

AMENDMENT TO THE CALIFORNIA RULES OF COURT
Adopted by the Judicial Council on September 20, 2024, effective January 1, 2025

1	Rule 2.893. Appointment of interpreters in court proceedings.....	2
2	Rule 3.1308. Tentative rulings.....	11
3	Rule 3.1385. Duty to notify court and others of settlement of entire case	13
4	Title 3. Civil Rules.....	15
5	Division 19. Postjudgment and Enforcement of Judgment	15
6	Rule 3.1905. Debtor’s examinations in consumer debt cases.....	15
7	Rule 3.2226. Initial case management conference.....	16
8	Rule 4.433. Matters to be considered at time set for sentencing	18
9	Rule 5.620. Orders after filing under section 300.....	19
10	Rule 5.625. Orders after filing of petition under section 601 or 602.....	20
11	Rule 5.630. Restraining orders.....	20
12	Rule 5.632. Civil harassment, workplace violence prevention, and domestic	
13	violence prevention orders.....	23
14	Rule 5.674. Conduct of hearing; admission, no contest, submission	23
15	Rule 5.676. Requirements for detention	24
16	Rule 5.678. Findings in support of detention; factors to consider; reasonable efforts;	
17	active efforts; detention alternatives	26
18	Rule 5.92. Request for court order; responsive declaration.....	27
19	Rule 7.1016. Participation and testimony of wards in guardianship proceedings	
20	(Prob. Code, § 1514(b)(1); Fam. Code, § 3042).....	29
21	Rule 8.100. Filing the appeal.....	39
22	Rule 8.200. Briefs by parties and amici curiae	39
23	Rule 8.320. Normal record; exhibits.....	41
24	Rule 8.883. Contents and form of briefs.....	45
25	Rule 10.461. Minimum education requirements for Supreme Court and Court of	
26	Appeal justices	48
27	Rule 10.462. Minimum education requirements and expectations for trial court	
28	judges and subordinate judicial officers	48
29	Rule 10.465. Education requirements and recommendations for justices, judges, and	
30	subordinate judicial officers on fairness and access	49
31	Rule 10.469. Education recommendations for justices, judges, and subordinate	
32	judicial officers	50
33	Standard 2.2. Trial court case disposition time goals	50

1 **Rule 2.893. Appointment of interpreters in court proceedings**

2
3 **(a) Application**

4
5 This rule applies to all trial court proceedings in which the court appoints ~~an a~~
6 spoken language interpreter for a ~~L~~limited English ~~P~~proficient (LEP) person. ~~This~~
7 ~~rule applies to spoken language interpreters in languages designated and not~~
8 ~~designated by the Judicial Council.~~

9
10 *(Sub (a) amended effective January 1, 2025.)*

11
12 **(b) Definitions**

13
14 As used in this rule:

15
16 (1) “Designated language” means a language selected by the Judicial Council for
17 the development of a certification program under Government Code section
18 68562.;

19
20 (2) “Certified interpreter” means an interpreter who is ~~certified~~qualified by the
21 Judicial Council to interpret in a designated language as defined in (b)(1).
22 ~~designated by the Judicial Council under Government Code section 68560 et~~
23 ~~seq.;~~ A certified interpreter has passed the English written exam and the
24 Bilingual Interpreting Exam.

25
26 (3) “Registered interpreter” means an interpreter who is qualified by the Judicial
27 Council to interpret in a language that is not a designated language by the
28 Judicial Council as defined in (b)(1). ~~who is qualified by the court under the~~
29 ~~qualification procedures and guidelines adopted by the Judicial Council;~~ ~~and~~
30 ~~who has passed a minimum of an English fluency examination offered by a~~
31 ~~testing entity approved by the Judicial Council under Government Code~~
32 ~~section 68560 et seq.;~~ A registered interpreter has passed the English written
33 exam, an Oral Proficiency Exam in English, and an Oral Proficiency Exam in
34 the target language, if available.

35
36 (4) ~~“Noncertified interpreter”~~ “Relay interpreter” means ~~an interpreter is not~~
37 ~~certified by the Judicial Council to interpret a language designated by the~~
38 ~~Judicial Council under Government Code section 68560 et seq.;~~ a person who
39 interprets between two non-English spoken languages.;

40
41 (5) ~~“Nonregistered interpreter”~~ means ~~an interpreter in a language not designated~~
42 ~~by the Judicial Council who has not been qualified under the qualification~~
43 ~~procedures and guidelines adopted by the Judicial Council under Government~~

1 Code section 68560 et seq.; “Noncertified” or “nonregistered” interpreter
2 means a person providing interpretation services:

3
4 (A) In a language designated for certification by the Judicial Council,
5 without holding a certification to provide interpretation in that
6 language; or

7
8 (B) In a language identified as a registered language by the Judicial
9 Council, without holding registered status to interpret in that language,
10 under the procedures and guidelines adopted by the Judicial Council; or

11
12 (C) In two non-English languages, as a relay interpreter.

13
14 ~~(6) “Provisionally qualified” means an interpreter who is neither certified nor~~
15 ~~registered but has been qualified under the good cause and qualification~~
16 ~~procedures and guidelines adopted by the Judicial Council under Government~~
17 ~~Code section 68560 et seq.;~~

18
19 ~~(7) “Temporary interpreter” means an interpreter who is not certified, registered,~~
20 ~~or provisionally qualified, but is used one time, in a brief, routine matter.~~

21
22 *(Sub (b) amended effective January 1, 2025.)*

23
24 **(c) Appointment of certified or registered interpreters**

25
26 If a court appoints a certified or registered court interpreter, the ~~judge~~ judicial
27 officer in the proceeding must require the following to be stated on the record:

28
29 (1)–(6) * * *

30
31 *(Sub (c) amended effective January 1, 2025.)*

32
33 **(d) Appointment ~~or use of~~ noncertified or nonregistered interpreters**

34
35 (1) ~~When permissible~~ A noncertified or nonregistered interpreter may be
36 appointed to provide interpretation services as follows:

37
38 ~~If after a diligent search a certified or registered interpreter is not available,~~
39 ~~the judge in the proceeding may either appoint a noncertified or nonregistered~~
40 ~~interpreter who has been provisionally qualified under (d)(3) or, in the~~
41 ~~limited circumstances specified in (d)(4), may use a noncertified or~~
42 ~~nonregistered interpreter who is not provisionally qualified.~~

43 (A) Under a provisional appointment as described in (e); or

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

(B) Under a temporary appointment as described in (f).

(2) ~~Required record~~In all cases in which a noncertified or nonregistered interpreter is appointed ~~or used~~, the ~~judge~~ judicial officer in the proceeding must require the following to be stated on the record:

(A) The language to be interpreted;

~~(B) A finding that a certified or registered interpreter is not available and a statement regarding whether a *Certification of Unavailability of Certified or Registered Interpreter* (form INT-120) for the language to be interpreted is on file for this date with the court administrator;~~

~~(C)~~ (B) A finding that good cause exists to appoint a noncertified or nonregistered interpreter;

~~(D)~~ (C) The name of the interpreter;

~~(E)~~ (D) A statement that the interpreter is not certified or registered to interpret in the language to be interpreted;

~~(F)~~ (E) A finding that the interpreter is qualified to interpret in the proceeding as required in ~~(d)(3)-(e)~~ or ~~(d)(4)-(f)~~, with any other findings required under those subdivisions; and

~~(G)~~ (F) A statement that the interpreter was administered the interpreter's oath.

~~(3) Provisional qualification~~

~~(A) A noncertified or nonregistered interpreter is provisionally qualified if the presiding judge of the court or other judicial officer designated by the presiding judge:~~

~~(i) Finds the noncertified or nonregistered interpreter to be provisionally qualified following the *Procedures to Appoint a Noncertified or Nonregistered Spoken Language Interpreter as Either Provisionally Qualified or Temporary* (form INT-100-INFO); and~~

~~(ii) Signs an order allowing the interpreter to be considered for appointment on *Qualifications of a Noncertified or Nonregistered*~~

1 *Spoken Language Interpreter* (form INT-110). The period
2 covered by this order may not exceed a maximum of six months.
3

4 ~~(B) To appoint a provisionally qualified interpreter, in addition to the~~
5 ~~matters that must be stated on the record under (d)(2), the judge in the~~
6 ~~proceeding must state on the record:~~

7
8 ~~(i) A finding that the interpreter is qualified to interpret the~~
9 ~~proceeding, following procedures adopted by the Judicial Council~~
10 ~~(see forms INT-100-INFO, INT-110, and INT-120);~~

11
12 ~~(ii) A finding, if applicable, that good cause exists under (f)(1)(B) for~~
13 ~~the court to appoint the interpreter beyond the time ordinarily~~
14 ~~allowed in (f); and~~

15
16 ~~(iii) If a party has objected to the appointment of the proposed~~
17 ~~interpreter or has waived the appointment of a certified or~~
18 ~~registered interpreter.~~

19
20 ~~(4) Temporary use~~

21
22 ~~At the request of an LEP person, a temporary interpreter may be used to~~
23 ~~prevent burdensome delay or in other unusual circumstances if:~~

24
25 ~~(A) The judge in the proceeding finds on the record that:~~

26
27 ~~(i) The LEP person has been informed of their right to an interpreter~~
28 ~~and has waived the appointment of a certified or registered~~
29 ~~interpreter or an interpreter who could be provisionally qualified~~
30 ~~by the presiding judge as provided in (d)(3);~~

31
32 ~~(ii) Good cause exists to appoint an interpreter who is not certified,~~
33 ~~registered, or provisionally qualified; and~~

34
35 ~~(iii) The interpreter is qualified to interpret that proceeding, following~~
36 ~~procedures adopted by the Judicial Council (see forms INT-100-~~
37 ~~INFO and INT-140).~~

38
39 ~~(B) The use of an interpreter under this subdivision is limited to a single~~
40 ~~brief, routine matter before the court. The use of the interpreter in this~~
41 ~~circumstance may not be extended to subsequent proceedings without~~
42 ~~again following the procedure set forth in this subdivision.~~

1 (Sub (d) amended effective January 1, 2025.)
2

3 (e) **Appointment of intermediary interpreters working between two languages**
4 **that do not include English Provisional qualification and appointment of**
5 **noncertified or nonregistered interpreters**
6

7 An interpreter who works as an intermediary between two languages that do not
8 include English (a relay interpreter) is not eligible to become certified or registered.
9 However, a relay interpreter can become provisionally qualified if the judge finds
10 that he or she is qualified to interpret the proceeding following procedures adopted
11 by the Judicial Council (see forms INT 100 INFO, INT 110, and INT 120). The
12 limitations in (f) below do not apply to relay interpreters.

13 (1) When permissible
14

15 If, after a diligent search, a certified or registered interpreter is not available,
16 the judicial officer in the proceeding may appoint a noncertified or
17 nonregistered interpreter who has been provisionally qualified under this
18 subdivision.
19

20 (2) Provisional qualification
21

22 (A) A noncertified or nonregistered interpreter is provisionally qualified if a
23 judicial officer of a superior court finds the noncertified or
24 nonregistered interpreter to be provisionally qualified to interpret in a
25 specific language or languages and signs the order allowing the
26 interpreter to be considered for appointment on *Provisional*
27 *Qualification of Noncertified or Nonregistered Spoken Language*
28 *Interpreter* (form INT-110).
29

30 (B) A provisional qualification is valid for one year from the date of
31 judicial officer signature on form INT-110.
32

33 (C) Interpreters seeking a third or subsequent provisional qualification
34 period after January 1, 2025, must demonstrate their efforts to achieve
35 certified or registered status, by providing the following information to
36 the court, either orally or on form INT-110:
37

38 (i) Whether they have completed the Judicial Council's online self-
39 paced court interpreter ethics training within the past two years;
40 and
41

42 (ii) Whether they have made at least two attempts to pass a
43 qualifying exam in the past two years, if such a qualifying exam

1 exists. Interpreters, including relay interpreters, working in a
2 language for which an Oral Proficiency Exam exists must attempt
3 that exam.

4
5 (D) When an interpreter seeks a third or subsequent provisional
6 qualification period after January 1, 2025, the judicial officer must find
7 that the interpreter has made the efforts required in (C) or must indicate
8 that good cause exists to appoint the interpreter in form INT-110's
9 *Provisional Qualification Finding and Order of the Court.*

10
11 (3) Required record

12
13 In addition to the matters that must be stated on the record under (d)(2), to
14 make a provisional appointment of a noncertified or nonregistered interpreter,
15 the judicial officer in the proceeding must state on the record:

16
17 (A) A finding that a certified or registered interpreter is not available and a
18 statement that *Certification of Unavailability of Certified or Registered*
19 *Interpreter and Availability of Provisionally Qualified Interpreter*
20 (form INT-120) for the language to be interpreted is on file for this date
21 with the court administrator;

22
23 (B) A finding that the interpreter has been provisionally qualified to
24 interpret in the required language or languages, following procedures
25 adopted by the Judicial Council (see forms INT-100-INFO and INT-
26 110);

27
28 (C) A finding, if applicable, that there is a necessity to appoint the
29 interpreter beyond the time ordinarily allowed in (4); and

30
31 (D) Whether a party has objected to the appointment of the proposed
32 interpreter or has waived the appointment of a certified or registered
33 interpreter.

34
35 (4) Limits on provisional appointment

36
37 (A) Unless the judicial officer in the proceeding determines there is a
38 necessity, a noncertified interpreter who is provisionally qualified
39 under this rule to interpret in Spanish may not interpret in a superior
40 court for more than 45 court days or parts of court days within a
41 calendar year.

1 (B) Unless the judicial officer in the proceeding determines there is a
2 necessity, a noncertified or nonregistered interpreter who is
3 provisionally qualified under this rule to interpret in a language other
4 than Spanish may not interpret in a superior court for more than 75
5 court days or parts of court days within a calendar year.
6

7 *(Sub (e) amended effective January 1, 2025.)*
8

9 **(f) ~~Limit on appointment of provisionally qualified noncertified and~~**
10 **~~nonregistered interpreters~~**
11

12 ~~(1) A noncertified or nonregistered interpreter who is provisionally qualified~~
13 ~~under (d)(3) may not interpret in any trial court for more than any four~~
14 ~~six-month periods, except in the following circumstances:~~
15

16 ~~(A) A noncertified interpreter of Spanish may be allowed to interpret for no~~
17 ~~more than any two six-month periods in counties with a population~~
18 ~~greater than 80,000.~~
19

20 ~~(B) A noncertified or nonregistered interpreter may be allowed to interpret~~
21 ~~more than any four six-month periods, or any two six-month periods~~
22 ~~for an interpreter of Spanish under (f)(1)(A), if the judge in the~~
23 ~~proceeding makes a specific finding on the record in each case in which~~
24 ~~the interpreter is sworn that good cause exists to appoint the interpreter,~~
25 ~~notwithstanding the interpreter's failure to achieve Judicial Council~~
26 ~~certification.~~
27

28 ~~(2) Except as provided in (f)(3), each six-month period under (f)(1) begins on the~~
29 ~~date a presiding judge signs an order under (d)(3)(A)(ii) allowing the~~
30 ~~noncertified or nonregistered interpreter to be considered for appointment.~~
31

32 ~~(3) If an interpreter is provisionally qualified under (d)(3) in more than one court~~
33 ~~at the same time, each six-month period runs concurrently for purposes of~~
34 ~~determining the maximum periods allowed in this subdivision.~~
35

36 ~~(4) Beginning with the second six-month period under (f)(1), a noncertified or~~
37 ~~nonregistered interpreter may be appointed if he or she meets all of the~~
38 ~~following conditions:~~
39

40 ~~(A) The interpreter has taken the State of California Court Interpreter~~
41 ~~Written Exam at least once during the 12 calendar months before the~~
42 ~~appointment;~~
43

1 ~~(B) The interpreter has taken the State of California’s court interpreter~~
2 ~~ethics course for interpreters seeking appointment as a noncertified or~~
3 ~~nonregistered interpreter, or is certified or registered in a different~~
4 ~~language from the one in which he or she is being appointed; and~~

5
6 ~~(C) The interpreter has taken the State of California’s online court~~
7 ~~interpreter orientation course, or is certified or registered in a different~~
8 ~~language from the one in which he or she is being appointed.~~

9
10 ~~(5) Beginning with the third six-month period under (f)(1), a noncertified or~~
11 ~~nonregistered interpreter may be appointed if he or she meets all of the~~
12 ~~following conditions:~~

13
14 ~~(A) The interpreter has taken and passed the State of California Court~~
15 ~~Interpreter Written Exam with such timing that he or she is eligible to~~
16 ~~take a Bilingual Interpreting Exam; and~~

17
18 ~~(B) The interpreter has taken either the Bilingual Interpreting Exam or the~~
19 ~~relevant Oral Proficiency Exam(s) for his or her language pairing at~~
20 ~~least once during the 12 calendar months before the appointment.~~

21
22 ~~(6) The restrictions in (f)(5)(B) do not apply to any interpreter who seeks~~
23 ~~appointment in a language pairing for which no exam is available.~~

24
25 ~~(7) The restrictions in (f)(4) and (5) may be waived by the presiding judge for~~
26 ~~good cause whenever there are fewer than 25 certified or registered~~
27 ~~interpreters enrolled on the Judicial Council’s statewide roster for the~~
28 ~~language requiring interpretation.~~

29 **(f) Temporary appointment of noncertified or nonregistered interpreter**

30
31 (1) When permissible

32
33 If the judicial officer in a proceeding finds that a certified or registered
34 interpreter is not available, a noncertified or nonregistered interpreter may be
35 appointed to interpret for a single, brief, routine matter before the court in
36 order to prevent burdensome delay or in other unusual circumstances.

37
38 (2) Required record

39
40 A noncertified or nonregistered interpreter may be appointed on a temporary
41 basis, if, in addition to the requirements of (d)(2), the judicial officer in the
42 proceeding finds on the record that:

1 (A) The LEP person has been informed of their right to an interpreter and
2 has waived the appointment of a certified or registered interpreter or an
3 interpreter who could be provisionally qualified by the judicial officer
4 in the proceeding, as provided in (e);

5
6 (B) Good cause exists to appoint an interpreter who is not certified,
7 registered, or provisionally qualified; and

8
9 (C) The interpreter is qualified to interpret that proceeding, following
10 procedures adopted by the Judicial Council (see forms INT-100-INFO
11 and INT-140).

12
13 (3) Limits on temporary appointment

14
15 The appointment of an interpreter under this subdivision is limited to a single,
16 brief, routine matter before the court. The use of the interpreter in this
17 circumstance may not be extended to subsequent proceedings without again
18 following the procedure set forth in this subdivision.

19
20 *(Sub (f) adopted effective January 1, 2025; previous subd (b) repealed effective January 1,*
21 *2025.)*

22
23 **(g) Appointment of relay interpreter**

24
25 (1) When permissible

26
27 If, after a diligent search, a certified or registered interpreter is not available
28 to interpret between English and the language required for a court
29 proceeding, the court may appoint a relay interpreter to interpret between two
30 non-English spoken languages and a second interpreter who can interpret
31 between one of the relay interpreter's languages and English. A relay
32 interpreter may be appointed provisionally as described in (e), or on a
33 temporary basis as described in (f).

34
35 (2) Required record

36
37 (A) If the relay interpreter is appointed as a provisional interpreter, the
38 judicial officer must make the record required for all appointments of
39 noncertified and nonregistered interpreters in (d)(2), must follow the
40 rules for provisional qualification in (e)(2), and must make the record
41 required in (e)(3).

1 (B) If the relay interpreter is appointed as a temporary interpreter, the
2 judicial officer must make the record required for all appointments of
3 noncertified and nonregistered interpreters in (d)(2) and the record
4 required in (f)(2).

5
6 (3) Limits on appointment of relay interpreters

7
8 (A) A relay interpreter who is qualified for a provisional appointment
9 described in (e) is subject to the time limits for appointment set forth in
10 (e)(4).

11
12 (B) A relay interpreter with a temporary appointment described in (f) is
13 subject to the limits on temporary appointment to a single, brief, and
14 routine matter before the court.

15
16 *(Sub (g) adopted effective January 1, 2025.)*

17
18 *Rule 2.893 amended effective January 1, 2025; adopted effective January 1, 2018.*

19
20 **Advisory Committee Comment**

21
22 **Subdivisions (c) and (d)(2).** When a court reporter is transcribing the proceedings, or an
23 electronic recording is being made of the proceedings, a ~~judge~~ judicial officer may satisfy the “on
24 the record” requirement by stating the required details of the interpreter appointment in open
25 court. If there is no court reporter and no electronic recording is being made, the “on the record”
26 requirement may be satisfied by stating the required details of the interpreter appointment and
27 documenting them in writing—such as in a minute order, the official clerk’s minutes, a formal
28 order, or even a handwritten document—that is entered in the case file.

29
30 **Subdivision ~~(d)(4)(f)~~.** This provision is intended to allow for the one-time use of a noncertified or
31 nonregistered interpreter who is not provisionally qualified to interpret for an LEP person in a
32 courtroom event. This provision is not intended to be used to meet the extended or ongoing
33 interpretation needs of LEP court users.

34
35 **Subdivision ~~(b)(7) and (d)(4)(f)~~.** When determining whether the matter before the court is a
36 “brief, routine matter” for which a noncertified or nonregistered interpreter who has not been
37 provisionally qualified may be used, the judicial officer should consider the complexity of the
38 matter at issue and likelihood of potential impacts on the LEP person’s substantive rights,
39 keeping in mind the consequences that could flow from inaccurate or incomplete interpretation of
40 the proceedings.

41
42 **Rule 3.1308. Tentative rulings**

1 **(a) Tentative ruling procedures**

2
3 A trial court that offers a tentative ruling procedure in civil law and motion matters
4 must follow one of the following procedures:

5
6 (1) *Notice of intent to appear required*

7
8 The court must make its tentative ruling available by ~~telephone and also, at~~
9 ~~the option of the court, by any other~~ a method designated by the court, by no
10 later than 3:00 p.m. the court day before the scheduled hearing. If the court
11 desires oral argument, the tentative ruling must so direct. The tentative ruling
12 may also note any issues on which the court wishes the parties to provide
13 further argument. If the court has not directed argument, oral argument must
14 be permitted only if a party notifies all other parties and the court by 4:00
15 p.m. on the court day before the hearing of the party's intention to appear. A
16 party must notify all other parties by telephone or in person. The court must
17 accept notice by telephone and, at its discretion, may also designate
18 alternative methods by which a party may notify the court of the party's
19 intention to appear. The tentative ruling will become the ruling of the court if
20 the court has not directed oral argument by its tentative ruling and notice of
21 intent to appear has not been given.

22
23 (2) *No notice of intent to appear required*

24
25 The court must make its tentative ruling available by ~~telephone and also, at~~
26 ~~the option of the court, by any other~~ a method designated by the court, by a
27 specified time before the hearing. The tentative ruling may note any issues on
28 which the court wishes the parties to provide further argument at the hearing.
29 This procedure must not require the parties to give notice of intent to appear,
30 and the tentative ruling will not automatically become the ruling of the court
31 if such notice is not given. The tentative ruling, or such other ruling as the
32 court may render, will not become the final ruling of the court until the
33 hearing.

34
35 *(Subd (a) amended effective January 1, 2025; previously amended effective July 1, 2000,*
36 *and January 1, 2007.)*

37
38 **(b) No other procedures permitted**

39
40 Other than following one of the tentative ruling procedures authorized in (a), courts
41 must not issue tentative rulings except:

- 1 (1) By posting a calendar note containing tentative rulings on the day of the
2 hearing; or
3
4 (2) By announcing the tentative ruling at the time of oral argument.
5

6 **(c) Notice of procedure**
7

8 A court that follows one of the procedures described in (a) must so state in its local
9 rules. The local rule must specify the ~~telephone number~~ method for obtaining the
10 tentative rulings and the time by which the rulings will be available.
11

12 *(Subd (c) amended effective January 1, 2025; previously amended effective July 1, 2000,*
13 *and January 1, 2007.)*
14

15 **(d) Uniform procedure within court or branch**
16

17 If a court or a branch of a court adopts a tentative ruling procedure, that procedure
18 must be used by all judges in the court or branch who issue tentative rulings.
19

20 **(e) Tentative rulings not required**
21

22 This rule does not require any judge to issue tentative rulings.
23

24 *Rule 3.1308 amended effective January 1, 2025; adopted as rule 324 effective July 1, 1992;*
25 *previously amended effective July 1, 2000; previously amended and renumbered effective*
26 *January 1, 2007.*
27
28

29 **Rule 3.1385. Duty to notify court and others of settlement of entire case**
30

31 **(a) Notice of settlement**
32

- 33 (1) *Court and other persons to be notified*
34

35 If an entire case is settled or otherwise disposed of, each plaintiff or other
36 party seeking affirmative relief must immediately file written notice of the
37 settlement or other disposition with the court and serve the notice on all
38 parties and any arbitrator or other court-connected alternative dispute
39 resolution (ADR) neutral involved in the case. Each plaintiff or other party
40 seeking affirmative relief must also immediately give oral notice to all of the
41 above if a hearing, conference, or trial is scheduled to take place within 10
42 days.
43

1 (2) *Compensation for failure to provide notice*

2
3 If the plaintiff or other party seeking affirmative relief does not notify an
4 arbitrator or other court-connected ADR neutral involved in the case of a
5 settlement at least 2 days before the scheduled hearing or session with that
6 arbitrator or neutral, the court may order the party to compensate the
7 arbitrator or other neutral for the scheduled hearing time. The amount of
8 compensation ordered by the court must not exceed the maximum amount of
9 compensation the arbitrator would be entitled to receive for service as an
10 arbitrator under Code of Civil Procedure section 1141.18(b) or that the
11 neutral would have been entitled to receive for service as a neutral at the
12 scheduled hearing or session.
13

14 **(b) Dismissal of case**

15
16 Except as provided in (c) or (d), each plaintiff or other party seeking affirmative
17 relief must serve and file a request for dismissal of the entire case within 45 days
18 after the date of settlement of the case. If the plaintiff or other party required to
19 serve and file the request for dismissal does not do so, the court must dismiss the
20 entire case 45 days after it receives notice of settlement unless good cause is shown
21 why the case should not be dismissed.
22

23 **(c) Conditional settlement**

24
25 (1) *Notice*

26
27 If the settlement agreement conditions dismissal of the entire case on the
28 satisfactory completion of specified terms that are not to be performed within
29 45 days of the settlement, including payment in installment payments, the
30 notice of conditional settlement served and filed by each plaintiff or other
31 party seeking affirmative relief must specify the date by which the dismissal
32 is to be filed.
33

34 (2) *Dismissal*

35
36 If the plaintiff or other party required to serve and file a request for dismissal
37 within 45 days after the dismissal date specified in the notice does not do so,
38 the court must dismiss the entire case unless good cause is shown why the
39 case should not be dismissed.
40

41 (3) *Hearings vacated*

1 (A) Except as provided in (B), on the filing of the notice of conditional
2 settlement, the court must vacate all hearings and other proceedings
3 requiring the appearance of a party and may not set any hearing or
4 other proceeding requiring the appearance of a party earlier than 45
5 days after the dismissal date specified in the notice, unless requested by
6 a party.

7
8 (B) The court need not vacate a hearing on an order to show cause or other
9 proceeding relating to sanctions, or for determination of good faith
10 settlement at the request of a party under Code of Civil Procedure
11 section 877.6.

12
13 (4) *Case disposition time*

14
15 Under standard 2.2(n)(1)(A), the filing of a notice of conditional settlement
16 removes the case from the computation of time used to determine case
17 disposition time.

18
19 (d)–(e) * * *

20
21 **Advisory Committee Comment**

22
23 **Subdivisions (a) and (b).** Amended Code of Civil Procedure section 664.6 allows parties to
24 settle a case and agree to have the case dismissed without prejudice. The plaintiff or other party
25 seeking affirmative relief must follow the procedures outlined in subdivisions (a) and (b) even if
26 the parties settle the case and agree to dismiss under the provisions of Code of Civil Procedure
27 section 664.6.

28
29 **Subdivision (c).** Code of Civil Procedure section 664.6 allows for but does not mandate the
30 dismissal of cases with conditional settlements either upon stipulation of the parties or on the
31 court’s own motion. Subdivision (c) provides an alternative process for cases with a conditional
32 settlement in which dismissal is not sought under Code of Civil Procedure section 664.6.

33
34 **Title 3. Civil Rules**

35
36 **Division 19. Postjudgment and Enforcement of Judgment**

37
38
39 **Rule 3.1905. Debtor’s examinations in consumer debt cases**

40
41 **(a) Service of order to appear for examination**

1 A judgment creditor who serves *Application and Order to Appear for*
2 *Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce*
3 *Financial Statement or Appear for Examination—Consumer Debt* (form SC-136),
4 as provided in Code of Civil Procedure section 708.111(c), must include copies of
5 *Information on Debtor’s Examinations Regarding Consumer Debt* (form
6 *EJ-140-INFO/SC-136-INFO)* and *Current Dollar Amounts of Exemptions From*
7 *Enforcement of Judgments* (form EJ-156) with the service.
8

9 **(b) Filing of notice of motion and motion to require examination**

10
11 A judgment creditor who files *Notice of Motion and Motion to Require*
12 *Examination—Consumer Debt* (form EJ-146) to move the court to require the
13 judgment debtor to appear for examination, as provided in Code of Civil Procedure
14 section 708.111(d), must physically or electronically attach a copy of the judgment
15 debtor’s *Financial Statement—Consumer Debt* (form EJ-144) to the motion.
16

17 **Advisory Committee Comment**

18
19 The requirements of subdivision (a) are in addition to those of Code of Civil Procedure section
20 708.111(c), including that a judgment creditor who serves form EJ-141 on a judgment debtor
21 must include blank copies of *Notice of Financial Statement—Consumer Debt* (form EJ-143),
22 *Financial Statement—Consumer Debt* (form EJ-144), and *Exemptions From the Enforcement of*
23 *Judgments* (form EJ-155) with the service.
24

25 **Rule 3.2226. Initial case management conference**

26
27 **(a) Timing of conference**

28
29 The court ~~should~~ must hold an initial case management conference within 30 days
30 of the filing of the petition or complaint.

31
32 *(Sub (a) amended effective January 1, 2025.)*
33

34 **(b) Notice**

35
36 Petitioner must provide notice of the case management conference to respondent,
37 real party in interest, and any responsible agency or party to the action who has
38 been served before the case management conference, within one court day of
39 receiving notice from the court or at time of service of the petition or complaint,
40 whichever is later.

41
42 **(c) Subjects for consideration**
43

1 At the conference, the court should consider the following subjects:
2

- 3 (1) Whether all parties named in the petition or complaint have been served;
4
- 5 (2) Whether a list of responsible agencies has been provided, and notice provided
6 to each;
7
- 8 (3) Whether all responsive pleadings have been filed, and if not, when they must
9 be filed, and whether any hearing is required to address them;
10
- 11 (4) Whether severance, bifurcation, or consolidation with other actions is
12 desirable, and if so, a relevant briefing schedule;
13
- 14 (5) Whether to appoint a liaison or lead counsel, and either a briefing schedule
15 on this issue or the actual appointment of counsel;
16
- 17 (6) The scope, timing, and cost of the record of proceedings, including whether
18 the ~~administrative~~ record has been certified and served on all parties, whether
19 there are any issues with it, and whether the court wants to receive a paper
20 copy;
21
- 22 (7) Whether the parties anticipate any motions before the hearing on the merits
23 concerning discovery, injunctions, or other matters, and if so, a briefing
24 schedule for these motions;
25
- 26 (8) What issues the parties intend to raise in their briefs on the merits, and
27 whether any limitation of issues to be briefed and argued is appropriate;
28
- 29 (9) Whether a schedule for briefs on the merits different from the schedule
30 provided in these rules is appropriate;
31
- 32 (10) Whether the submission of joint briefs on the merits is appropriate, and the
33 page limitations on all briefs, whether aggregate per side or per brief;
34
- 35 (11) When the hearing on the merits of the petition will be held, and the amount of
36 time appropriate for it;
37
- 38 (12) The potential for settlement, and whether a schedule for settlement
39 conferences or alternative dispute resolution should be set;
40
- 41 (13) Any stipulations between the parties;
42
- 43 (14) Whether a further case management conference should be set; and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

(15) Any other matters that the court finds appropriate.

(Sub (c) amended effective January 1, 2025.)

(d) Joint case management conference statements

At least three court days before the case management conference, petitioner and all parties that have been served with the petition must serve and file a joint case management conference statement that addresses the issues identified in (c) and any other pertinent issues.

(e) Preparation for the conference

At the conference, lead counsel for each party and each self-represented party must appear in person or remotely, must be familiar with the case, and must be prepared to discuss and commit to the party's position on the issues listed in (c).

Rule 3.2226 amended effective January 1, 2025; adopted July 1, 2014; previously amended effective January 21, 2022.

Rule 4.433. Matters to be considered at time set for sentencing

(a)–(b) * * *

(c) If a sentence of imprisonment is to be imposed, or if the execution of a sentence of imprisonment is to be suspended during a period of probation, the sentencing judge must:

- (1) Determine, under section 1170(b), whether to impose one of the three authorized terms of imprisonment referred to in section 1170(b), or any enhancement, and state on the record the reasons for imposing that term;
- (2) Determine whether any additional term of imprisonment provided for an enhancement charged and found will be stricken;
- (3) Determine whether the sentences will be consecutive or concurrent if the defendant has been convicted of multiple crimes;
- (4) Determine any issues raised by statutory prohibitions on the dual use of facts and statutory limitations on enhancements, as required in rules 4.420(c) and 4.447; and

1 (5) Pronounce the court’s judgment and sentence, stating the terms thereof and
2 giving reasons for those matters for which reasons are required by law.

3
4 (d) * * *

5
6 (e) When a sentence of imprisonment is imposed under (c) or under rule 4.435, the
7 sentencing judge must inform the defendant:

8
9 (1) ~~Under section 1170(e)~~ Of the parole period provided by section 3000 ~~under~~
10 section 1170(c), or the parole period provided by section 3000.01, to be
11 served after expiration of the sentence, in addition to any period of
12 incarceration for parole violation;

13
14 (2) Of the period of postrelease community supervision provided by section 3456
15 to be served after expiration of the sentence, in addition to any period of
16 incarceration for a violation of postrelease community supervision; or

17
18 (3) Of any period of mandatory supervision imposed under section
19 1170(h)(5)(A) and (B), in addition to any period of imprisonment for a
20 violation of mandatory supervision.

21
22 *(Subd (e) amended effective January 1, 2025; previously amended effective July 28, 1977,*
23 *January 1, 1979, July 1, 2003, January 1, 2007, January 1, 2017, and January 1, 2018.)*

24
25 *Rule 4.433 amended effective January 1, 2025; adopted as rule 433 effective July 1, 1977;*
26 *previously renumbered effective January 1, 2001; previously amended effective July 28, 1977,*
27 *January 1, 1979, July 1, 2003, January 1, 2007, May 23, 2007, January 1, 2008, January 1,*
28 *2017, and January 1, 2018.*

29
30
31 **Rule 5.620. Orders after filing under section 300**

32
33 (a) * * *

34
35 (b) **Restraining orders (§ 213.5)**

36
37 After a petition has been filed under section 300, and until the petition is dismissed
38 or dependency is terminated, the court may issue restraining orders as provided in
39 rule 5.630. A temporary restraining order must be prepared on ~~Notice of Court~~
40 ~~Hearing and Temporary Restraining Order—Juvenile~~ (form JV-250). An order
41 after hearing must be prepared on *Juvenile Restraining Order After Hearing* (form
42 JV-255).

1 *(Subd (b) amended effective January 1, 2025; previously amended effective January 1,*
2 *2007, January 1, 2014, and January 1, 2023.)*

3

4 **(c)–(e) * * ***

5

6 *Rule 5.620 amended effective January 1, 2025; adopted as rule 1429.1 effective January 1, 2000;*
7 *previously amended and renumbered as rule 5.620 effective January 1, 2007; previously*
8 *amended effective January 1, 2014, January 1, 2016, January 1, 2021, and January 1, 2023.*

9

10 **Rule 5.625. Orders after filing of petition under section 601 or 602**

11

12 **(a) Restraining orders (§ 213.5)**

13

14 After a petition has been filed under section 601 or 602, and until the petition is
15 dismissed or wardship is terminated, the court may issue restraining orders as
16 provided in rule 5.630. A temporary restraining order must be prepared on ~~*Notice*~~
17 ~~*of Court Hearing and Temporary Restraining Order—Juvenile*~~ (form JV-250) or, if
18 the restrained person is the subject of a petition under section 601 or 602, on ~~*Notice*~~
19 ~~*of Court Hearing and Temporary Restraining Order Against a Child*~~ (form JV-
20 260). An order after hearing must be prepared on *Juvenile Restraining Order After*
21 *Hearing* (form JV-255) or, if the restrained person is the subject of a petition under
22 section 601 or 602, on ~~*Juvenile Restraining Order After Hearing—Against a Child*~~
23 ~~*Juvenile Restraining Order Against a Child—Order After Hearing*~~ (form JV-265).

24

25 *(Subd (a) amended effective January 1, 2025; previously amended effective January 1,*
26 *2003, and January 1, 2007, January 1, 2014, and January 1, 2023.)*

27

28

29 **(b)–(c) * * ***

30

31 *Rule 5.625 amended effective January 1, 2025; adopted as rule 1429.3 effective January 1, 2000;*
32 *previously amended effective January 1, 2003, January 1, 2014, January 1, 2021, and January 1,*
33 *2023; previously amended and renumbered effective January 1, 2007.*

34

35

36 **Rule 5.630. Restraining orders**

37

38 **(a)–(b) * * ***

39

40 **(c) Application for restraining orders**

41

42 **(1)–(7) * * ***

43

1 (8) The temporary restraining order must be prepared on *Notice of Court*
2 ~~*Hearing and Temporary Restraining Order—Juvenile*~~ (form JV-250) or, if
3 the restrained person is the subject of a petition under section 601 or 602, on
4 ~~*Notice of Court Hearing and Temporary Restraining Order Against a Child*~~
5 (form JV-260), and must state on its face the date of expiration of the order.
6

7 *(Subd (c) amended January 1, 2025; adopted as subd (b); previously amended effective*
8 *January 1, 2003, January 1, 2004, January 1, 2007, and January 1, 2012; amended and*
9 *relettered effective January 1, 2023.)*

10
11 **(d) Continuance**

12
13 (1)–(3) * * *

14
15 (4) Either *Order on Request to Reschedule Restraining Order Hearing* (form JV-
16 253) or a new *Notice of Court Hearing and (form JV-249)* may be used to
17 grant or deny a request for a continuance and, if granted, a *Temporary*
18 *Restraining Order—Juvenile* (form JV-250) ~~must be used to grant or deny a~~
19 ~~request for continuance~~ may be issued. If the restrained person is the subject
20 of a petition under section 601 or 602, either form JV-253 or a new *Notice of*
21 *Court Hearing and (form JV-249)* may be used and, if granted, *Temporary*
22 *Restraining Order Against a Child* (form JV-260) ~~must be used~~ may be
23 issued.
24

25 *(Subd (d) amended January 1, 2025; adopted as subd (g) effective January 1, 2003;*
26 *amended and relettered as subd (e) effective January 1, 2012 and as subd (d) effective*
27 *January 1, 2023; previously amended effective January 1, 2004, January 1, 2007, January*
28 *1, 2014, and July 1, 2016.)*

29
30 **~~(f)~~(e) Hearing on application for restraining order**

31
32 (1)–(4) * * *

33
34 *(Subd (e) relettered effective January 1, 2025; adopted as subd (d); previously amended*
35 *effective January 1, 2007, and January 1, 2014; previously amended and relettered as*
36 *subd (h) effective January 1, 2003, and as subd (f) effective January 1, 2012; as subd (e)*
37 *effective January 1, 2023.)*

38
39 **(f) Service of ~~restraining order~~ firearms prohibition forms**

40
41 When service of *Notice of Court Hearing and Temporary Restraining Order—*
42 *Juvenile* (form JV-250), ~~*Notice of Court Hearing and Temporary Restraining*~~
43 ~~*Order Against a Child*~~ (form JV-260), *Juvenile Restraining Order After Hearing*

1 (form JV-255), or ~~Juvenile Restraining Order After Hearing Against a Child~~
2 ~~Juvenile Restraining Order Against a Child—Order After Hearing~~ (form JV-265)
3 is made, it must be served with a blank *Receipt for Firearms, Firearm Parts, and*
4 *Ammunition* (form DV-800/JV-270) and *How Do I Turn In, Sell, or Store*
5 *Firearms, Firearm Parts, and Ammunition?* (form DV-800-INFO/JV-270-INFO).
6 Failure to serve form JV-270 or JV-270-INFO does not make service of form JV-
7 250, form JV-255, form JV-260, or form JV-265 invalid.

8
9 (Subd (f) amended effective January 1, 2025; adopted as subd (g) effective January 1,
10 2012; previously amended effective January 1, 2014, and July 1, 2014; previously
11 amended and relettered effective January 1, 2023.)

12
13 (g)–(i) * * *

14
15
16
17 (j) **Modification of restraining order**

18
19 (1) When a juvenile court case is open a restraining order may be terminated or
20 modified as follows:

21
22 (1) (A) A restraining order may be terminated or modified on the court’s own
23 motion or in the manner provided for in section 388 or 778, as
24 appropriate, and rule 5.570.

25
26 (2) (B) A termination or modification order must be made on ~~Change to~~
27 ~~Restraining Order After Hearing~~ Order to Change or End Restraining Order
28 After Hearing (form JV-257).

29
30 (3) (C) A modification order must also be made on a new Restraining Order
31 After Hearing (form JV-255) or, if the restrained person is the subject
32 of a petition under section 601 or 602, a new ~~Juvenile Restraining~~
33 ~~Order After Hearing Against a Child~~ Juvenile Restraining Order
34 Against a Child—Order After Hearing (form JV-265); ~~may be~~
35 ~~prepared in addition to form JV-257.~~

36
37 (2) When a juvenile court case is closed Restraining Order After Hearing (form JV-
38 255) may be terminated or modified under rule 5.92.

39
40 (Subd (j) amended effective January 1, 2025; adopted as subd (j) effective January 1,
41 2012; previously amended effective January 1, 2014; previously relettered as subd (k)
42 effective July 1, 2014; previously amended and relettered as subd (j) effective January 1,
43 2023.)

1
2 *Rule 5.630 amended effective January 1, 2025; adopted as rule 1429.5 effective January 1, 2000;*
3 *amended and renumbered effective January 1, 2007; previously amended effective January 1,*
4 *2003, January 1, 2004, January 1, 2012, January 1, 2014, July 1, 2014, July 1, 2016, and*
5 *January 1, 2023.*

6
7
8 **Rule 5.632. Civil harassment, workplace violence prevention, and domestic violence**
9 **prevention orders**

10
11 A proceeding for the following orders initiated by or brought against a child who has
12 previously been adjudged a dependent child or a ward of the juvenile court and who
13 remains under juvenile court jurisdiction must be heard in the juvenile court that has
14 jurisdiction of the child as required by Code of Civil Procedure section 374.5:

15
16 (1) An order prohibiting harassment under Code of Civil Procedure section 527.6;

17
18 (2) An order prohibiting violence in the workplace under Code of Civil Procedure
19 section 527.8;

20
21 (3) A protective order under division 10 (beginning with section 6200) of the Family
22 Code; and

23
24 (4) A protective order under Family Code sections 7710 and 7720.

25
26 *Rule 5.632 adopted effective January 1, 2025.*

27
28 **Rule 5.674. Conduct of hearing; admission, no contest, submission**

29
30 (a) * * *

31
32 (b) **Detention hearing; general conduct (§ 319; 42 U.S.C. § 600 et seq.)**

33
34 (1) The court must read, consider, and reference the social worker's report as
35 described in section 319(b), any other reports submitted by the social worker,
36 and any relevant evidence submitted by any party or counsel. All detention
37 findings and orders must appear in the written orders of the court.

38
39 (2) * * *

40
41 *(Subd (b) amended effective January 1, 2025; adopted effective July 1, 2002; previously*
42 *amended effective January 1, 2007, January 1, 2016, and January 1, 2020.)*

1 (c)–(e) * * *

2
3 *Rule 5.674 amended effective January 1, 2025; repealed and adopted as rule 1444 effective*
4 *January 1, 1998; previously amended and renumbered as rule 5.674 effective January 1, 2007;*
5 *previously amended effective July 1, 2002, January 1, 2016, January 1, 2017, and January 1,*
6 *2020.*

7
8 **Rule 5.676. Requirements for detention**

9
10 **(a) Requirements for detention (§ 319)**

11
12 No child may be ordered detained by the court unless the court finds that:

- 13
14 (1) A prima facie showing has been made that the child is described by section
15 300;
16
17 (2) Continuance in the home of the parent, Indian custodian, or guardian is
18 contrary to the child’s welfare; and
19
20 (3) One or more of the grounds for detention in ~~rule 5.678~~ section 319(c)(1)(A)–
21 (D) is found present.
22

23 *(Subd (a) amended effective January 1, 2025; previously amended effective July 1, 2002,*
24 *January 1, 2007, and January 1, 2020.)*

25
26 **(b) * * ***

27
28 **(c) Evidence required at detention hearing**

29
30 In making the findings required to support an order of detention, the court may rely
31 solely on written police reports, probation or social worker reports, or other
32 documents.

33
34 The reports relied on must include the required information in section 319(b) and:

- 35
36 ~~(1) A statement of the reasons the child was removed from the parent’s custody;~~
37
38 ~~(2)~~(1)A description of the services that have been provided, including those under
39 section 306, and of any available services or safety plans that would prevent
40 or eliminate the need for the child to remain in custody;
41
42 ~~(3)~~(2)If a parent is enrolled in a certified substance abuse treatment facility that
43 allows a dependent child to reside with the parent, information and a

1 recommendation regarding whether the child can be returned to the custody
2 of that parent;

3
4 ~~(4) Identification of the need, if any, for the child to remain in custody; and~~

5
6 ~~(5)~~(3) If continued detention is recommended, information about any parent or
7 guardian of the child with whom the child was not residing at the time the
8 child was taken into custody and about any relative or nonrelative extended
9 family member as defined under section 362.7 with whom the child may be
10 detained.

11
12 *(Subd (c) amended effective January 1, 2025; adopted as subd (b); previously amended*
13 *effective July 1, 2002, and January 1, 2007; previously relettered effective January 1,*
14 *2020.)*

15
16 **(d) Additional evidence required at detention hearing for Indian child**

17
18 If it is known, or there is reason to know the child is an Indian child, the reports
19 relied on must also include:

- 20
21 (1) A statement of the risk of imminent physical damage or harm to the Indian
22 child and any evidence that the emergency removal or placement continues to
23 be necessary to prevent the imminent physical damage or harm to the child;
24
25 (2) The steps taken to provide notice to the child's parents, Indian custodian, and
26 tribe about the hearing under section 224.3;
27
28 (3) If the child's parents and Indian custodian are unknown, a detailed
29 explanation of what efforts have been made to locate and contact them,
30 including contact with the appropriate Bureau of Indian Affairs regional
31 director;
32
33 (4) The residence and the domicile of the Indian child;
34
35 (5) If either the residence or the domicile of the Indian child is believed to be on
36 a reservation or in an Alaska Native village, the name of the tribe affiliated
37 with that reservation or village;
38
39 (6) The tribal affiliation of the child and of the parents or Indian custodian;
40
41 (7) A specific and detailed account of the circumstances that caused the Indian
42 child to be taken into temporary custody;
43

- 1 (8) If the child is believed to reside or be domiciled on a reservation in which the
2 tribe exercises exclusive jurisdiction over child custody matters, a statement
3 of efforts that have been made and that are being made to contact the tribe
4 and transfer the child to the tribe's jurisdiction; ~~and~~
5
6 (9) A statement of the efforts that have been taken to assist the parents or Indian
7 custodian so the Indian child may safely be returned to their custody; and
8
9 (10) The steps taken to consult and collaborate with the tribe and the outcome of
10 that consultation and collaboration.
11

12 *(Subd (d) amended effective January 1, 2025; adopted effective January 1, 2020.)*

13
14 *Rule 5.676 amended effective January 1, 2025; repealed and adopted as rule 1445 effective*
15 *January 1, 1998; previously amended effective July 1, 2002, January 1, 2016, and January 1,*
16 *2020; previously amended and renumbered as rule 5.676 effective January 1, 2007.*

17
18
19 **Rule 5.678. Findings in support of detention; factors to consider; reasonable efforts;**
20 **active efforts; detention alternatives**

21
22 **(a) Findings in support of detention (§ 319; 42 U.S.C. § 672)**

23
24 The court must order the child released from custody unless the court makes the
25 findings specified in section 319(c)(1), and where it is known, or there is reason to
26 know the child is an Indian child, the additional finding specified in section 319(d).

27
28 **(b)–(c) * * ***

29
30 **(d) Orders of the court (§ 319; 42 U.S.C. § 672)**

31
32 (1) If the court orders the child detained, the court must, in a written order or on
33 the record, order that temporary care and custody of the child be vested with
34 the county welfare department pending disposition or further order of the
35 court and must make the other findings and orders specified in section
36 319(c)(2), (e), and (f)(3).

37
38 (2) When making the determination in section 319(c)(2)(B)(ii) that the placement
39 complies with less disruptive alternatives, the court must also consider
40 whether measures are available to alleviate disruption to the child and
41 minimize the impact of removal and whether those measures have been
42 utilized. In addition to considering the factors listed in section 319(c)(2)(A)(i)
43 to (iv) related to the impact of removal and less disruptive alternatives, the

1 court may consider factors that include, but are not limited to whether the
2 current placement:

- 3
4 (A) Can accommodate the proposed visitation schedule.
5
6 (B) Will disrupt the child’s extracurricular activities or other services,
7 including but not limited to medical, dental, mental health, and
8 educational services.
9
10 (C) Will allow the child to observe their religious or cultural practices
11
12 (D) Can accommodate the child’s special needs.

13
14 *(Subd (d) amended effective January 1, 2025; adopted effective July 1, 2002; previously*
15 *amended effective January 1, 2019.)*

16
17 (e) * * *

18
19 *Rule 5.678 amended effective January 1, 2025; repealed and adopted as rule 1446 effective*
20 *January 1, 1998; previously amended and renumbered as rule 5.678 effective January 1, 2007;*
21 *previously amended effective January 1, 1999, July 1, 2002, January 1, 2016; and January 1,*
22 *2019.*

23
24 **Rule 5.92. Request for court order; responsive declaration**

25
26 **(a) Application**

- 27
28 (1) In a family law proceeding under the Family Code:
29
30 (A) The term “request for order” has the same meaning as the terms
31 “motion” or “notice of motion” when they are used in the Code of Civil
32 Procedure;
33
34 (B) A *Request for Order* (form FL-300) must be used to ask for court
35 orders, unless another Judicial Council form has been adopted or
36 approved for the specific request; and
37
38 (C) A *Responsive Declaration to Request for Order* (form FL-320) must be
39 used to respond to the orders sought in form FL-300, unless another
40 Judicial Council form has been adopted or approved for the specific
41 purpose.
42

1 (2) In an action under the Domestic Violence Prevention Act, ~~a *Request for*~~
2 ~~*Order* (form FL-300) must be used to request a modification or termination~~
3 ~~of all orders made after a hearing on *Restraining Order After Hearing* (form~~
4 ~~*DV-130*);:~~

5
6 (A) While the restraining order in a *Restraining Order After Hearing*
7 *(Order of Protection)* (form DV-130) is still in effect, *Request to*
8 *Change or End Restraining Order* (form DV-300) must be used to ask
9 that the court modify or terminate the orders granted in form DV-130,
10 including any orders for child custody, child support, spousal or
11 domestic partner support, property, or other orders.

12
13 (B) After the restraining order in a *Restraining Order After Hearing (Order*
14 *of Protection)* (form DV-130) expires, *Request for Order* (form
15 FL-300) must be used to ask that the court modify or terminate any
16 orders in form DV-130 that remain in effect, such as child custody,
17 child support, spousal or domestic partner support, property, or other
18 orders.

19
20 (C) To respond to the request described in:

21
22 (i) Subdivision (a)(2)(A), *Response to Request to Change or End*
23 *Restraining Order* (form DV-320) must be used.

24
25 (ii) Subdivision (a)(2)(B), *Response to Request for Order* (form
26 FL-320) must be used.

27
28 (3) In a case initiated in the juvenile dependency court, if the court granted
29 *Juvenile Restraining Order After Hearing* (form JV-255), the juvenile case
30 has been closed (dismissed), and the restraining order is still in effect:

31
32 (A) *Request to Change or End Restraining Order* (form DV-300) must be
33 used to ask that the court modify or terminate the order if it was granted
34 under the Domestic Violence Prevention Act.

35
36 (B) *Request for Order* (form FL-300) must be used to ask that the court
37 modify or terminate the order if it was granted under the Code of Civil
38 Procedure.

39
40 (C) To respond to the request described in:

41
42 (i) Subdivision (a)(3)(A), *Response to Request to Change or End*
43 *Restraining Order* (form DV-320) must be used.

1
2 (ii) Subdivision (a)(3)(B), *Response to Request for Order* (form
3 FL-320) must be used.

4
5 ~~(3)~~ (4) * * *

6
7 *(Subd (a) amended effective January 1, 2025; adopted effective July 1, 2016; previous*
8 *subd (a) repealed effective July 1, 2016.)*

9
10
11 **(b) Request for order; required forms and filing procedure**

12
13 (1) The *Request for Order* (form FL-300) must set forth facts sufficient to notify
14 the other party of the moving party's contentions in support of the relief
15 requested.

16
17 (2) Except in actions under Family Code section 6344, in which a party seeks an
18 order for attorney's fees and costs, when a party seeks orders for spousal or
19 domestic partner support, attorney's fees and costs, or other orders relating to
20 the parties' property or finances:

21
22 (A) The party must complete an *Income and Expense Declaration* (form
23 FL-150) and file it with the *Request for Order* (form FL-300); and

24
25 (B) * * *

26
27 *(Subd (b) amended effective January 1, 2025; adopted effective July 1, 2016; previous*
28 *subd (b) repealed effective July 1, 2016.)*

29
30 **(c)–(g)** * * *

31
32 *(Subd (b) amended effective January 1, 2025; adopted effective July 1, 2016; previous*
33 *subd (b) repealed effective July 1, 2016.)*

34
35
36 **Rule 7.1016. Participation and testimony of wards in guardianship proceedings**
37 **(Prob. Code, § 1514(b)(1); Fam. Code, § 3042)**

38
39 **(a) Definitions**

40
41 As used in this rule, ~~the following terms have the meanings specified:~~

42
43 (1) "Ward" includes a "proposed ward."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

(2) A “proceeding” is a matter before the court for decision in a probate guardianship of the person that concerns appointment or removal of a guardian, ~~visitation, determination of the ward’s place of residence, or termination of the guardianship by court order.~~

(3) “Party,” as used in this rule to ~~when referring to the~~ a ward, ~~means~~ indicates a ward who has filed a petition or ~~opposition~~ made a response or objection to a petition concerning a proceeding or other matter subject to this rule in a probate guardianship proceeding.

(Subd (a) amended effective January 1, 2025.)

(b) Purpose and scope of rule

(1) This rule applies ~~Family Code section 3042~~ to the participation and testimony of the a ward in a proceeding in a probate hearing on:

(A) Appointment or removal of a guardianship of the person, including appointment of a successor guardian;

(B) Parental visitation of a ward in a guardianship of the person; or

(C) Termination of a guardianship of the person. The testimony of other minors in a guardianship case is governed by Evidence Code sections 765(b) and 767(b).

(2) The court may, in its discretion, ~~may~~ apply all or part of this rule, ~~in whole or in part,~~ to the participation and testimony of a ward in a hearing in a guardianship of the estate or in a matter before the court in a guardianship of the person that is not a proceeding within the meaning of this rule. The phrase “~~or other matter subject to this rule~~” following the term “proceeding” is a reference to the matters described in this paragraph a hearing in a guardianship of the person on a matter not described in (1).

(3) ~~No statutory mandate, rule, or practice requires a ward who is not a party to the proceeding or other matter subject to this rule to participate in~~ This rule does not require a ward to address the court or prohibits him or her a ward from doing so. When a ward desires to participate but is not a party to the proceeding or other matter subject to this rule, the court must balance the protection of the ward, the statutory duty to consider the wishes of and other input from the ward, and the probative value of the ward’s input while

1 ensuring all parties' due process rights to challenge evidence relied on by the
2 court in making decisions affecting the ward in matters covered by the rule.

3
4 (4) ~~This rule rather than r~~Rule 5.250, ~~on children's participation and testimony in~~
5 family court proceedings, ~~applies in~~ does not apply to probate guardianship
6 proceedings.

7
8 (5) Nothing in this rule limits the application of Evidence Code sections 765(b)
9 and 767(b) to the testimony of a minor in a guardianship proceeding.

10
11 *(Subd (b) amended effective January 1, 2025.)*

12
13 (c) **Determining whether ~~the nonparty~~ a ward wishes to address the court or has**
14 **changed their preference about addressing the court**

15
16 (1) The following persons must inform the ~~court~~ judicial officer if they ~~have~~
17 ~~information indicating~~ are aware that a ward ~~who is not a party~~ wishes to
18 address the court ~~in a proceeding or other matter subject to this rule:~~

19
20 (A) The ward's ~~counsel;~~ attorney or guardian ad litem;

21
22 (B) A court or county guardianship investigator;

23
24 (C) A child custody recommending counselor who provides
25 recommendations to the judicial officer under Family Code section
26 3183; or

27
28 (D) An expert appointed by the court under Evidence Code section 730 to
29 assist the court in the matter; ~~or.~~

30
31 (E) ~~The ward's guardian ad litem.~~

32
33 (2) ~~The following persons~~ A party to the proceeding or a party's attorney may
34 inform the ~~court~~ judicial officer if they ~~have information indicating~~ that a
35 ward ~~who is not a party~~ wishes to address the ~~court in a proceeding or other~~
36 ~~matter subject to this rule:~~ court.

37
38 (A) ~~A party in the guardianship case; and~~

39
40 (B) ~~An attorney for a party in the guardianship case.~~

1 (3) In the absence of information indicating that a ward ~~who is not a party~~ wishes
2 to address the court, ~~in a proceeding or other matter subject to this rule~~, the
3 judicial officer may inquire whether the ward wishes to do so.
4

5 (4) If a ward informs any of the persons specified in (1) that the ward has
6 changed their preference about addressing the court, that person must, as
7 soon as feasible, inform the parties or their attorneys, the ward’s attorney or
8 guardian ad litem, the court investigator, and the judicial officer of that
9 change.
10

11 *(Subd (c) amended effective January 1, 2025)*
12

13 **(d) ~~Guidelines for determining~~ Determining whether addressing the court is in the**
14 **~~nonparty a~~ ward’s best interest**
15

16 (1) ~~When~~ If a ward who is not a party indicates that he or she wishes to address
17 the court, the judicial officer must consider whether ~~involving~~ permitting the
18 ward ~~in the proceeding or other matter subject to this rule~~ to address the court
19 is in the ward’s best interest.
20

21 (2) If the ward is 12 years old or older, the judicial officer must ~~hear from~~ permit
22 the ward to address the court unless the court ~~makes a finding~~ finds that
23 addressing the court is not in the ward’s best interest and states the reasons
24 for that finding on the record.
25

26 (3) If the ward is younger than 12 years of age, the court may permit the ward to
27 address the court if the court finds that addressing the court is appropriate and
28 in the ward’s best interest.
29

30 (4) In determining whether addressing the court is in the ward’s best interest, the
31 judicial officer should consider the following:
32

33 (A) Whether the ward is of sufficient age and capacity to form an
34 intelligent preference as to the matter to be decided;
35

36 (B) Whether the ward is of sufficient age and capacity to understand the
37 nature of testimony;
38

39 (C) Whether ~~information has been presented indicating that~~ the ward may
40 be at risk of emotionally harm if ~~he or she is~~ permitted or denied the
41 opportunity to address the court; ~~or that~~
42

43 (D) Whether the ward may benefit from addressing the court;

1
2 ~~(D)~~ (E) Whether the subjects ~~areas~~ about which the ward is anticipated to
3 address the court are relevant to the court's decision ~~the court must~~
4 ~~make~~;

5
6 ~~(E)~~ (F) Whether ~~the~~ appointment of ~~counsel under Probate Code section 1470~~
7 an attorney or a guardian ad litem for the ward would be helpful to the
8 determination or ~~would be~~ necessary to protect the ward's interests; and

9
10 ~~(F)~~ (G) Whether any other factors weigh in favor of or against ~~having~~
11 permitting the ward to address the court, taking into consideration the
12 ward's desire to do so.

13
14 *(Subd (d) amended effective January 1, 2025.)*

15
16 **(e) ~~Guidelines for r~~Receiving testimony and other input from the nonparty a**
17 **ward**

18
19 (1) ~~No testimony of a ward may be received without such testimony being heard~~
20 ~~on the record or in the presence of the parties. This requirement may not be~~
21 ~~waived.~~

22
23 (2) ~~On deciding to take the testimony of a ward who is not a party in a~~
24 ~~proceeding or other matter subject to this rule, the judicial officer should~~
25 ~~balance the necessity of taking the ward's testimony in the courtroom with~~
26 ~~parents, the guardian or proposed guardian, other parties, and attorneys~~
27 ~~present with the need to create an environment in which the ward can be open~~
28 ~~and honest. In each case in which a ward's testimony will be taken, the~~
29 ~~judicial officer should consider:~~

30
31 (A) ~~Where the testimony will be taken;~~

32
33 (B) ~~Who should be present when the testimony is taken;~~

34
35 (C) ~~How the ward will be questioned; and~~

36
37 (D) ~~Whether a court reporter is available in all instances, but especially~~
38 ~~when the ward's testimony may be taken outside the presence of the~~
39 ~~parties and their attorneys. If the court reporter will not be available,~~
40 ~~whether there are other means to collect, preserve, transcribe, and make~~
41 ~~the ward's testimony available to parties and their attorneys.~~
42

- 1 (1) Unless the court determines that permitting a ward to address the court in the
2 presence of the parties would be in the ward’s best interest and states the
3 reasons for that finding on the record, the court must not permit the ward to
4 address the court in the presence of the parties.
5
6 (2) In determining the best interest of the ward under (1), the court must consider
7 whether addressing the court in the presence of the parties is likely to be
8 detrimental to the ward.
9
10 (3) If the court does not permit the ward to address the court in the presence of
11 the parties, the court must provide an alternative method for the ward to
12 address the court so that the court can obtain input directly from the ward on
13 the record. If a court reporter is not available, the court must provide other
14 means to obtain the ward’s input and make it available to the parties and their
15 attorneys.
16
17 (3) (4) ~~In taking testimony from a ward, who is not a party to the proceeding or~~
18 ~~other matter subject to this rule,~~ the court must ~~take~~ exercise the special care
19 required by Evidence Code sections 765(b) and 767(b) to the extent that
20 those sections apply. In addition, if If the ward is not represented by an
21 attorney and the court does not appoint one, the court must inform the ward
22 in an age-appropriate manner about the ~~limitations on~~ the confidentiality of
23 testimony and that the information provided to the court will be on the record
24 and provided to the parties in the case.
25
26 (4) (5) ~~In the process of listening to and inviting the ward’s input, the court must~~
27 allow but not require the ward to state a preference regarding the matter to be
28 decided ~~in the proceeding or other matter subject to this rule~~ and should
29 provide information in an age-appropriate manner about the process by which
30 the court will make a decision.
31
32 (5) (6) In any case in which a ward ~~who is not a party to the proceeding or other~~
33 ~~matter subject to this rule will be called to testify,~~ the court must consider ~~the~~
34 ~~appointment of counsel for the ward under Probate Code section 1470 and~~
35 ~~may consider the appointment of a guardian ad litem~~ appointing an attorney
36 or a guardian ad litem for the ward. ~~In addition to satisfying the requirements~~
37 ~~for minor’s counsel under rule 7.1101, minor’s counsel~~ The ward’s attorney
38 or guardian ad litem must:
39
40 (A) Provide information to the ward in an age-appropriate manner about the
41 ~~limitations on~~ the confidentiality of testimony and indicate to the ward
42 ~~the possibility that~~ the information provided to the court will be on the
43 record and provided to the parties in the case;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

- (B) ~~Allow but not require the ward to state a preference regarding the issues to be decided in the proceeding or other matter subject to this rule, and p~~Provide information to the ward in an age-appropriate manner about the process by which the court will make a decision;
 - (C) If appropriate, provide the ward with an orientation to the courtroom or other place where the ward will testify; and
 - (D) Inform the parties and the court about the ward’s desire to testify or otherwise provide input.
- (6) (7) If the court precludes ~~the calling of a ward who is not a party~~ from testifying as a witness ~~in a proceeding or other matter subject to this rule,~~ the court must provide alternatives to testimony for the court to obtaining information about the ward’s preferences or other input from the ward. These alternatives may include:
- (A) ~~A~~ Participation of a court or county guardianship investigator ~~participating~~ in the case under Probate Code section 1513 or 1513.2;
 - (B) Appointment of a child custody evaluator or investigator under Evidence Code section 730;
 - (C) Appointment of ~~counsel~~ an attorney or a guardian ad litem for the ward;
 - (D) ~~Admissible~~ Receipt of admissible evidence provided by the ward’s parents, parties, or witnesses in the proceeding or other matter subject to this rule;
 - (E) ~~Information provided by~~ Receipt of information from a child custody recommending counselor authorized under Family Code section 3183 to make a recommendation to the court; and
 - (F) ~~Information provided~~ Receipt of information from a child interview center or professional to avoid unnecessary multiple interviews.
- (7) (8) If the court precludes ~~the calling of a ward who is not a party~~ from testifying as a witness ~~in a proceeding or other matter subject to this rule and specifies one of the other~~ an alternatives to testimony, the court must require that the information ~~or evidence~~ obtained by through that alternative ~~means~~ and

1 provided by a professional (other than ~~counsel~~ an attorney for the ward or
2 ~~counsel~~ for any party) or a other nonparty:

- 3
- 4 (A) Be documented in writing and fully ~~document~~ reflect the views
5 expressed by the ward's views on the matters on which he or she
6 wished to express an opinion to be decided;
- 7
- 8 (B) Describe the ward's input in sufficient detail to assist the court in
9 making its decision;
- 10
- 11 (C) Be obtained and provided to the court and to the parties by a person
12 who will be available for testimony and cross-examination; and
- 13
- 14 (D) Be filed in the confidential portion of the case file.
- 15

16 *(Subd (e) amended effective January 1, 2025.)*

17

18 **(f) Responsibilities of court-connected or appointed professionals—~~all wards~~**

19

20 A child custody evaluator, an expert witness appointed under Evidence Code
21 section 730, an investigator, or a child custody recommending counselor ~~or other~~
22 ~~custody mediator~~ who is appointed or assigned to meet with obtain information
23 from a ward and provide the information to the court and the parties must:

24

- 25 (1) ~~Provide information to~~ Inform the ward in an age-appropriate manner about
26 the ~~limitations on the~~ confidentiality of testimony and ~~the possibility that~~
27 information provided to the professional may will be shared with the court on
28 the record and provided to the parties in the case;
- 29
- 30 (2) ~~Allow but not require the ward to state a preference regarding the issues to be~~
31 ~~decided in the proceeding or other matter subject to this rule, and provide~~
32 information Inform the ward in an age-appropriate manner about the process
33 by which the court will make a decision; ~~and~~
- 34
- 35 (3) Allow but not require the ward to state a preference regarding the issues to be
36 decided by the court; and
- 37
- 38 (3) (4) ~~Provide to~~ Give the other parties ~~in the case~~ information about how best to
39 support ~~the interest of~~ the ward during the court process.
- 40

41 *(Subd (f) amended effective January 1, 2025.)*

42

1 **(g) ~~Methods of p~~Providing information to parties and supporting nonparty wards**

2
3 Courts should provide information to ~~the parties and~~ information and support to ~~the~~
4 a ward who is not a party to the proceeding or other matter subject to this rule when
5 if the ward wants to participate or testify. Methods of providing information or
6 support may include:

- 7
8 (1) ~~Having~~ Directing court or county guardianship investigators ~~and or~~ experts
9 appointed under Evidence Code section 730 to meet jointly or separately with
10 the parties and their attorneys to discuss alternatives to having the ward
11 provide direct testimony;
12
13 (2) Providing an orientation for the ward ~~about~~ to the court process and the role
14 of the judicial officer in making decisions, ~~how the~~ setup of the courtroom or
15 chambers will be set up where the ward will testify or address the court, and
16 what the process of participating or testifying will entail;
17
18 (3) Providing information to parties before the ward participates or testifies so
19 that they can consider the possible effect of participating or testifying on the
20 ~~ward not participating in the proceeding or other matter subject to this rule;~~
21
22 (4) ~~Appointing counsel under Probate Code section 1470~~ an attorney or a
23 guardian ad litem for the ward to assist in the provision of information to the
24 ward concerning his or her decision to participate ~~in the proceeding~~ or testify;
25
26 (5) Including information in guardianship orientation presentations and
27 publications about the options available to a ward ~~who is not a party to the~~
28 ~~proceeding or other matter subject to this rule~~ to participate or testify or not
29 to do so, and the consequences of a ward's decision ~~whether~~ to become a
30 party to the proceeding ~~or other matter subject to this rule;~~ and
31
32 (6) Providing an interpreter for the ward.

33
34 *(Subd (g) amended effective January 1, 2025.)*

35
36 **(h) ~~If the a~~ ward is a party to the proceeding**

- 37
38 (1) A ward who is a party ~~to the proceeding or other matter subject to this rule~~ is
39 subject to the law of discovery ~~applied~~ applicable to parties in civil actions
40 and may be called as a witness by any other party unless the court makes a
41 finding that ~~providing information in response~~ requiring the ward to respond
42 to discovery requests or testifying as a witness ~~is~~ would not be in the ward's
43 best interest and states the reasons for that finding on the record.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

- (2) The court must consider appointing ~~counsel under Probate Code section 1470~~ an attorney or a guardian ad litem for a ward who is a party ~~to the proceeding~~ or other matter subject to this rule if the ward is not represented ~~by counsel~~.
- (3) In determining whether ~~providing information in response~~ requiring a ward to respond to discovery requests or ~~testifying~~ as a witness is ~~is~~ would be in the ward's best interest, the judicial officer should consider ~~the following~~:
 - (A) Whether ~~information has been presented indicating that~~ the ward may be at risk of emotionally harm if ~~he or she is permitted or denied the opportunity to provide information in response required to respond to~~ he or she is permitted or denied the opportunity to provide information in response required to respond to discovery requests or ~~by testimony~~ testify;
 - (B) Whether the subjects ~~areas about which that~~ the ward's responses or testimony is anticipated to provide information in response to discovery requests or by testimony are expected to address are relevant to the court's decision ~~the court must make~~; and
 - (C) Whether any other factors weigh in favor of or against ~~having~~ requiring the ward ~~provide information in response to respond to~~ provide information in response to respond to discovery requests or ~~by testimony~~ testify.
- (4) In taking testimony from a ward ~~who is a party to the proceeding or other matter subject to this rule~~, the court must ~~take~~ exercise the special care required by Evidence Code sections 765(b) and 767(b) to the extent that those sections apply. ~~In addition, if~~ If the ward is not represented by an attorney ~~and the court does not appoint one~~, the court must inform the ward in an age-appropriate manner about the ~~limitations on the~~ confidentiality of testimony and that the information provided to the court will be on the record and provided to the parties in the case.

(Subd (h) amended effective January 1, 2025.)

(i) Education and training of ~~judicial officers and court staff~~

Education and training ~~content~~ for court staff and judicial officers should include information on:

- (1) A ward's participation in ~~proceedings or other matters subject to this rule~~, guardianship hearings;

- 1 (2) Methods other than direct testimony for receiving input from a ward to give
2 relevant information and input to the court;
3
4 (3) Procedures for taking a ward’s testimony, consistent with the safeguards in
5 this rule, Family Code section 3042, and Evidence Code sections 765(b) and
6 767(b); and
7
8 (4) The differences in the application of this rule to wards who are parties and
9 those who are not parties to the proceeding or other matters subject to this
10 rule.

11
12 *(Subd (i) amended effective January 1, 2025.)*

13
14 **Rule 8.100. Filing the appeal**

15
16 **(a)–(f) * * ***

17
18 **(g) Civil case information statement**

- 19
20 (1) Within 15 days after the reviewing court superior court clerk sends the
21 notification of the filing of the notice of appeal required by (e)(1) assigns the
22 appeal a case number, the appellant must serve and file in the reviewing court
23 a completed *Civil Case Information Statement* (form APP-004), attaching a
24 copy of the judgment or appealed order that shows the date it was entered.

25
26 (2) * * *

27
28
29 *(Subd (g) amended effective January 1, 2025; adopted as subd (f) effective January 1,*
30 *2003; previously amended and relettered as subd (g) effective January 1, 2008; previously*
31 *amended effective January 1, 2007, January 1, 2014, and January 1, 2016.)*

32
33 *Rule 8.100 amended effective January 1, 2025; repealed and adopted as rule 1 effective January*
34 *1, 2002; previously amended and renumbered as rule 8.100 effective January 1, 2007; previously*
35 *amended effective January 1, 2003, August 17, 2003, January 1, 2008, July 1, 2009, July 27,*
36 *2012, January 1, 2014, January 1, 2016, and January 1, 2018.*

37
38
39 **Rule 8.200. Briefs by parties and amici curiae**

40
41 **(a)–(b) * * ***
42

1 (c) **Amicus curiae briefs**

2
3 (1) Within 14 days after the last appellant’s reply brief is filed or could have
4 been filed under rule 8.212, whichever is earlier, any person or entity may
5 serve and file an application for permission of the presiding justice to file an
6 amicus curiae brief. If no respondent’s brief is filed, the application is due
7 within 34 days after the respondent’s brief could have been filed. For good
8 cause, the presiding justice may allow later filing.

9
10 (2)–(6) * * *

11
12 (7) The Attorney General may file an amicus curiae brief without the presiding
13 justice’s permission, unless the brief is submitted on behalf of another state
14 officer or agency. The Attorney General must serve and file the brief within
15 14 days after the last appellant’s reply brief is filed or could have been filed
16 under rule 8.212, whichever is earlier, ~~and~~. If no respondent’s brief is filed,
17 the Attorney General must serve and file the amicus curiae brief within 34
18 days after the respondent’s brief could have been filed. The brief must
19 provide the information required by (2) and comply with (5). Any party may
20 serve and file an answer within 14 days after the brief is filed.

21
22 *(Subd (c) amended effective January 1, 2025; adopted as subd (b); previously relettered*
23 *effective January 1, 2003; previously amended effective January 1, 2007, January 1, 2008,*
24 *and January 1, 2009.)*

25
26 *Rule 8.200 amended effective January 1, 2025; repealed and adopted as rule 13 effective January*
27 *1, 2002; previously amended and renumbered effective January 1, 2007; previously amended*
28 *effective January 1, 2003, January 1, 2008, January 1, 2009, and January 1, 2017.*

29
30
31
32 **Advisory Committee Comment**

33
34 **Subdivision (a)(2).** * * *

35
36 **Subdivision (b).** * * *

37
38 **Subdivision (c)(1).** The time within which a reply brief “could have been filed under rule 8.212”
39 includes any authorized extension of the deadline specified in rule 8.212. The time within which a
40 respondent’s brief “could have been filed” includes any authorized extension of the deadline
41 specified in rule 8.212 and the 15-day default notice period specified in rule 8.220(a).
42
43

1 **Rule 8.320. Normal record; exhibits**

2
3 **(a) Contents**

4
5 If the defendant appeals from a judgment of conviction, or if the People appeal
6 from an order granting a new trial, the record must contain a clerk's transcript and a
7 reporter's transcript, which together constitute the normal record.
8

9 **(b) Clerk's transcript**

10
11 The clerk's transcript must contain:

- 12
13 (1) The accusatory pleading and any amendment;
14
15 (2) Any demurrer or other plea;
16
17 (3) All court minutes;
18
19 (4) All jury instructions that any party submitted in writing and the cover page
20 required by rule 2.1055(b)(2) indicating the party requesting each instruction,
21 and any written jury instructions given by the court;
22
23 (5) Any written communication between the court and the jury or any individual
24 juror;
25
26 (6) Any verdict;
27
28 (7) Any written opinion of the court;
29
30 (8) The judgment or order appealed from and any abstract of judgment or
31 commitment;
32
33 (9) Any motion for new trial, with supporting and opposing memoranda and
34 attachments;
35
36 (10) The notice of appeal and any certificate of probable cause filed under rule
37 8.304(b);
38
39 (11) Any transcript of a sound or sound-and-video recording furnished to the jury
40 or tendered to the court under rule 2.1040;
41
42 (12) Any application for additional record and any order on the application;
43

1 (13) And, if the appellant is the defendant:
2

3 (A) Any written defense motion denied in whole or in part, with supporting
4 and opposing memoranda and attachments;
5

6 (B) If related to a motion under (A), any search warrant and return and the
7 reporter's transcript of any preliminary examination or grand jury
8 hearing;
9

10 (C) Any document admitted in evidence to prove a prior juvenile
11 adjudication, criminal conviction, or prison term;
12

13 (D) The probation officer's report; and
14

15 (E) Any court-ordered diagnostic or psychological report required under
16 Penal Code section 1203.03(b) or 1369.
17

18
19 **(c) Reporter's transcript**
20

21 The reporter's transcript must contain:
22

23 (1) The oral proceedings on the entry of any plea other than a not guilty plea;
24

25 (2) The oral proceedings on any motion in limine;
26

27 (3) The oral proceedings at trial, but excluding the voir dire examination of
28 jurors and any opening statement;
29

30 (4) All instructions given orally;
31

32 (5) Any oral communication between the court and the jury or any individual
33 juror;
34

35 (6) Any oral opinion of the court;
36

37 (7) The oral proceedings on any motion for new trial;
38

39 (8) The oral proceedings at sentencing, granting or denying of probation, or other
40 dispositional hearing;
41

42 (9) And, if the appellant is the defendant:
43

- 1 (A) The oral proceedings on any defense motion denied in whole or in part
- 2 except motions for disqualification of a judge and motions under Penal
- 3 Code section 995;
- 4
- 5 (B) The closing arguments; and
- 6
- 7 (C) Any comment on the evidence by the court to the jury.
- 8
- 9

10 **(d) Limited normal record in certain appeals**

11
12 If the People appeal from a judgment on a demurrer to the accusatory pleading, or
13 if the defendant or the People appeal from an appealable order other than a ruling
14 on a motion for new trial, the normal record is composed of:

15
16 (1) *Clerk's transcript*

17
18 A clerk's transcript containing:

- 19
- 20 (A) The accusatory pleading and any amendment;
- 21
- 22 (B) Any demurrer or other plea;
- 23
- 24 (C) Any written motion or notice of motion granted or denied by the order
- 25 appealed from, with supporting and opposing memoranda and
- 26 attachments;
- 27
- 28 (D) The judgment or order appealed from and any abstract of judgment or
- 29 commitment;
- 30
- 31 (E) Any court minutes relating to the judgment or order appealed from and:
- 32
- 33 (i) If there was a trial in the case, any court minutes of proceedings
- 34 at the time the original verdict is rendered and any subsequent
- 35 proceedings; or
- 36
- 37 (ii) If the original judgment of conviction is based on a guilty plea or
- 38 nolo contendere plea, any court minutes of the proceedings at the
- 39 time of entry of such plea and any subsequent proceedings;
- 40
- 41 (F) The notice of appeal; and
- 42

1 (G) If the appellant is the defendant, all probation officer reports and any
2 court-ordered diagnostic report required under Penal Code section
3 1203.03(b).
4

5 (2) *Reporter's transcript*
6

7 (A) A reporter's transcript of any oral proceedings incident to the judgment
8 or order being appealed; and
9

10 (B) If the appeal is from an order after judgment, a reporter's transcript of:
11

12 (i) The original sentencing proceeding; and
13

14 (ii) If the original judgment of conviction is based on a guilty plea or
15 nolo contendere plea, the proceedings at the time of entry of such
16 plea.
17

18
19 **(e) Exhibits**
20

21 Exhibits admitted in evidence, refused, or lodged are deemed part of the record, but
22 may be transmitted to the reviewing court only as provided in (g)(2) or rule 8.224.
23

24 *(Subd (e) amended effective January 1, 2025; previously amended effective January 1,*
25 *2007.)*
26

27 **(f) Stipulation for partial transcript**
28

29 If counsel for the defendant and the People stipulate in writing before the record is
30 certified that any part of the record is not required for proper determination of the
31 appeal, that part must not be prepared or sent to the reviewing court.
32

33 **(g) Additional clerk's transcript materials required by local rule**
34

35 In addition to the items listed in (b) and (d)(1), the reviewing court may, by local
36 rule, require the clerk's transcript to include any or all additional court records
37 contained in the superior court file.
38

39 (1) For purposes of this provision, "court records" has the meaning provided in
40 rule 2.502(3).
41

42 (2) The reviewing court's local rule may require the clerk's transcript to include
43 copies of exhibits admitted into evidence, refused, or lodged.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

(Subd (g) adopted effective January 1, 2025.)

Rule 8.320 amended effective January 1, 2025; repealed and adopted as rule 31 effective January 1, 2004; previously amended and renumbered effective January 1, 2007; previously amended effective January 1, 2005, January 1, 2008, January 1, 2010, January 1, 2013, and January 1, 2014.

Advisory Committee Comment

Rules 8.45–8.46 address the appropriate handling of sealed and confidential records that must be included in the record on appeal. Examples of confidential records include Penal Code section 1203.03 diagnostic reports, records closed to inspection by court order under *People v. Marsden* (1970) 2 Cal.3d 118 or *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, in-camera proceedings on a confidential informant, and defense expert funding requests (Pen. Code, § 987.9; *Keenan v. Superior Court* (1982) 31 Cal.3d 424, 430).

Subdivision (d)(1)(E). This rule identifies the minutes that must be included in the record. The trial court clerk may include additional minutes beyond those identified in this rule if that would be more cost-effective.

Subdivision (g). This rule authorizes the Courts of Appeal to adopt local rules that require additional court records, as defined by rule 2.502(3), to be included in the clerk’s transcript, up to all court records in the superior court file. For purposes of this rule, items excluded from the definition of “court records” under rule 2.502(3) are not considered part of the superior court file.

Rule 8.483 governs the normal record and exhibits in civil commitment appeals.

Rule 8.883. Contents and form of briefs

(a) Contents

* * *

(b) Length

- (1) Except as provided in (4), a brief produced on a computer must not exceed 6,800 words, including footnotes. Such a brief must include a certificate by appellate counsel or an unrepresented party stating the number of words in the brief. The person certifying may rely on the word count of the computer program used to prepare the brief.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

- (2) A brief produced on a typewriter must not exceed 20 pages.
- (3) The information listed on the cover, any table of contents or table of authorities, the certificate under (1), and any signature block are excluded from the limits stated in (1) or (2).

(4) If a party uses a form brief approved for use by the Judicial Council, the brief, including any attachments, may not exceed 25 pages in length. Attachments must comply with the formatting requirements stated in (c)(1) through (c)(7).

~~(4)~~(5) On application, the presiding judge may permit a longer brief for good cause. A lengthy record or numerous or complex issues on appeal will ordinarily constitute good cause. If the court grants an application to file a longer brief, it may order that the brief include a table of contents and a table of authorities.

(Subd (b) amended effective January 1, 2025; previously amended effective January 1, 2011, and January 1, 2013.)

(c) Form

- (1) A brief may be reproduced by any process that produces a clear, black image of letter quality. All documents filed must have a page size of 8 1/2 by 11 inches. If filed in paper form, the paper must be white or unbleached and of at least 20-pound weight. Both sides of the paper may be used if the brief is not bound at the top.
- (2) Any conventional font may be used. The font may be either proportionally spaced or monospaced.
- (3) The font style must be roman; but for emphasis, italics or boldface may be used or the text may be underscored. Case names must be italicized or underscored. Headings may be in uppercase letters.
- (4) Except as provided in (11), the font size, including footnotes, must not be smaller than 13-point.
- (5) The lines of text must be at least one-and-a-half-spaced. Headings and footnotes may be single-spaced. Quotations may be block-indented and single-spaced. Single-spaced means six lines to a vertical inch.

- 1 (6) The margins must be at least 1½ inches on the left and right and 1 inch on the
2 top and bottom.
3
4 (7) The pages must be consecutively numbered.
5
6 (8) The cover—or first page if there is no cover—must include the information
7 required by rule 8.816(a)(1).
8
9 (9) If filed in paper form, the brief must be bound on the left margin, except that
10 briefs may be bound at the top if required by a local rule of the appellate
11 division. If the brief is stapled, the bound edge and staples must be covered
12 with tape.
13
14 (10) The brief need not be signed.
15
16 (11) If the brief is produced on a typewriter:
17
18 (A) A typewritten original and carbon copies may be filed only with the
19 presiding judge’s permission, which will ordinarily be given only to
20 unrepresented parties proceeding in forma pauperis. All other
21 typewritten briefs must be filed as photocopies.
22
23 (B) Both sides of the paper may be used if a photocopy is filed; only one
24 side may be used if a typewritten original and carbon copies are filed.
25
26 (C) The type size, including footnotes, must not be smaller than standard
27 pica, 10 characters per inch. Unrepresented incarcerated litigants may
28 use elite type, 12 characters per inch, if they lack access to a typewriter
29 with larger characters.
30

31 **(d) Noncomplying briefs**

32 * * *

33
34
35 **Advisory Committee Comment**
36

37 **Subdivision (b).** Subdivision (b)(1) states the maximum permissible lengths of briefs produced
38 on a computer in terms of word count rather than page count. This provision tracks a provision in
39 rule 8.204(c) governing Court of Appeal briefs and is explained in the comment to that provision.
40 Subdivision (b)(3) specifies certain items that are not counted toward the maximum brief length.
41 Signature blocks, as referenced in this provision, include not only the signatures, but also the
42 printed names, titles, and affiliations of any attorneys filing or joining in the brief, which may
43 accompany the signature.

1
2 Subdivision (b)(4) provides the maximum length of a brief, with attachments, if the party uses a
3 form brief approved for use by the Judicial Council. The Judicial Council has approved the
4 following optional form briefs that parties may use in limited civil appeals where there is no
5 cross-appeal: *Appellant’s Opening Brief—Limited Civil Case* (form APP-200), *Respondent’s*
6 *Brief—Limited Civil Case* (form APP-201), and *Appellant’s Reply Brief—Limited Civil Case*
7 (form APP-202).
8
9

10 **Rule 10.461. Minimum education requirements for Supreme Court and Court of**
11 **Appeal justices**

12
13 **(a) Applicability**

14
15 All California Court of Appeal justices must complete the minimum judicial
16 education requirements for new justices under (b), and all Supreme Court and
17 Court of Appeal justices must complete minimum continuing education
18 requirements as outlined under (c). All justices must complete education
19 requirements on fairness and access as stated in rule 10.465(a) and should
20 participate in more judicial education than is required, related to each individual’s
21 responsibilities and in accordance with the judicial education recommendations ~~set~~
22 forth stated in rule 10.469.
23

24 *(Subd (a) amended effective January 1, 2025; adopted effective January 1, 2008.)*
25

26 **(b)–(e) * * ***
27

28 *Rule 10.461 amended effective January 1, 2025; adopted effective January 1, 2007; previously*
29 *amended effective January 1, 2008, August 15, 2008, January 1, 2012, January 1, 2013, January*
30 *1, 2016, and January 1, 2023*
31

32 **Rule 10.462. Minimum education requirements and expectations for trial court**
33 **judges and subordinate judicial officers**

34
35 **(a) Applicability**

36
37 All California trial court judges must complete the minimum judicial education
38 requirements for new judges under (c)(1) and are expected to participate in
39 continuing education as outlined under (d). All subordinate judicial officers must
40 complete the minimum education requirements for new subordinate judicial
41 officers under (c)(1) and for continuing education as outlined under (d). All trial
42 court judges and subordinate judicial officers must complete education
43 requirements on fairness and access as stated in rule 10.465(a). All trial court

1 judges and subordinate judicial officers who hear family law matters must complete
2 additional education requirements ~~set forth~~ as stated in rule 10.463. All trial court
3 judges and subordinate judicial officers who hear ~~certain types of matters specified~~
4 in rule 10.464(a) must participate in education on domestic violence issues as
5 provided in rule 10.464. All trial court judges and subordinate judicial officers
6 regularly assigned to hear probate proceedings must complete additional education
7 requirements ~~set forth~~ as stated in rule 10.468. All trial court judges and
8 subordinate judicial officers should participate in more judicial education than is
9 required and expected, related to each individual’s responsibilities and particular
10 judicial assignment or assignments and in accordance with the judicial education
11 recommendations ~~set forth~~ stated in rule 10.469.

12
13
14 *(Subd (a) amended effective January 1, 2025; previously amended effective January 1,*
15 *2008, and January 1, 2012.)*

16
17 **(b)–(g) * * ***

18
19 *Rule 10.462 amended effective January 1, 2025; adopted effective January 1, 2007; previously*
20 *amended effective January 1, 2008, July 1, 2008, August 15, 2008, January 1, 2012, January 1,*
21 *2013, January 1, 2016, and January 1, 2023*

22
23 **Rule 10.465. Education requirements and recommendations for justices, judges,**
24 **and subordinate judicial officers on fairness and access**

25
26 **(a) Education on bias and the prevention of harassment, discrimination,**
27 **retaliation, and inappropriate workplace conduct**

28
29 (1) Each justice, judge, and subordinate judicial officer must participate in bias
30 education (including explicit, implicit, and/or unconscious bias).

31
32 (2) Each justice, judge, and subordinate judicial officer must participate in
33 education on the prevention of harassment, discrimination, retaliation, and
34 inappropriate workplace conduct.

35
36 (3) The education in (1) and (2) must be taken at least once every three-year
37 continuing education cycle as determined under rules 10.461(c)(1) and
38 10.462(d).

39
40 **(b) Additional education on fairness and access**

41
42 To achieve the objective of assisting judicial officers in preserving the integrity and
43 impartiality of the judicial system through the prevention of bias, each justice,

1 judge, and subordinate judicial officer should regularly participate in education on
2 fairness and access in addition to that required in (a). The education should include
3 the following subjects: race and ethnicity, gender, sexual orientation, and persons
4 with disabilities, persons with limited economic means, and persons without stable
5 housing.

6
7
8 *Rule 10.465 adopted effective January 1, 2025.*

9
10 **Rule 10.469. Education recommendations for justices, judges, and subordinate**
11 **judicial officers**

12
13 **(a)–(d) * * ***

14
15 ~~**(e) Education on fairness and access, unconscious bias, and prevention of**~~
16 ~~**harassment, discrimination, retaliation, and inappropriate workplace conduct**~~

17
18 ~~(1) In order to achieve the objective of assisting judicial officers in preserving~~
19 ~~the integrity and impartiality of the judicial system through the prevention of~~
20 ~~bias, each justice, judge, and subordinate judicial officer should regularly~~
21 ~~participate in education on fairness and access. The education should include~~
22 ~~the following subjects: race and ethnicity; gender; sexual orientation; persons~~
23 ~~with disabilities; persons with limited economic means; and persons without~~
24 ~~stable housing.~~

25
26 ~~(2) Each justice, judge, and subordinate judicial officer must participate in~~
27 ~~education on unconscious bias, as well as the prevention of harassment,~~
28 ~~discrimination, retaliation, and inappropriate workplace conduct. This~~
29 ~~education must be taken at least once every three-year continuing education~~
30 ~~cycle as determined by rules 10.461(c)(1) and 10.462(d).~~

31
32 *Rule 10.469 amended effective January 1, 2025; adopted effective January 1, 2008; previously*
33 *amended effective January 1, 1999, January 1, 2012, January 1, 2015, January 1, 2016; January*
34 *1, 2021, and January 1, 2023; previously amended and renumbered effective January 1, 2007.*

35
36
37 **Standard 2.2. Trial court case disposition time goals**

38
39 **(a)–(l) * * ***

40
41 **(m) Cases removed from court’s control excluded from computation of time**
42

1 If a case is removed the court’s control, the period of time until the case is restored
2 to court control should be excluded from the case disposition time goals. The
3 matters that remove a case from the court’s control for the purposes of this section
4 include:

5
6 (1) * * *

7
8 (2) Felony or misdemeanor cases:

9
10 (A)–(B) * * *

11
12 (C) Pendency of completion of any diversion program under part 2 of title
13 6 of the Penal Code (commencing with section 1000)~~et seq.~~;

14
15 (D)–(J) * * *

16
17 *(Subd (m) amended effective January 1, 2025; adopted as subd (n) effective January 1,*
18 *2004; previously amended effective January 1, 2007); previously relettered and amended*
19 *effective January 1, 2024.)*

20
21 (n) * * *

22
23 *Standard 2.2 amended effective January 1, 2025; adopted as sec. 2.1 effective July 1, 1987;*
24 *previously amended effective January 1, 1988, July 1, 1988, January 1, 1989, January 1, 1990,*
25 *July 1, 1991, January 1, 2004, and January 1, 2024; previously amended and renumbered*
26 *effective January 1, 2007.*

27