Rule 16 General Criminal
16.1 Criminal Complaints-Time for Filing 20
16.2 Arraignment 20
16.3 Calendaring Requests 20
16.4 Appearances 20
16.5 Plea Forms 20
16.6 Violation of Probation Declarations and Hearings 21
16.7 Responsibilities of Relieved Counsel of Record 21
16.8 Pre-Trial Conferences in Misdemeanors 21
16.9 Purpose of Trial Readiness Conferences 21
16.10 Real Property Bonds 22

CHAPTER 4 – FAMILY LAW RULES

Rule 17 General Family Law
17.1 Law and Motion 24
17.2 Bench Trial Continuance 24
17.3 Court Ordered Child Custody Evaluations 24
17.4 Complaint Process 25

Rule 18 Child Custody and Child/Spousal Support
18.1 Disputes re: Custody 26
18.2 Guidelines for Temporary Child/Spousal Support 26

Rule 19 Settlement and Trial of Family Law Matters
19.1 Mandatory Settlement Conferences 28
19.2 Good Faith Attempt at Informal Resolution 28

CHAPTER 5 – JUVENILE RULES

Rule 21 General Juvenile
21.1 Filing of Papers 31
21.2 Ex Parte Requests for Orders Other Than for Psychotropic Medications or Medical Care 31
21.3 Complaint Process 32
24.4 CASA Reports 33

CHAPTER 6 – PROBATE RULES

Rule 25 General Probate - Deleted

CHAPTER 7 – GUARDIANSHIP RULES

Rule 26 Guardianships of the Person of a Minor
26.1 Petition for Appointment: Notice and Hearing 37
26.2 Pending Adoption 37
26.3 Indian Child Welfare Act (ICWA) 37
26.4 Guardianship Hearing 38
26.5 Probate Investigator or Social Services 38
26.6 Temporary Guardianships 38
26.7 Appointment of Successor Guardian 39
26.8 Appointment of Legal Counsel for the Minor 39

Appendix 1 Listing of Local Forms 40

INDEX BY SUBJECT MATTER 42

Chapter 1

ORGANIZATION AND ADMINISTRATION

		Page
Rule 1	General Rules	2
Rule 2	Location and Organization	3
Rule 3	Appellate Division	4
Rule 4	Court Security and Conduct	5
Rule 5	Ex Parte Hearings	9
Rule 6	Court Reporters	10
Rule 7	Electronic Filing and Service	11

RULE 1: GENERAL RULES

1.1 NAME, CITATION AND EFFECTIVE DATE

These rules shall be known as the Local Rules of the Superior Court of California, County of Yolo, referred to herein as Yolo Superior Court. The rules may be cited as YCR, followed by the appropriate number. These rules become effective on January 1, 2007, and supersede all other local rules previously adopted by the Yolo Superior Court. *(Effective January 1, 2007)*

1.2 CONSTRUCTION

These rules shall be construed and applied in such a manner as to avoid conflict with the California Rules of Court and shall be liberally construed to serve the efficient administration of justice in Yolo Superior Court.

The California Rules of Court are not printed as part of the Yolo Superior Court Rules but are incorporated within them. Proceedings in the Yolo Superior Court are governed by the California Rules of Court as supplemented by these rules and shall be read in conjunction with them. *(Effective January 1, 2007)*

1.3 SEVERABILITY OF RULES

If any of these rule's conflict with any statute, rule or decision, the rule(s) shall be deemed amended by said statute, rule or decision, and the remaining rules shall remain in force and effect. *(Effective January 1, 2007)*

1.4 SANCTIONS FOR VIOLATION OF LOCAL RULES

If a party or an attorney fails, refuses, or neglects to comply with these rules, the California Rules of Court, or any other rules or statutory requirements, the Court may, after notice and an opportunity to be heard, impose sanctions as authorized by law. *(Effective January 1, 2007)*

RULE 2: LOCATION AND ORGANIZATION

2.1 COURT LOCATION

The Yolo Superior Court is located in the City of Woodland. For exact locations and phone directory see the court's website at www.yolo.courts.ca.gov. *(Effective January 1, 2007; As amended, eff. 01/01/10)*

2.2 FILINGS AND MAILED FILINGS

All documents, for whatever department, shall be filed with the appropriate clerk. For exact locations and phone directory see the court's website at www.yolo.courts.ca.gov . *(Effective January 1, 2007; As amended, eff 01/01/08; As amended, eff 01/01/10)*

2.3 COURT DOCUMENTS AND FILES

All documents in court files are public record, with the exception of those items deemed confidential by statute, regulation, court rule, court order or other law. *(Effective January 1, 2008; Renumbered eff. 01/01/15; As amended, eff. 01/01/22)*

2.4 REMOTE APPEARANCES

(a) To promote access to justice, the Court authorizes remote appearance, as set forth in this rule. Nothing in this rule prohibits in-person appearance.

(b) Criminal: Remote appearance is authorized as defined in Penal Code Section 977.

(c) Civil: Remote appearance is authorized but not mandated for all civil proceedings, subject to judicial authority to require in-person appearance in accordance with law. This subdivision applies to civil cases, as defined in Rule 3.672(c)(1) of the California Rules of Court and includes petitions for domestic and gun violence restraining orders.

i. For non-evidentiary hearings, notice of intent to appear remotely may be provided orally at the start of the hearing, and may cover the duration of the case. For juvenile dependency cases notice of intent to appear remotely is not required pursuant to Rule 3.672(i)(3)(A) of the California Rules of Court.

ii. Evidentiary hearings and bench trials will be held remotely, unless otherwise ordered by the Court. Any opposition to a remote appearance for an evidentiary or bench trial shall be made in accordance with Rule 3.672(h)(3)(A), of the California Rules of Court.

(d) Information on remote appearance is located on the Court's website at www.yolo.courts.ca.gov. *(Effective January 1, 2022; as amended, eff. 03/02/22; as amended, eff. 01/01/23)*

RULE 3: APPELLATE DIVISION

3.1 ASSIGNMENT

Four judges of the Superior Court are assigned as judges of the Appellate Division. The Presiding Judge of the Superior Court will recommend to the Chief Justice of the California Supreme Court the four judges and one designated as the Presiding Judge of the Appellate Division. *(Effective January 1, 2007; As amended, eff. 01/01/22)*

3.2 APPELLATE RECORD

Unless the trial court orders otherwise, in accordance with Rule 8.914(a) of the California Rules of Court, the Appellate Division hereby elects to use the original trial court file in lieu of a clerk's transcript. *(Effective January 1, 2011; Renumbered, eff. 01/01/22)*

RULE 4: COURT SECURITY AND CONDUCT

4.1 SECURITY

Security in all courtrooms of the Yolo Superior Court shall be maintained by the Sheriff of the County of Yolo. *(Effective January 1, 2007)*

4.2 WEAPONS IN COURT FACILITIES COMPLIANCE WITH PENAL CODE SECTION 171(B)

(a) All persons are required to comply with Penal Code Section 171(b). No person shall bring or possess any weapon as defined in Penal Code Section 171(b) into a court facility. Exceptions are:

1. Weapons possessed or in transport to be used as evidence in a court of law with picture identification and appropriate proof. Weapons that can be locked must have locks on them.
2. Weapons possessed by Peace Officers carrying out official duties who are uniformed or non-uniformed.

(b) Peace Officers who are not parties to any court proceeding and who wish to bring weapons into any courtroom shall identify themselves to the Courtroom Bailiff and obtain permission from the bailiff to bring the weapon into the Courtroom.

(c) No person (including Peace Officers) shall carry a weapon into any Court facility when appearing in Court in which they are a party to the case.*(Effective January 1, 2007; as amended, eff 01-01-09)*

4.3 DRESS POLICY

All persons who appear in any courtroom shall dress appropriately. The bailiff on duty, under the supervision of the Judge presiding in that courtroom, has the authority to enforce this rule and exclude persons with inappropriate attire from entering the courtroom. The following shall not be worn in court: sunglasses, hats, shorts, tank tops, or any other attire inconsistent with the traditional dignity of the court. *(Effective January 1, 2007)*

4.4 RESTRICTED AREAS

(a) The workstations for courtroom clerks and all judges' benches and chambers are reserved for the exclusive use of the court staff. Everyone else is prohibited from entrance into these areas unless directed to enter by court personnel. *(Effective January 1, 2007)*

(b) Court staff shall be responsible for enforcing these rules by requesting anyone other than court personnel to leave any restricted area. Bailiffs may remove individuals who violate this directive and report violations to the Presiding Judge. *(Effective January 1, 2007)*

4.5 RECORDING EQUIPMENT PROHIBITED

(a) Prohibited Activities. Photographing, videotaping, televising, or otherwise recording any court proceeding is prohibited unless a written request has been filed and approved by the Judge presiding at the proceeding prior to the commencement of the proceeding. No one may use a camera, camera-phone or electronic devise with camera to transmit, record, or take pictures in any portion of the courthouse except as permitted by these rules and Rule 1.150 of the California Rules of Court.

(b) Members of the Media. Members of the media shall meet with the Court Executive Officer, or his or her designee, prior to operating media equipment in common areas of the courthouse.

(c) Prohibition Against Visual Displays, Banners, Flags, Photographs. No person present at a court proceeding may display any buttons, flags, signs, images or otherwise that might prejudice the court or jury or undermine the security or decorum of the proceeding. The bailiff on duty, under the supervision of the Judge, shall have the authority to enforce these rules. *(Effective January 1, 2007; As amended, eff 01/01/08; As amended, eff 01/01/11; As amended, eff 01/01/15; As amended, eff 01/01/22)*

4.6 USE OF LAPTOP COMPUTERS AND ELECTRONIC DEVICES

All computers and electronic devices, including but not limited to cell phones, pagers, and personal digital assistants shall be turned off before entering the courtroom. If a laptop computer or electronic device is necessary for a matter at issue, it may be used only if expressly authorized by the sitting judge at the hearing. An electronic device shall not be handled in any way as to indicate a picture, audio or video recording is being taken. Enforcement is in the sole discretion of the sitting judge. Violators are subject to contempt of court-and/or confiscation of the computer or device. *(Effective January 1, 2008; As amended, eff. 01/01/10)*

4.7 BIAS INFORMAL COMPLAINT POLICY

(a) General. To preserve the integrity and impartiality of the judicial system, the Court shall:

1. *Ensure fairness.* Ensure that courtroom proceedings are conducted in a manner that is fair and impartial to all of the participants.
2. *Refrain from and prohibit biased conduct.* In all courtroom proceedings, refrain from engaging in conduct and prohibit others from engaging in conduct that exhibits bias based on race, religion, ethnicity, national origin, socioeconomic status, disability, age, gender, or sexual orientation,

including whether that bias is directed toward counsel, court personnel, witnesses, parties, jurors, or any other participants.

3. *Ensure unbiased decisions.* Ensure that all orders, rulings, and decisions are based on the sound exercise of judicial discretion and the balancing of competing rights and interests and are not influenced by stereotypes or biases.

(b) Notice of Concern Process. If an individual has a concern about compliance with the mandates set forth above in subsection (a) by the Court or by any courtroom participant, then:

1. The individual may submit a written Notice of Concern to the Presiding Judge or Court Executive Officer, which identifies all courtroom participants and the specific behavior or conduct occurring in the courtroom of concern;
2. The intent of the Notice of Concern procedure is to educate all parties with the purpose of ameliorating the concern rather than disciplining the person who is the subject of the notice;
3. To the extent possible and unless disclosure is required by law, the Court shall protect the confidentiality of the noticing party, the person who is the subject of the notice, and other interested persons;
4. The focus of this Local Rule is on incidents of concern:
    i. Bias based on race, religion, ethnicity, national origin, socioeconomic status, disability, age, gender, or sexual orientation;
    ii. Whether that bias is directed toward counsel, court personnel, witnesses, parties, jurors, or any other participants; and
    iii. Where the incident does not warrant discipline but requires education and correction.
5. Courtroom activities constituting legitimate advocacy when matters race, religion, ethnicity, national origin, socioeconomic status, disability, age, gender, or sexual orientation which are relevant to issues in the courtroom proceeding are exempt from this Notice of Concern procedure.

(c) Formal Complaint Process

1. With respect to any incident that if substantiated would warrant discipline against a judge, the concerned individual may file a formal complaint with the Commission on Judicial Performance;
2. Nothing in this procedure in any way shall limit the ability of any person to submit a formal complaint of misconduct regarding any courtroom participant to the Commission on Judicial Performance or the appropriate disciplinary body.
3. A formal complaint about a courtroom participant should be sent as follows:
    i. A Superior Court Judge
    TO: The Commission on Judicial Performance (CJP)
    455 Golden Gate Avenue, Suite 14400

San Francisco, California 94102
Website: https://cjp.ca.gov/file_a_complaint/

ii. A Superior Court Commissioner

TO: Presiding Judge
Yolo Superior Court
1000 Main Street
Woodland, California 95695

iii. A Member of Court Staff or Court Contractor

TO: Court Executive Officer
Yolo Superior Court
1000 Main Street
Woodland, California 95695

iv. An Attorney

TO: State Bar of California
100 Howard Street
San Francisco, California 94105
Website: www.calbar.ca.gov/Public/Complaints-Claims

v. A Courtroom Bailiff

TO: Yolo County Sheriff's Office
140 Tony Diaz Drive
Woodland, California 95776

RULE 5: EX PARTE HEARINGS

5.1 EX PARTE HEARINGS

All ex parte matters shall be conducted in strict accordance with Rule 3.1200 et seq. of the California Rules of Court. Any request to set an ex parte application for hearing shall be made to the department for which the case is assigned. Juvenile matters are governed by this Rule and Rule 21.1. *(Effective January 1, 2007; As amended, eff. 01/01/08; As amended, eff. 01/01/22)*

RULE 6: COURT REPORTER

6.1 COURT REPORTER SERVICES

The services of official court reporters are normally available for all felony, misdemeanor, and juvenile matters, with the exception of misdemeanor arraignments and traffic matters, regardless of the departments in which they are heard. The services of official court reporters are normally not available for civil, family and probate matters, with the exception of those under the Lanterman-Petris-Short Act (Welf. & Insts. Code, §§ 5000 – 5550), for which the services of official court reporters are normally available regardless of the departments in which they are heard. *(Effective January 1, 2007; As amended, eff. 01/01/10; As amended, eff. 01/01/22)*

6.2 COURT REPORTER REQUESTS FOR CIVIL, FAMILY AND PROBATE MATTERS

Parties wishing to have a court reporter present must request the services in writing five (5) court days prior to the calendar date. Any court associated fees must be paid in advance. All requests shall be made through the Courtroom Support Division.

If the services of an official court reporter are not available for a hearing or trial, a party may arrange for the presence of a certified shorthand reporter to serve as an official pro tempore reporter. It is the party's responsibility to pay the reporter's fee. *(Effective January 1, 2007; As amended, eff. 01/01/2009; As amended, eff. 01/01/10)*

RULE 7: ELECTRONIC FILING AND SERVICE

7.1 AUTHORITY AND COMPLIANCE

This rule governs permissive and mandatory electronic filing and service of documents in the Superior Court of California, County of Yolo as authorized by California Code of Civil Procedure section 1010.6 and Rules 2.250 et. Seq. and 5.552 of the California Rules of Court. Unless this rule provides otherwise, parties filing and serving documents electronically shall comply with all requirements for electronic filing and service set forth in California Code of Civil Procedure section 1010.6 and Rules 2.250 et. Seq. and 5.552 of the California Rules of Court. *(Effective January 1, 2021, Renumbered, eff. 01/01/22)*

7.2 MANDATORY ELECTRONIC FILING AND SERVICE

All documents filed in civil, probate and family law cases shall be filed and served electronically, except when personal service is required by statute or rule and excluding ex parte applications.

(a) All new civil complaints shall include the Notice of Case Management Conference form. The form can be found on the court's website at www.yolo.courts.ca.gov. The Court will fill in the date, time and department for the Case Management Conference.

(b) All documents, excluding the initial accusatory pleading, filed in juvenile dependency cases shall be filed and served electronically.

(c) Self-represented parties and non-parties are exempt from the mandatory electronic filing and service requirements but are encouraged to participate.

(d) An attorney representing a party may request to be excused from the mandatory electronic filing and service requirement by showing undue hardship or significant prejudice.

(e) An attorney requesting to be excused shall file with the Clerk of the Court and service on all parties a Request for Exemption from Mandatory Electronic Filing and Service (Judicial Council Form EFS-007) with a Proposed Order (Judicial Council Form EFS-008).

1. An Attorney who requests an exemption shall be served with documents in paper form until the Court rules on the request.
2. Undue hardship or significant prejudice does not include the inability to pay fees for electronic filing.

(f) Self-represented parties, non-parties, and attorneys excused from electronic filing must be served conventionally. *(Effective January 1, 2021, Renumbered, eff. 01/01/22)*

7.3 PERMISSIVE ELECTRONIC FILING AND SERVICE

All documents, excluding the initial accusatory pleading, filed in criminal and juvenile delinquency cases may be filed and served electronically.
(Effective January 1, 2021, Renumbered, eff. 01/01/22)

7.4 ELECTRONIC FILING REQUIREMENTS

All documents electronically filed, whether mandatory, permissive, by Court order, or by stipulation of parties, must be electronically filed using one of the Court's approved electronic filing service providers, and must comply with the Court's electronic filing requirements. All requirements and a list of service providers are available on the Court's website at www.yolo.courts.ca.gov.
(Effective January 1, 2021, Renumbered, eff. 01/01/22)

7.5 ELECTRONIC FILING ACCEPTANCE DEADLINE

Electronically filed documents filed prior to midnight on a Court day will be deemed filed as of that day. For purposes of this Rule, filing occurs at the time the document is received by the Court and a confirmation of the receipt is created. Any electronically filed document received by the Court from 11:59PM to 7:59AM, or filed on a non-court day, will be deemed filed on the first Court day after it is received. *(Effective January 1, 2021, Renumbered, eff. 01/01/22)*

7.6 ELECTRONIC FILING FEE WAIVER

A party who has received a fee waiver is not required to pay any fee for electronic filing and service. A party who has not already received a fee waiver may request a waiver of the fees for electronic filing and service by filing with the Court an Application for Waiver of Court Fees and Costs (Judicial Council Forms FW-001 and FW-002). *(Effective January 1, 2021, Renumbered, eff. 01/01/22)*

7.7 CONFIDENTIAL DOCUMENTS

Unless the electronically filed document is a confidential document pursuant to law and/or will be filed under seal, to protect personal privacy, counsel and parties must refrain from including, or must redact where inclusion is necessary, the personal data identifiers from all documents, including exhibits, filed with the Court under this Rule, such as social security numbers and financial account numbers. See Rule 1.201 of the California Rules of Court. *(Effective January 1, 2021, Renumbered, eff. 01/01/22)*

7.8 DOCUMENTS NOT FILED ELECTRONICALLY

(a) The following documents shall not be filed electronically:

- Subpoenaed documents
- Labor Commissioner deposit of cash or check

- Bonds
- Undertakings
- Deposits of cash, check or credit cards
- Wills/Codicils
- Sealed documents
- Financial institutes documents, care facility documents, or escrow documents as defined under Probate Code section 2620
- California State vital records forms
- Notice of Appeal (subsequent filings maybe be filed electronically)

(b) A party may be excused from filing any particular document or exhibit electronically if it is not available in electronic format and it is not feasible for the party to convert the document or exhibit to electronic format, or it may not be comprehensively viewed in an electronic format, including but not limited to exhibits that are real objects. Such a document or exhibit may be manually filed with the Clerk of the Court and served upon the parties by conventional non-electronic means. A party manually filing such a document or exhibit shall file electronically and serve a Notice of Manual Filing specifically describing the document or exhibit and setting forth the reason the document or exhibit cannot be filed electronically. *(Effective January 1, 2021; Renumbered, eff. 01/01/22)*

7.9 EXHIBITS

(a) Exhibit attachments to pleadings filed electronically shall be separated by a single page with a title identifying the sequence of the exhibit.

(b) Proposed trial exhibits shall not be filed electronically but shall be lodged in paper format with the trial department once assigned unless otherwise instructed by the Court. *(Effective January 1, 2021; Renumbered, eff. 01/01/22)*

Chapter 2

CIVIL RULES

		Page
Rule 11	General Civil	15
Rule 12	Case Management	17
Rule 13	Civil Trials	18

RULE 11: GENERAL CIVIL

11.1 CALENDARED MATTERS

(a) Law and Motion Continuances. Upon stipulation by all parties, or upon request of the moving party with appropriate notice, law and motion matters may be continued once by the clerk at least five (5) court days prior to the matter being heard. Any party seeking a continuance that is not received timely shall appear in court at the time set for hearing and request such from the judge to whom the matter has been assigned.

(b) Law and Motion Withdrawals. When a matter is to be withdrawn from the law and motion calendar, the moving party shall promptly notify the clerk's office, but in no event shall notice be later than two (2) court days before the hearing.

(c) Short Cause Continuances. Upon stipulation, or request of the moving party with notice to any previously noticed party and an order signed by the judge, any short cause matter as defined in Rule 3.735(a) of the California Rules of Court may be continued once any time prior to three (3) court days before the hearing. A request for continuance made three (3) court days or less before the hearing date shall be made upon ex parte motion before the presiding judge. *(Effective January 1, 2021)*

11.2 TENTATIVE RULINGS

(a) Yolo Superior Court follows Rule 3.1308(a)(1) of the California Rules of Court for tentative rulings. Tentative rulings for the next court day will be available by phone at (530)406-6806 and on the Court's web site after 3:00 p.m. The tentative ruling shall become the ruling of the court, unless a party desiring to be heard so advises the courtroom clerk of the designated department no later than 4:00 p.m. on the court day preceding the hearing, and further advises the courtroom clerk that such party has notified the other side of its intention to appear.

(b) All noticed motions and demurrers in the civil department shall include the following information in the notice:

"Pursuant to Local Rule 11.2, the court will issue a tentative ruling on the merits of the matter by 3:00 p.m. on the court day before the hearing. The tentative rulings are available by phone at (530)406-6806 and on the Court's web site after 3:00 p.m. The tentative ruling shall become the ruling of the court, unless a party desiring to be heard so advises the courtroom clerk of the designated department no later than 4:00 p.m. on the court day preceding the hearing, and further advises the courtroom clerk that such party has notified the other party(s) of its intention to appear." *(Effective January 1, 2007; As amended, eff 01/01/2010; As amended, eff 01/01/2011; As amended, eff 01/01/2021)*

11.3 ATTORNEY FEES

Pursuant to Rule 3.1800(b) of the California Rules of Court, attorney fees may be awarded in the case of a default judgment as follows:

Exclusive of costs and interest,

- Twenty-five percent (25%) of the first two thousand dollars ($2,000 awarded as damages with a minimum fee of three hundred fifty dollars ($350);
- Twenty percent (20%) of the next four thousand dollars ($4,000);
- Fifteen percent (15%) of the next four thousand dollars ($4,000);
- Ten percent (10%) of the next ten thousand dollars ($10,000);
- Five percent (5%) of the next thirty thousand dollars ($30,000); and
- Two percent (2%) of amounts in excess of the first fifty thousand dollars ($50,000), on the next one hundred thousand dollars ($100,000); and
- The Court, in its discretion, will fix fees for recoveries in excess of one hundred fifty thousand dollars ($150,000).

(Effective January 1, 2007; As amended, eff 01/01/2021)

11.4 SELF-ADDRESSED STAMPED ENVELOPES

Anyone submitting documents for filing who desires the return of stamped copies shall provide the clerk with a self-addressed, postage-paid envelope of sufficient size. If no such envelope is provided, the documents will be placed in the attorney's pick-up box located in the Clerk's office. Documents placed in the attorney's box shall be claimed within thirty (30) days or they will be discarded without notice. *(Effective January 1, 2007; As amended, eff 01/01/2021)*

RULE 12: CASE MANAGEMENT

12.1 PURPOSE AND GOAL

The purpose and goal of civil case management is to:

(a) Manage fairly and efficiently, from commencement to disposition, the processing of civil litigation;

(b) Fully implement the goals of Government Code Section 68600, et seq. and Rule 3.700, et seq. of the California Rules of Court;

(c) Promote alternative dispute resolution (ADR); and

(d) Conduct case management conferences pursuant to Rule 3.720 et seq. of the California Rules of Court. *(Effective January 1, 2021)*

12.2 NOTICE OF CASE MANAGEMENT CONFERENCE

(a) A case management conference will be set by the clerk at the time the complaint is filed in approximately 120 days.

(b) If the complaint is a limited collection case, the clerk at the time of filing shall set the case management conference 385 days after the complaint is filed pursuant to Rule 3.712(d) of the California Rules of Court.

(c) If the complaint involves an uninsured motorist claim the case management conference will be continued by the court for a period not to exceed 200 days from the initial filing date.

(d) The plaintiff shall serve the complaint on each defendant together with the (1) the Notice of Case Management Conference; (2) the Alternative Dispute Resolution (ADR) information packet; and (3) such local forms as may be provided by the court clerk. The ADR information packet can be found on the Court's website at www.yolo.courts.ca.gov or can be obtained from the clerk's office. *(Effective January 1, 2021)*

RULE 13: CIVIL TRIALS

13.1 TRIALS

The conduct of civil trials shall be governed by these Rules except when otherwise governed by statute, the California Rules of Court or by other provisions of the Yolo Superior Court. *(Effective January 1, 2007; As amended, eff 01/01/2021)*

13.2 TRIAL STATEMENT AND MOTIONS IN LIMINE

Not later than fifteen (15) calendar days before the first day of trial, each party shall file and serve:

(a) A brief trial statement which shall include:
1. A concise statement of the facts supporting the party's claims or defenses.
2. A statement of admitted or undisputed facts.
3. A statement of issues of law.
4. The names of all witnesses, except impeachment and rebuttal witnesses.

(b) In jury cases, a list of special questions proposed for jury voir dire.

(c) All Motions in Limine. Oppositions shall be filed seven (7) calendar days before the first day of trial.

(d) In jury trial cases, jury instructions, unless the Court advises otherwise. *(Effective January 1, 2007; As amended, eff. 01/01/10; As amended, eff. 01/01/21)*

13.3 MARKING EXHIBITS

Counsel shall arrange with the courtroom clerk to pre-mark exhibits outside the presence of the judge or jury before the trial begins on the day those exhibits are to be used. Plaintiffs shall use numbers and defendants shall use letters unless ordered differently by the judge. *(Effective January 1, 2007; As amended, eff. 01/01/21)*

13.4 ORIGINAL DEPOSITIONS

If a deposition is planned to be used at trial, the proponent of this evidence shall lodge the original deposition with the courtroom clerk before the trial begins. *(Effective January 1, 2007; As amended, eff. 01/01/2021)*

Chapter 3

CRIMINAL RULES

		Page
Rule 16	General Criminal	20

RULE 16: GENERAL CRIMINAL

16.1 CRIMINAL COMPLAINTS—TIME OF FILING

(a) All criminal complaints charging in-custody defendants shall be filed with the clerk of the court no later than 10:00 a.m. on the morning of the day the defendant is to appear. Failure to file a complaint pursuant to the time requirements stated shall result in the arraignment being held on the next court day.

(b) All criminal complaints charging defendants not in custody shall be filed no later than four (4) court days prior to the defendant's appearance. (*Effective January 1, 2007; As amended, eff 01/01/08; As amended, eff 01/01/09)*

16.2 ARRAIGNMENT

(a) At the arraignment the Master Calendar Judge shall assign cases to a judge and department for all purposes through completion unless the assigned judge is absent, disqualified or otherwise unavailable, necessitating a transfer to another judge and department. *(Effective January 1, 2007; As amended, eff 01/01/10; As amended, eff 01/01/23)*

16.3 CALENDARING REQUESTS

Requests to place matters on calendar shall be in writing with notice to all parties and must include a factual and legal basis for the request and the remedy sought. Requests must be received by the clerk at least three (3) court days before the hearing date requested. Matters shall not be set by the Clerk fewer than the three (3) court days from the requested hearing date without prior authorization from the Judge presiding over the matter. *(Effective January 1, 2007; As amended, eff 01/01/10; As amended and re-numbered, eff 01/01/23)*

16.4 APPEARANCES

Unless excused by Penal Code Section 977 all parties whose appearance is required shall appear in the department assigned on the dates and at the times ordered. However, the judge presiding in the department where a matter has been assigned may give relief from this rule for good cause or in the court's discretion. If counsel and required parties fail to appear without first receiving court permission, the court may impose sanctions. *(Effective January 1, 2007; As amended, eff. 01/01/10; Re-numbered, eff 01/01/2023)*

16.5 PLEA FORMS

Unless excused by the court, whenever a defendant intends to enter a guilty or no contest plea to a felony or misdemeanor charge, a written plea form shall be completed and submitted to the court. Only the plea forms currently approved by the Judges of the Yolo Superior Court shall be used.

It is the duty of all involved counsel to inform the court at the time a plea is submitted whether any proposed plea in the matter has previously been rejected by another judge, even if submitted under a different caption or case number. *(Effective January 1, 2007; Re-numbered, eff 01/01/23)*

16.6 VIOLATION OF PROBATION DECLARATIONS AND HEARINGS

(a) Violation of probation declarations shall be submitted for filing at least five (5) court days before the requested hearing date.

(b) A probation violation hearing maybe set before, during or after the trial of any pending criminal charges. A probation violation hearing may also be conducted at the same time as the preliminary examination of pending felony charges, if so ordered by the court. *(Effective January 1, 2007; As amended, eff 01/01/09; Re-numbered, eff 01/01/23)*

16.7 RESPONSIBILITIES OF RELIEVED COUNSEL OF RECORD

Any counsel retained or appointed on a criminal case who either (1) moves to be relieved, or (2) declines to accept continued representation of a client in the superior court shall appear in court with all discovery and other normal contents of a file and, upon order of the court, convey the same to the successor attorney. In addition, if it appears to counsel that the Yolo County Public Defender is likely to be appointed, counsel shall give five (5) court days notice to the Yolo County Public Defender, in writing, of the date of the court appearance where counsel expects to be relieved or to decline further representation. *(Effective January 1, 2007; Re-numbered, eff 01/01/23)*

16.8 PRE-TRIAL CONFERENCES IN MISDEMEANORS

(a) Prior to appearing at any pre-trial conference in a misdemeanor case, counsel shall have conferred with one another, and communicated any offer;

(b) Pre-trial conferences may be held in open court or in chambers, at the court's discretion;

(c) Counsel shall be prepared to discuss fully the evidence and issues with the court;

(a) Cases not settled at the pre-trial conference will be set for trial at the earliest available date. *(Effective January 1, 2007; as amended, eff. 01/01/13; As amended and re-numbered, eff 01/01/23)*

16.9 PURPOSE OF TRIAL READINESS CONFERENCES

The purpose of trial readiness conferences is to consider the negotiated resolution of pending cases and to confirm trials. In the event there are insufficient judges or courtrooms available to try all confirmed cases, a determination regarding the

priority of scheduled trials will be made. Prior to the conference counsel shall have completed discovery and investigation. At the trial readiness conference, attorneys shall inform the court of any need for interpreter services and other special accommodations.

Attendance at the criminal trial readiness is mandatory in felony cases for the defendant, counsel for the defendant and a prosecuting attorney with full authority to dispose of the case. The Court may require a defendant charged with a misdemeanor only to attend such a conference upon a finding of good cause based on the circumstances of a particular case. Prior to the conference the attorneys shall discuss the case to determine the possibility of disposition without trial. *(Effective January 1, 2007; As amended, eff. 01/01/10; As amended, eff. 01/01/13; As amended, eff. 01/01/2015; As amended and re-numbered, eff 01/01/23)*

16.10 REAL PROPERTY BONDS

In order to post a real property bond, the following procedure must be followed:

(a) A notice of hearing pursuant to Penal Code Section 1298 shall be filed. It shall also be served the District Attorney and County Counsel. Compliance with the notice provisions of Rule 4.111 of the California Rules of Court is required.

(b) The notice of hearing shall be accompanied by an application for a real property equity bond, a declaration of the real property owners, an executed promissory note, a deed of trust made payable to "County of Yolo: as beneficiary and "Court Executive Officer" as trustee, and a proposed order approving the property bond and order for release of the defendant.

(c) In addition, the following must be filed with the original notice of hearing:
(1) An appraisal report of the fair market value of the property, dated not more than 45 days prior to filing the application for the property bond and completed by a qualified real estate appraiser;
(2) A current preliminary title report, prepared by a California title company, that includes a legal description of the property, the address or location of the property, and a listing of all encumbrances, and is dated no more than 30 days prior to the application for the property bond; and,
(3) Proof of insurance coverage of the property, sufficient to pay all encumbrances, which insurance must include "County of Yolo" as a loss payee.

(d) An order approving the property bond and order for release of the defendant shall not be signed unless the court finds that the equity in the property is at least twice the value of the amount of bail, and only upon delivery to the court of the recorded deed of trust. *(Effective January 1, 2009; Re-numbered, eff 01/01/23)*

Chapter 4

FAMILY LAW RULES

		Page
Rule 17	General Family Law	24
Rule 18	Child Custody and Child/Spousal Support	26
Rule 19	Settlement and Trial of Family Law Matters	28

RULE 17: GENERAL FAMILY LAW

17.1 LAW AND MOTION

(a) Continuances. Upon stipulation by all parties and order filed at least five (5) court days prior to the hearing, or upon request of the moving party with appropriate notice, law and motion matters may be continued once by the clerk at least five (5) court days prior to the matter being heard. Any party seeking a continuance that is not received timely shall appear in court at the time set for hearing and request such from the judge to whom the matter has been assigned.

(b) Law and Motion Withdrawals. When a matter is to be withdrawn from the law and motion calendar, the moving party shall promptly notify the clerk's office and the opposing party, but in no event shall notice be later than two (2) court days before the hearing. *(Effective January 1, 2007; As amended, eff. 01/01/11; As amended and renumbered, eff. 01/01/2015; As amended, eff. 01/01/22)*

17.2 BENCH TRIAL CONTINUANCE

Upon stipulation, or request of the moving party with notice to any previously noticed party and an order signed by the judge, any bench trial may be continued once any time prior to three (3) court days before the hearing. A request for continuance made three (3) court days or less before the hearing date shall be made upon ex part motion before the presiding judge. *(Effective January 1, 2007; As amended, eff. 01/01/11; As amended and renumbered, eff. 01/01/2015; As amended, eff. 01/01/22)*

17.3 COURT ORDERED CHILD CUSTODY EVALUATIONS

(a) This local rule implements California Rules Court, Rule 5.220.

(b) Peremptory Challenges. Each party and minor's counsel are permitted one peremptory challenge to a child custody evaluator appointed by the Court. Written objections must be filed and served on the other party within five (5) court days of the date of the notice of assignment.

(c) Withdrawal from a Case.

(1) An evaluator may request to withdraw from a case by filing a written declaration signed under penalty of perjury showing good cause. A copy of the declaration must be given to all parties and minor's counsel.

(2) Objections to the request must be filed with the Court and served on the evaluator, all parties and minor's counsel within five (5) court days of receipt of the notice to withdraw.

(3) After the time has expired to object to the request to withdraw, the court may, upon a finding of good cause, grant the request to withdraw, deny the request or set a hearing to the resolve the issue.

(d) Ex Parte Communication. Parties and counsel shall not have ex parte communication with the evaluator except for the purpose of scheduling appointments or conducting scheduled interviews with the parties as a part of an evaluation process or where it is expressly authorized by the Court, consistent with Family Code Section 216. *(Effective January 1, 2022)*

17.4 COMPLAINT PROCESS

Parties who wish to make a complaint about the counseling process, or a counselor, an evaluator or minors counsel must be made in writing to the Court Executive Office. A copy of the complaint must be provided to all parties. The Court must determine what action, if any, to take including whether the complaint should be referred to the appropriate professional licensing board. *(Effective January 1, 2022)*

Rule 18: Child Custody and Child/Spousal Support

18.1 DISPUTES RE: CUSTODY

(a) Mandatory Child Custody Recommending Counseling.
Child custody recommending counseling (CCRC) is a mandatory process governed by Family Code section 3160 et seq. and California Rules of Court, Rule 5.210 and 5.215. The CCRC protocol is listed on the court's website at www.yolo.courts.ca.gov under Family.

Yolo Superior Court is a recommending court which means if the parties do not come to an agreement through the CCRC process, the counselor will prepare a written recommendation to the Court pursuant to Family Code section 3183. There is not confidentiality between the counselor and the parties and the minor children. Counselors may be subpoenaed by the parties to testify in court as to the reason(s) for their recommendation(s). If a counselor is called to testify he/she shall be served by the party with a subpoena and paid as an expert by the party at the hourly rate set by the counselor at the time the subpoena is served.

Attorney input letters are not favored by the court and the court does not require the CCRC to review them prior to the counselling appointment or in preparation of the recommendation.

(b) Stipulated Private Child Custody Recommending Counseling.
Nothing in these rules prevents the parties from choosing a private counselor to help them with their custody and visitation dispute(s). Both parties may, at any time, stipulate to a private counselor by submitting a court approved "Stipulation to Private Child Custody Recommending Counseling" for approval by the family court judge. Private counselors shall prepare and file a recommendation with the court before the date indicated on the stipulation and order. The recommendation shall contain a brief statement of the counselor's finding(s), agreement(s) entered into by the parties, and any recommendation(s) the counselor may have on disputed issues. *(Effective January 1, 2007; As amended, eff. 01/01/11; As amended, eff. 01/01/2015; As amended, eff. 01/01/2019; As amended, eff. 01/01/22)*

18.2 GUIDELINES FOR TEMPORARY CHILD/SPOUSAL SUPPORT ORDERS

(a) The court has adopted a guideline for temporary spousal support. This guideline is discretionary for use in determining temporary spousal support in appropriate cases.

(b) In cases where there is no child support, the guideline shall be 40% of the net income of the payor minus 50% of the net income of the payee. This is commonly referred to as the Santa Clara rule. The Court will use what is

commonly referred to as the Alameda rule in child support cases involving spousal support.

(c) In setting child support, the court will apply Division 9, Parts 1, 2 and 3 of the Family Code (Family Code §§ 3500 *et seq.*) *(Effective January 1, 2007; As amended, eff. 01/01/11; As amended and renumbered, eff. 01/01/2015)*

RULE 19: SETTLEMENT AND TRIAL OF FAMILY LAW MATTERS

19.1 MANDATORY SETTLEMENT CONFERENCES

Because the resolution of family law cases by settlement is beneficial to the parties and the children, the court has established the Family Law Settlement Program with the participation of the local family law bar.

(a) All family law matters shall be scheduled for a settlement conference before proceeding to trial, unless expressly exempted by the judge presiding over the family law calendar. Good faith attendance and participation by all parties and counsel are mandatory unless excused by the court.

(b) Upon stipulation of the parties, experienced family law attorneys shall be assigned as settlement conference officers to preside over the settlement conferences.

(c) At least five (5) court days before a settlement conference, each party shall prepare, serve and file (1) a settlement conference statement setting forth the party's position on every contested issue, and (2) a current income and expense declaration and property declaration.

(d) As provided in Rule 1.4, a party and/or an attorney's failure, without substantial justification, to file the documents and/or attend the mandatory settlement conference shall subject that person to sanctions. Sanctions may include, but are not limited to, an order for payment to the pro tem settlement conference officer for the time he or she spent at his/her customary hourly rate.

(e) The attorneys, or parties in propria persona, shall set forth the details for any settlement reached, which shall be signed by the parties and/or their attorneys and a copy attached to the clerk's minute order. The written recitation of the specific terms of the settlement must be prepared and signed by the parties and counsel and presented to the clerk. The judge will review the settlement with the parties and counsel in court after the settlement conference and enter appropriate orders. If one of the parties refuses, without substantial justification, to sign the prepared order concurring with this agreement, after ten (10) days the court shall sign the order. *(Effective January 1, 2007; As amended, eff 01/01/11; As amended, eff 01/01/2015; Renumbered, eff. 01/01/22))*

19.2 GOOD FAITH ATTEMPT AT INFORMAL RESOLUTION

(a) At least five (5) court days prior to the trial date for any contested family law case, counsel for each party shall serve on each opposing party a written proposal, prepared in good faith, for the resolution of all contested issues.

(b) Any financial declaration to be submitted at the trial shall be served on the opposing parties with the above-referenced written proposal for settlement. If the

declarations filed before the settlement conference remain current (i.e., valid within the preceding 90 days) at this time, they need not be resubmitted. *(Effective January 1, 2007; As amended, eff. 01/01/2015; Renumbered, eff. 01/01/22)*

Chapter 5

JUVENILE RULES

		Page
Rule 21	General Juvenile	31

RULE 21: GENERAL JUVENILE

21.1 FILING OF PAPERS

(a) All papers shall be accompanied by a proof of service, if applicable, and shall be filed on any applicable Judicial Council form.

(1) New petitions charging minors not in custody shall be filed no later than four (4) court days prior to the minor's appearance.

(2) Jurisdictional and/or Dispositional reports shall be filed not later than noon on the third court day before the hearing.

(3) Dependency status review reports shall be filed not later than ten (10) calendar days before the hearing.

(4) All other reports shall be filed not later than noon on the third court day before the hearing.

(b) All reports and pleadings prepared by child welfare workers, probation officers, attorneys, parties, or others shall be timely filed and served as required by law or these rules. A party's failure to file a report or a pleading in a timely fashion may be subject to sanctions. Detention reports and uncontested jurisdictional hearing reports are considered timely if filed on the day of such hearing. *(Effective January 1, 2007; As amended, eff. 01/01/08; As amended, eff. 01/01/2015; As amended, eff. 01/01/2022)*

21.2 EX PARTE REQUESTS FOR ORDERS OTHER THAN FOR PSYCHOTROPIC MEDICATIONS OR MEDICAL CARE

(a) Before submitting a request for an ex parte order to the court for consideration, the applicant shall give prior notice of the request to all counsel, parties, child welfare workers, and probation officers. Notice shall be given at least twenty-four (24) hours before the application is submitted to the court. The court may waive notice only upon a showing of good cause that is set forth by clear facts in a supporting declaration. An ex parte application lacking a statement explaining whether the parties were notified will be summarily denied.

(b) Ex parte requests shall include the following information:

(1) A description of the efforts made to obtain the consent of and/or give notice to the parties, the parents or legal guardians of the minor, and their attorneys of record or a statement indicating the reasons why said consent or notice should not be required;

(2) An indication of whether the minor, the parents or legal guardians of the minor, or their attorneys refuse to agree to the proposal which is the

subject of the ex parte request including the ground for the person's refusal, if known;

(3) The reasons why the ex parte request cannot be made by a regular noticed motion; and

(4) A full disclosure of any prior requests and the court's action thereon whenever a request for an ex parte order of the same character or for the same relief has been made to the court.

(c) An opposing party shall present any written opposition to the court within twenty-four (24) hours of receipt of notice of the ex parte application. The court's initial review of the application will be treated as a non-appearance, non-calendar matter. Upon receipt of the ex parte application and any opposition, as provided above, the court may render its decision on the application or set the matter for hearing, at the court's discretion. The applicant is responsible for serving notice of the court's order on the application, whether granted or denied. If the matter is set for hearing, the applicant shall also give notice of such hearing to all parties and counsel, unless ordered otherwise by the court. Any party disagreeing with the order may request that the matter be placed on calendar for further consideration.

(d) Ex parte requests for (1) orders for temporary removal of prisoners or wards and production as a party, (2) preservation of dispatch transmissions ("CAD purges"), or (3) copies of booking photographs, may be submitted to the court without any prior notice to other parties. *(Effective January 1, 2007; Renumbered, eff. 01/01/2022)*

(b) The application shall be made in writing and shall be heard in the department where the case is pending. If the application is granted, the moving party shall prepare an order for the court's signature.

(c) No expert fee shall be paid by the court unless counsel has received an order of the court for payment.

(d) In all contested proceedings, the name, address and curriculum vitae of any experts to be called by any party and written copies of their reports shall be served upon all parties at least five (5) court days prior to the hearing, or such other time as the court may direct in the interest of justice. *(Effective January 1, 2007; Renumbered, eff. 01/01/2022)*

21.3 COMPLAINT PROCESS

A party who wishes to make a complaint about appointed counsel must do so in writing to the Court Executive Office. A copy of the complaint must be provided to all counsel and/or parties. The Court must determine what action, if any, to take including whether the complaint should be referred to the appropriate licensing board. *(Effective January 1, 2022)*

21.4 CASA REPORTS

CASA reports shall be filed with the court at least two (2) court days prior to the hearing. The CASA program shall also provide a copy of the report to all counsel of record at least two (2) court days before the hearing. *(Effective January 1, 2012; Renumbered, eff. 01/01/2022)*

Chapter 6

PROBATE RULES

		Page
Rule 25	General Probate	35

RULE 25: DELETED

Chapter 7

GUARDIANSHIP RULES

Rule 26 Guardianship of the Person of a Minor 37

RULE 26 GUARDIANSHIPS OF THE PERSON OF A MINOR

26.1 PETITION FOR APPOINTMENT: NOTICE AND HEARING

(a) Notice required by Probate Code Section 1511(b) shall be personally served while the notice required by Probate Code Section 1511 (c), (d) and (e) is to be mailed.

(b) Relatives in the second degree include: maternal grandparents, paternal grandparents, parents, brothers and sisters, and any children.

(c) Notice shall be given to persons not otherwise entitled to notice who are parties to any other proceeding to appoint a guardian for the minor if such proceedings are known to the petitioner at the time of filing.

(d) The Clerk's Office will set a hearing date approximately sixty (60) days after filing to allow time for the Court Investigator's report.

(e) In the case of a petition for guardianship of the person by a relative, notice shall be mailed to the Probate Investigator.

(f) In the case of a petition for guardianship of the person by a non-relative, notice under Probate Code Sections 1540 through 1543, inclusive, shall be mailed at least forty-five (45) days prior to the hearing date to:

(1) The State Department of Social Services; and

(2) Yolo County Department of Employment and Social Services.

(g) A declaration of due diligence is required where the petitioner cannot determine the name or address of a relative or party to whom notice is required. The declaration shall specify all efforts undertaken to identify and locate such relative or party. The petitioner should check the following and state the results in the declaration: telephone directory, directory assistance, relatives and friends, former employers, and last known address. *(Effective January 1, 2007)*

26.2 PENDING ADOPTION

Pursuant to Probate Code Section 1543, if it appears that adoption proceedings are pending, letters of guardianship will not be issued nor the hearing permitted until the agency investigating the adoption has filed its report. *(Effective January 1, 2007)*

26.3 INDIAN CHILD WELFARE ACT (ICWA)

Guardianships are subject to the provisions of the federal Indian Child Welfare Act (ICWA). If there is any reason to believe that the child has Native American

heritage, the petitioner shall provide notice to the appropriate tribe(s) and the Secretary of the Department of the Interior as required by ICWA. *(Effective January 1, 2007)*

26.4 GUARDIANSHIP HEARING

The minor and the proposed guardian shall attend the hearing to establish a guardianship of a minor, unless their presence is waived by the court. *(Effective January 1, 2007)*

26.5 PROBATE INVESTIGATOR OR SOCIAL SERVICES

(a) The Probate Investigator conducts an investigation on all petitions to establish a guardianship where the proposed guardian is a relative.

(b) Where the proposed guardian is a non-relative, Child Protective Services conducts the investigation. Any delay may cause a continuance. See Probate Code Section 1513(g) for the definition of relative.

(c) Once the guardianship is established, the Probate Investigator assists the court in reviewing guardianships of the person and the estate. Counsel and guardians shall cooperate fully with the Probate Investigator.

(d) The Probate Investigator shall be provided with a copy of all petitions to terminate a guardianship.

(e) Pursuant to Probate Code section 1513.1 and 1851.5, at the time of filing a petition to establish a guardianship, if the proposed guardian is a relative, a fee shall be assessed and paid for the Probate Investigator's report unless deferred or waived by the court. If the guardian or other person liable for payment of the assessment believes the fees should be deferred or waived due to hardship, the subject petition shall include a request for deferral or waiver and shall set forth facts establishing a hardship. Failure to make timely payment will not delay approval of any petition but will result in the matter being referred to collections. *(Effective January 1, 2007; As amended, eff. 01/01/10; As amended, eff. 01/01/11)*

26.6 TEMPORARY GUARDIANSHIPS

(a) All petitions for appointment of a temporary guardian should be submitted by ex parte application. Proof of service of the petition, pursuant to Probate Code Section 2250, shall be filed prior to the issuance of an order.

(b) If the court determines that a hearing on the petition for a temporary guardianship is necessary, notice will be sent by the court to the attorney and petitioner. Notice of that hearing shall then be given by the attorney and/or petitioner to those required to receive notice. *(Effective January 1, 2007)*

26.7 APPOINTMENT OF SUCCESSOR GUARDIAN

When filing a petition for a successor guardianship of the person, a copy of the petition for successor appointment shall be sent to the Probate Investigator in order to determine if an investigation and report will be required. Successor guardianship petitions shall be set for hearing by the clerk approximately sixty (60) days after the filing date to allow enough time for any required investigation. *(Effective January 1, 2007)*

26.8 APPOINTMENT OF LEGAL COUNSEL FOR THE MINOR

If the court determines it would be in the best interests of the minor, the court may appoint private counsel to represent the minor, or the interests of the minor, in an existing guardianship or in a petition to appoint a guardian of the person pursuant to Probate Code Section 1470. Counsel for the minor shall not be retained by any party to the contest. The rights, duties and responsibilities of the attorney for the minor in a contest guardianship of the person shall include those specified in Family Code Sections 3150, et seq. *(Effective January 1, 2007)*

APPENDIX 1

SUPERIOR COURT OF CALIFORNIA
COUNTY OF YOLO

Listing of Forms by Name	Number	Date	Use
ADR Information Sheet	CV0140	9/2020	Mandatory
Application for Reduced Monthly Payment	CR001	10/2018	Mandatory
At-issue Memorandum	YOCV0100	6/2016	Optional
Civil Assessment Motion	CR323	6/2016	Mandatory
Civil Bench Warrant	CV0141	6/2020	Optional
Defendant Waives Right to Separate Counsel	YCR-141	12/2021	Optional
DUI Advisement of Rights, Waiver & Plea Form (VC23152)	PRU-101	4/2012	Mandatory
DUI Conviction Advisement	YCR-100	12/2021	Mandatory
Family Law Settlement Conference Statement	CV0240	1/2012	Optional
Family Law Stipulation and Order	CV0220	6/2016	Optional
General Information for Petitions for Dismissal	CR003	6/2016	Optional
General Information for Petitions for Recall of Sentence	CR004	6/2016	Optional
Language Access Complaint	YCSS-100	12/2021	Mandatory
Language Access Complaint – Spanish	YCSS-100a	12/2021	Mandatory
Misdemeanor Advisement of Rights, Waiver & Plea	PRU-200	1/2013	Mandatory
Modification Request – CSB Accounts	TR001	12/2012	Mandatory
Notice of Case Management Conference	YOCV0142	8/2020	Mandatory
Notice of Motion – Traffic Continuance	M725A	6/2016	Optional
Order Appointing Court Investigator	YOCV0175	10/2004	Optional
Penalty Assessment Breakdown	YCR101	4/2013	Mandatory
Peremptory Challenge	YCSS-110	12/2021	Optional
Petition to Recall Sentence PC 1170.8 (Prop 47)	CR500	11/2014	Optional
Plea in Absentia	CR310	11/2002	Optional
Proof of Service by Mail – Traffic	YOCV0190	6/2016	Optional
Qualifications for Reduced Monthly Payment Amounts	CR002	10/2018	Mandatory
Response to Petition to Recall Sentence	CR51011	6/2016	Optional
Transcript Order Form	YCSS-102	12/2021	Optional
VOP Advisement of Rights	YCR-104	12/2021	Mandatory
Waiver of Counsel	CRC353	12/2021	Optional

Listing of Forms by Number			
Number	**Name**	**Date**	**Use**
CR001	Application for Reduced Monthly Payment	10/2018	Mandatory
CR002	Qualifications for Reduced Monthly Payment Amounts	10/2018	Mandatory
CR003	General Information for Petitions for Dismissal	6/2016	Optional
CR004	General Information for Petitions for Recall of Sentence	6/2016	Optional
CR310	Plea in Absentia	11/2002	Optional
CR323	Civil Assessment Motion	6/2016	Mandatory
CR500	Petition to Recall Sentence PC1170.8 (Prop 47)	11/2014	Optional
CR510	Response to Petition to Recall Sentence	6/2016	Optional
CRC353	Waiver of Counsel	12/2021	Optional
CV0140	ADR Information Shett	9/2020	Mandatory
CV0141	Civil Bench Warrant	6/2020	Optional
CV0220	Family Law Stipulation and Order	6/2016	Optional
CV0240	Family Law Settlement Conference Statement	1/2012	Optional
M725A	Notice of Motion – Traffic Continuance	6/2016	Optional
PRU-101	DUI Advisement of Rights, Waiver & Plea(VC23152)	4/2012	Mandatory
PRU-200	Misdemeanor Advisement of Rights, Waiver & Plea	1/2012	Mandatory
TR001	Modifications Request – CSB Accounts	12/2012	Mandatory
YCR-100	DUI Conviction Advisement	12/2021	Mandatory
YCR101	Penalty Assessment Breakdown	4/2013	Mandatory
YCR-104	VOP Advisement of Rights	12/2021	Mandatory
YCR-141	Defendant Waives Right to Separate Counsel	12/2021	Optional
YCSS-100	Language Access Complaint	12/2021	Mandatory
YCSS-100a	Language Access Complaint – Spanish	12/2021	Mandatory
YCSS-102	Transcript Order Form	12/2021	Optional
YCSS-110	Peremptory Challenge	12/2021	Optional
YOCV0100	At-issue Memorandum	6/2016	Optional
YOCV0142	Notice of Case Management Conference	8/2020	Mandatory
YOCV0175	Order Appointing Court Investigator	10/2004	Optional
YOCV0190	Proof of Service by Mail – Traffic	6/2016	Optional

Index by Subject Matter

Title	Chapter	Rule	Page
Appearances (Criminal)	3	16.4	20
Appellate Division	**1**	**3**	**4**
Appellate Record	1	3	4
Appendix 1			40
Appointment of Legal Counsel for the Minor	7	26.8	39
Appointment of Successor Guardian	7	26.7	39
Arraignment	3	16.2	20
Assignment (Appellate)	1	3.1	4
Attorney Fees	2	11.3	16
Authority and Compliance (efile)	1	7.1	11
Bench Trial Continuances	4	17.2	24
Bias Informal Complaint Policy	1	4.7	6
Calendared Matters (Civil)	2	11.1	15
Calendaring Requests (Criminal)	3	16.3	20
CASA Reports	5	21.4	33
Case Management	**2**	**12**	**17**
Chapter 1 - Organization and Administration	**1**		**1**
Chapter 2 - Civil Rules	**2**		**14**
Chapter 3 - Criminal Rules	**3**		**19**
Chapter 4 - Family Law Rules	**4**		**23**
Chapter 5 - Juvenile Rules	**5**		**30**
~~**Chapter 6 - Probate Rules - Deleted**~~	~~**6**~~		~~**34**~~
Chapter 7 – Guardianship Rules	**7**		**36**
Child Custody and Child/Spousal Support	**4**	**18**	**26**
Civil Trials	**2**	**13**	**18**
Complaint Process (Family Law)	4	17.4	25
Complaint Process (Juvenile)	5	21.3	32
Confidential Documents (efile)	1	7.7	12
Construction	1	1.2	2
Court Documents and Files	1	2.3	3
Court Location	1	2.1	3
Court Ordered Child Custody Evaluations	4	17.3	24
Court Reporter	**1**	**6**	**10**
Court Reporter Services	1	6.1	10
Court Reporter Requests for Civil, Family & Probate	1	6.2	10
Court Security and Conduct	**1**	**4**	**5**
Criminal Complaints-Time of Filing	3	16.1	20
Disputes re: Custody	4	18.1	26
Documents Not Filed Electronically	1	7.8	12
Dress Policy	1	4.3	5
Electronic Filing Acceptance Deadline	1	7.5	12
Electronic Filing and Service	**1**	**7**	**11**
Electronic Filing Fee Waiver	1	7.6	12

Title	Chapter	Rule	Page
Electronic Filing Requirements	1	7.4	12
Ex Parte Hearings	**1**	**5**	**9**
Ex Parte Hearings	1	5.1	9
Ex Parte Requests for Orders other than Psychotropic Medications or Medical Care	5	21.2	31
Exhibits (efile)	1	7.9	13
Filing of Papers	5	21.1	31
Filings and Mailed Filings	1	2.2	3
General Civil	**2**	**11**	**15**
General Criminal	**3**	**16**	**20**
General Family Law	**4**	**17**	**24**
General Juvenile	**5**	**21**	**31**
General Rules	**1**	**1**	**2**
Good Faith Attempt at Informal Resolution	4	19.2	28
Guardianship Hearing	7	26.4	38
Guardianship of the Person of a Minor	**7**	**26**	**37**
Guidelines for Temporary Child/Spousal Support Orders	4	18.2	26
Indian Child Welfare Act (ICWA)	7	26.3	37
Law and Motion (Family Law)	4	17.1	24
Listing of Local Forms			**40**
Location and Organization	**1**	**2**	**3**
Mandatory Electronic Filing and Service	1	7.2	11
Mandatory Settlement Conferences	4	19.1	28
Marking Exhibits	2	13.3	18
Name, Citation and Effective Date	1	1.1	2
Notice of Case Management Conference	2	12.2	17
Original Depositions	2	13.4	18
Pending Adoption	7	26.2	37
Permissive Electronic Filing and Service	1	7.3	12
Petition for Appointment: Notice of Hearing	7	26.1	37
Plea Forms	3	16.5	20
Pre-Trial Conferences in Misdemeanors	3	16.8	21
Probate Investigator or Social Services	7	26.5	38
Purpose and Goal	2	12.1	17
Purpose of Trial Readiness Conferences	3	16.9	21
Real Property Bonds	3	16.10	22
Recording Equipment Prohibited	1	4.5	6
Remote Appearances	1	2	3
Responsibilities of Relieved Counsel of Record	3	16.7	21
Restricted Areas	1	4.4	5
Sanctions for Violation of Local Rules	1	1.4	2
Security	1	4.1	5
Self-Addressed Stamped Envelopes	2	11.4	16
Settlement and Trial of Family Law Matters	**4**	**19**	**28**
Severability of Rules	1	1.3	2
Temporary Guardianships	7	26.6	38
Tentative Rulings	2	11.2	15
Trial Statement and Motions In Limine (Civil)	2	13.2	18

Title	Chapter	Rule	Page
Trials (Civil)	2	13.1	18
Use of Laptop Computers and Electronic Devices	1	4.6	6
Violation of Probation Declarations and Hearings	3	16.6	21
Weapons	1	4.2	5