

COURT RULES

Copr. © West Group 2003. All rights reserved.

NOTICE: Rules and related materials supplied by the courts are included in this database. Because all changes may not have been supplied, the court clerk should be consulted to determine current rules.
Pub. Note: Additions are indicated by <<+ Text +>>; deletions by <<- Text ->>. Changes in tables are made but not highlighted.

CA ORDER 106
C.O. 106
COURT RULES
STATE OF CALIFORNIA
Superior Court of California, County of Sacramento

Amended, effective July 1, 2003

<< CA R SACRAMENTO SUPER CT Rule 9.29 >>

<<+9.29 Sexually Violent Predator Cases.+>>

<<+(A) As petitions requesting that a respondent be committed as a sexually violent predator pursuant to Welfare and Institutions Code section 6600 et seq. are civil matters, each party is entitled to six peremptory challenges.+>>

<<+(B) All such petitions filed by the District Attorney's Office shall be numbered sequentially with the last two digits of the year the petition was filed, followed by the letters "SVP," followed by a three digit sequential number representing the number of cases filed in the year in question. Thus, 03SVP001 would be the civil number assigned to the first such case filed after January 1, 2003. All such petitions shall make reference in the text of the heading for the case to the Sacramento County felony case file number the respondent was originally confined under, i.e., such as:+>>

The People of the State of California.

Petitioner,

Case No. 03SVP001

vs.

(underlying felony case
number 00F01234)

John Doe.

Respondent.

<<+(C) In the absence of any specific demand from any party for civil discovery to be conducted in accordance with otherwise applicable civil discovery rules, the Court deems it necessary to have a discovery cut-off date, an

exchange of witness list date, and an exchange of expert witness list/data date. Nothing in these rules precludes a party from pursuing formal civil discovery proceedings or relieves any party or attorney from complying with all of the discovery requirements set out in the Sexually Violent Predator law. Welfare and Institutions Code section 6600 et seq.+>>

<<+(D) There is a general discovery cut-off date of 15 calendar days before the date initially set for trial. Absent a court order, discovery shall not be allowed within 15 days of trial in any Sexually Violent Predator proceeding. No later than the 15th day before the date initially set for trial of the action, each side is required to submit and exchange their list of witnesses they plan to call at trial. Included with this submission shall be a brief statement of the subject of each witness's testimony and an estimate of the time required for direct examination of each witness. Separate and apart from the above requirement, no later than the 15th day before the date initially set for trial of the action, each side is required to submit and exchange a list of all expert witnesses they plan to call at trial. Included with this submission shall be a declaration from the expert stating the expert's qualifications, the general substance of the expert's expected testimony, and a copy of all written reports, writings, and testing data made by the designated expert in the course of preparing their opinion.+>>

<<+(E) If a trial is rescheduled after the date initially set for trial and the rescheduled date is more than 30 days after the date previously set for trial, discovery shall reopen until a new cut-off date of 15 calendar days before the newly set trial date and each side shall be required to submit a new witness list and a new expert witness list/data. If a prior exchange has already taken place and nothing has changed in regard to discoverable matters, a party may comply with this new list requirement by informing the other side in writing that a previous witness list and/or a previous expert witness list/data remains unchanged.+>>

<< CA R SACRAMENTO SUPER CT Rule 14.29 >>

14.29 Family Law Forms.

The following adopted local forms shall, whenever applicable, be used. The current version of each of these forms is available for viewing and downloading on the court's website at <http://www.saccourt.com>.

FL-1	Mediation Return and Notice of Hearing Re: Mediation Report/Recommendation
FL-2	Petition for Mediation
FL-3	Memorandum to Set/Amended Memorandum to Set
FL-4	Declaration Notice Upon Ex Parte Application for Orders
FL-5	Notice of Hearing on Memorandum to Set/Counter Memorandum to Set
FL-6	Complaint for Grandparent Visitation
FL-7	Petition for Joinder (Custody/Visitation)
FL-8	Petition for Joinder (Property, Etc.)
FL-9	Notice of Mediation
FL-10	Authorization for Non-Attorney Court Document Preparer
FL-12	Petition to Register Out of State Child Custody Order
FL-12.2	Request for Hearing Regarding Registration of Out of State Child Custody Order
FL-30	Family Law Demographic Information Sheet
FL-13a	Petition for Private Mediation
FL-13b	Response to Petition for Private Mediation
FL-13c	Order for Private Mediation
FL-527	Attachment to Petition for Injunction

<< CA R SACRAMENTO SUPER CT Rule 17.11 >>

<<-17.11 Duty Of Counsel To Communicate Orders.->>

<<-All counsel shall communicate in writing or orally to their clients within two (2) court days any order, which requires compliance by their client, unless otherwise directed by the court.->>

<< CA R SACRAMENTO SUPER CT Rule 17.15 >>

17.15 Orders To Produce Incarcerated Parties In Dependency Cases.

(A) All applications for productions of incarcerated parties shall be submitted on Judicial Council Form JV-450.

(B) A party applying for an Order to Produce shall file the application at least 20 days prior to the scheduled hearing and the application shall contain:

(1) An identification of the specific type of hearing at which the incarcerated parent-party's attendance is requested; and

(2) A recitation of facts that demonstrate good cause for the attendance of the incarcerated parent-party, unless the hearing is a jurisdictional hearing, a dispositional hearing or a hearing to terminate parental rights. Such a recitation of facts shall describe what would be gained by the incarcerated parent-party's presence at the hearing.

<<-(C) All requests for an Order to Produce not in compliance with this rule will not be accepted by the clerk for filing and shall be returned to the requesting party.->>

<< CA R SACRAMENTO SUPER CT Rule 17.20 >>

<<-17.20 Trial Readiness Conferences.->>

<<-At the time of setting a trial date, the court at its discretion may schedule a trial readiness conference to occur prior to the scheduled start of trial. All counsel are required to attend the trial readiness conference and be prepared to inform the court and other counsel as to the status of the case.->>

<< CA R SACRAMENTO SUPER CT Rule 17.24 >>

17.24 Attorney Competency Certification.

(A) All <<+appointed+>> counsel appearing in juvenile dependency proceedings shall meet the minimum standards of competency set forth in these rules. Each <<+appointed+>> counsel appearing in dependency matters before the court on the effective date of these rules, who believes that he or she meets the minimum standards for competency, shall complete and submit to the court, within 30 days of the effective date of these rules, form number JV-SC5, Certification of Attorney Competency. After the effective date of these rules, any <<+appointed+>> counsel appearing in a dependency matter for the first time shall complete and submit a Certification of Attorney Competency to the court within ten (10) days of his or her first appearance in a dependency matter. The Certification of Competency shall be filed at the dependency filing counter.

(B) Upon submission of a Certification of Attorney Competency which demonstrates that the <<+appointed+>> counsel has met the minimum standards set forth in Local Rule 17.25, the <<+appointed+>> counsel shall be deemed competent to practice before the juvenile court in dependency cases unless the Presiding Judge of the Juvenile Court determines that a particular <<+appointed+>> counsel does not meet minimum competency standards. In such case, the court shall proceed as set forth in Local Rule 17.26 hereinafter.

(C) In the case of a<<+n appointed+>> counsel who maintains his or her principal office outside of this county, proof of certification by the juvenile court of the California county in which the <<+appointed+>> counsel maintains an office shall not excuse <<+appointed+>> counsel from complying with Local Rule 17.24.

<< CA R SACRAMENTO SUPER CT Rule 17.25 >>

17.25 Minimum Standards Of Experience, Education And Training.

Prior to certification, each <<+appointed+>> counsel appearing in a dependency matter before the juvenile court shall have either:

(1) Participated in at least eight (8) hours of training or education in juvenile dependency law as specified in California Rules of Court, Rule 1438; or

(2) At least 24 hours of experience within the last year in dependency proceedings in which the <<+appointed+>> counsel has demonstrated competence in the <<+appointed+>> counsel's representation of his or her clients in said proceedings.

<< CA R SACRAMENTO SUPER CT Rule 17.26 >>

17.26 Failure Of Attorney To Be Certified.

When a certified counsel fails to submit evidence that he or she has completed at least the minimum required training and education to the court by the due date, the court shall notify the counsel that he or she will be decertified. That counsel shall have 20 days from the date of the mailing of the notice to submit evidence of compliance with Local Rule 17.25. <<-If counsel fails to submit the required evidence or fails to complete the required minimum hours of continuing training or education, the court shall order that certified counsel be substituted for the counsel who fails to complete the required training, except in cases where a party is represented by retained counsel. In the case of retained counsel, the court shall notify the party that his or her counsel has failed to meet the minimum standards required by these rules. The determination whether to obtain substitute counsel shall be solely within the discretion of the party so notified.->>

<< CA R SACRAMENTO SUPER CT Rule 17.27 >>

17.27 Attorney Competency Certification Renewal.

In order to retain his or her certification to practice before the juvenile court, each <<+appointed counsel or his or her supervisor shall file at the dependency filing counter an affidavit certifying that counsel has completed at least eight (8) hours of continuing education related to dependency proceedings within the last three (3) years. The affidavit must be filed on or before January 15 of each year+>> <<-counsel previously certified by the court shall submit a new Certification of Attorney Competency to the court on or before January 31 of the third year after the year in which the counsel is first certified, and then every third year thereafter. The counsel shall attach to the renewal Certification of Attorney Competency evidence that he or she has completed at least eight (8) hours of continuing training or education directly related to dependency proceedings since the counsel was last certified.->>

<< CA R SACRAMENTO SUPER CT Rule 17.31 >>

17.31 Form Of Papers Presented For Filing.

The footer required by California Rules of Court, Rule 201 on all papers presented for filing shall conform to the following:

- (1) The font size of the footer text should be no smaller than the equivalent to Times New Roman 8.
- (2) The title shall include the case name, case number at a left justification and the name of the document, date of document at a right justification.

<<+Each page of any document filed by any party, including attachments to a document must be numbered consecutively at the center bottom of each page.+>>

CA ORDER 03-106

END OF DOCUMENT