

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

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Report

TO: Members of the Judicial Council

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SUBJECT: Miscellaneous Technical Changes to the California Rules of Court and
Judicial Council Forms (Action Required)¹

Issue Statement

Various Judicial Council advisory committee members, court personnel, members of the public, and Administrative Office of the Courts (AOC) staff have identified errors in rules and forms resulting from inadvertent omissions, typographical errors, improper formatting, or language inconsistencies. Many of the typographical errors and language inconsistencies were discovered during the final copyediting review of the reorganized California Rules of Court. It is therefore necessary to make a number of technical changes and two minor substantive changes to the rules and forms noted below.

Recommendation

Administrative Office of the Courts staff recommend that the Judicial Council make the following changes to the California Rules of Court and Judicial Council forms, effective January 1, 2007:

Minor substantive changes

Revise *Notice of Appeal—Juvenile* (form JV-800) to make a minor substantive clarification to item 6c to ensure that the form provisions are consistent with Welfare and Institutions Code sections 366.28(b)(1) and (b)(2), on which it is based;

¹At its June 30, 2006, meeting, the Judicial Council approved reorganization and renumbering of the California Rules of Court. The proposed amendments to these rules will be shown throughout this proposal. Any amendments adopted as part of this proposal will be incorporated into the text of the rules that go into effect on January 1, 2007.

Revise *Stipulation and Waiver of Final Declaration of Disclosure* (form FL-144) to add the word “intelligently” to item 2d, in accordance with Family Code section 2105(d)(4), so that it states “[e]ach of the parties enters into this waiver knowingly, intelligently, and voluntarily”—the word “intelligently” was inadvertently omitted;

Grammatical, typographical, and stylistic changes

Amend rule 2.893(b)(2)(A) to delete the word “subdivision” to be consistent with current rule style;

Amend rule 3.1182 to renumber subdivision “(a)(3)(i)–(iv)” to “(a)(3)(A)–(D)” to be consistent with current rule format;

Amend rule 3.1202(c) to replace “person” with “personal”;

Amend rule 3.1590(b) to replace “parties who” with “parties that” to be consistent with current rule style;

Amend rule 5.134(a) to correct a typographical error, deleting the word “unrepresented,” which was inadvertently included during the last amendment of the rule, and underlining the word “self-represented”, so that it reads “~~unrepresented~~ self-represented”;

Amend rules 5.20, 5.501(a), 8.332(a), 10.15(e), and 10.501(c) to change “Applicability” of rules to “Application” of rules to be consistent with current rule style;

Amend rule 5.365 to change “(a)(1)(i)–(iv)” to “(a)(1)(A)–(D)” to be consistent with current rule format;

Amend rule 5.375 (b) to delete the erroneous comma between “on” and “*Notice*” in the following: “The support obligor’s motion in superior court to establish mistaken identity must be filed on, *Notice of Motion* (form FL-301), with appropriate attachments.”;

Amend rules 5.518(e)(3)(A) and 10.670(d) to delete “but not limited to” in the phrase “Including, but not limited to” to be consistent with current rule style;

Amend rule 5.682 to correct minor grammatical errors in the title of the rule, changing the semicolons to commas between the words “admission; no contest; submission” so that it reads “Commencement of jurisdiction hearing—advisement of trial rights; admission, no contest, submission”;

Amend rule 5.720(c)(12) to correct a typographical error, changing the reference in that subdivision from (b)(11) to (c)(11) so that it states “The notice must include the advisement required by (c)(11).”;

Amend rule 5.728(e)(4) to delete the word “form” in the following: “Proof of notice on ~~form~~ *Notice of Emergency Removal* . . .(form JV-324)” as it is redundant;

Amend rule 8.160(f)(2) to replace two commas with two semicolons;

Amend rules 8.300, 8.605, and 8.616 to delete “[revised version]” following the heading “Advisory Committee Comment,” as this text was inadvertently left in the rules;

Amend rule 8.340 to replace “pursuant to” with “under” in the Advisory Committee Comment to be consistent with current rule style;

Amend rule 8.456 to reletter erroneously lettered subdivision (i) as subdivision (j);

Amend rules 8.482(c)(1), 8.494(a)(1)(A), 8.613(g)(1)(A) and (j)(1), and 8.766(1) to replace the comma with a semicolon to be consistent with rule style;

Amend rule 8.532 to delete the word “subdivisions” in the Advisory Committee Comment to be consistent with current rule style;

Amend rule 8.754(d)(4) to replace the comma with a semicolon and (d)(3), (d)(4) and (d)(5) to add “and”;

Amend rule 8.765 to change “(a)–(l)” to “(1)–(12)” to be consistent with current rule format;

Amend rule 10.820(b)(1) to replace the period with a semicolon and (b)(2) to replace the period with a semicolon and add “and” to be consistent with rule style;

Amend standards 3.25(c)(20)(E) and (d)(28)(E) and 4.30(b)(22)(E) and (H) to replace the period with a semicolon to be consistent with rule style;

Amend standard 10.50(e) to replace commas with semicolons to be consistent with current rule style;

Revise *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105/GC-120) to correct the column formatting on item 3 by eliminating the vertical line that runs through the “Person child lived with” column because the line is unnecessary and to add a line on item 8 to provide the person completing the form a space to enter the exact number of pages attached to the form;

Revise *Order to Show Cause* (form FL-300) to correct a typographical error in the www.courtinfo.ca.gov/selfhelp/courtcalendars/ Web site listed in the NOTICE box—the “courtinfo” portion of the Web site is missing the letter “t”;

Revise *Application for Order and Supporting Declaration* (form FL-310) to eliminate the underlining in items 1a, b, and c, and 3a and b of the information included in parentheses, which was due to formatting errors; and

Corrections

Amend rules 3.51(a), 3.56(2), and 3.57 to show correct new form numbers for fee waiver forms;

Amend rule 3.220(b)(1) to replace “Family Law Code” with “Family Code”; and

Omissions

Amend rule 3.867 to include subdivision (e), which was inadvertently omitted from the reorganized rules approved by the council in June 2006, and revise it to refer to the new rule numbers;

Amend rule 5.726(c)(4)(B) to correct an inadvertent omission, adding the word “before” prior to “an emergency removal” to make clear that the court must set a hearing “before a request for removal is filed or before an emergency removal has occurred”;

Amend rule 8.619 to add the words “second paragraph” after “former rule 35(b)” in the Advisory Committee Comment;

Correct rule 10.781(b) to include amendments to the rule that the council adopted on November 4, 2005, effective January 1, 2007, which were inadvertently not included in the reorganized and renumbered California Rules of Court.

Revise *Application and Order for Health Insurance Coverage* (form FL-470) to add “E-MAIL ADDRESS (*Optional*)” and “(*Optional*)” after “FAX NO.” to the caption, which were inadvertently omitted;

Revise *Notice of Opposition and Notice of Motion on Claim of Exemption* (form FL-677) to add “OTHER PARENT” to the caption box on page 1 of the form, which was inadvertently omitted from page 1 but included in the caption box on page 2; and

Revise *Request for Prospective Adoptive Parent Designation, Notice, and Order* (form JV-321) to correct the numbering of the form—the number 9 was inadvertently omitted, and it affected subsequent numbering on the form.

Clarification

Revise *Order to Show Cause* (form FL-300) and *Notice of Motion* (FL-301) to bring the timeline listed for requesting accommodation services in accordance with the standard timeline listed on other Judicial Council forms, which requires accommodation services to be requested “at least *five days* before the *proceeding*” rather than “at least *five court days* before the *trial*” (italics added);

Rule references

Amend rules 5.585, 5.595, 5.600, 5.695, 5.710, 5.715, and 5.720 to correct each instance where there is a reference to a former California Rule of Court number listed in the title of a Judicial Council form that is included in the text of the rule;

Amend rule 8.1105(e)(1) to replace the reference to “rule 106” with “rule 8.707”;

Amend rule 10.810, Function 11, to replace the reference to “rule 810(a)(7)” with “rule 10.810(a)(7)”;

Amend rule 10.815(b)(14) to replace the erroneous reference to “rule 2006” with rule “2.304”; and

Changes to Reflect Legislation

Amend rule 2.1010(h) to replace “January 1, 2007” with “January 1, 2010” to accurately state the new sunset date of the legislation that required the council to adopt this rule.

The text of the amended rules is attached at pages 10–40. The revised forms are attached at pages 41–60.

Rationale for Recommendation

The changes to the rules and forms, with two exceptions, are technical in nature and necessary to correct inadvertent omissions, typographical errors, improper formatting, and language inconsistencies. Two changes—to rules 2.1010 and 3.867—are minor substantive changes.

Rule 2.1010

Rule 2.1010 was adopted under Code of Civil Procedure section 209, which required the council to adopt a rule allowing a juror to move to set aside sanctions imposed by default.

This requirement was to have remained in effect until January 1, 2007, but was recently extended to January 1, 2010. Therefore the rule should be amended accordingly.

Rule 3.867

Rule 3.867, which becomes effective on January 1, 2007, is currently numbered as rule 1622.2. In the reorganized California Rules of Court that were presented to the Judicial Council on June 30, 2006, the text of subdivision (e) of this rule was inadvertently omitted. The text of subdivision (e) should be added to rule 3.867 when it becomes effective on January 1, 2007. Also, the rule should be amended to change the references in subdivision (e) from rule 1622 (old number) to rule 3.865 (new number).

Rules 5.585, 5.595, 5.600, 5.695, 5.710, 5.715, and 5.720

The amendments of these rules are technical in nature but require further explanation. On June 30, 2006, the Judicial Council approved the reorganization and renumbering of the California Rules of Court and Standards of Judicial Administration. A companion report being considered at the same time as this report seeks to revise rule references on Judicial Council forms. Each of the rules listed above contains a reference to a Judicial Council form that includes a rule number in the title of the form. The rules with forms references that need to be changed are as follows:

Rule 5.585 contains a reference to former rule 37. This reference is included as part of the title of *Notice of Appeal—Juvenile (California Rules of Court, Rule 37)* (form JV-800). Effective January 1, 2007, rule 37 will become rule 8.400, and the title of the form should therefore be changed to *Notice of Appeal—Juvenile (California Rules of Court, Rule 8.400)* (form JV-800);

Rules 5.585, 5.600, 5.695, 5.710, 5.715, and 5.720 each contain a reference to rule 38. These rules refer to rule 38.1 as part of the title of *Notice of Intent to File Writ Petition and Request for Record (California Rules of Court, Rule 38)* (form JV-820). Effective January 1, 2007, rule 38 will become rule 8.450, and the title of the form should therefore be changed to *Notice of Intent to File Writ Petition and Request for Record (California Rules of Court, Rule 8.450)* (form JV-820);

Rules 5.585, 5.595, 5.600, 5.695, 5.710, 5.715, and 5.720 each contain a reference to rules 38.1 and 38.3. These rules refer to rules 38.1 and 38.3 as part of the title of *Petition for Extraordinary Writ (California Rules of Court, Rules 38.1, 38.3)* (form JV-825). Effective January 1, 2007, rule 38.1 will become rule 8.452, and rule 38.3 will become rule 8.456. The title of the form should therefore be changed to *Petition for Extraordinary Writ (California Rules of Court, Rules 8.452, 8.456)* (form JV-825).

It is necessary to correct the rule numbers listed in these juvenile court form titles to ensure that the reorganization and renumbering remain consistent throughout the California Rules of Court.

Rule 10.781

Rule 10.781(b) should be amended to include amendments to former rule 1580.1(b) that the council adopted on November 4, 2005, effective January 1, 2007, which were inadvertently not included in the reorganized and renumbered California Rules of Court approved by the council on June 30, 2006. Rule 10.781(b) should be amended to read as follows:

(b) Requirements to be on lists

In order to be included on a court list of ADR neutrals, an ADR neutral must sign a statement or certificate agreeing to:

- (1) ~~Sign a certificate agreeing to~~ Comply with all applicable ~~ethical~~ ethics requirements and rules of court and;
- (2) ~~Agree to~~ Serve as an ADR neutral on a pro bono or modest-means basis in at least one case per year, not to exceed eight hours, if requested by the court. The court must establish the eligibility requirements for litigants to receive, and the application process for them to request, ADR services on a pro bono or modest-means basis.

Form FL-144

The revision of *Stipulation and Waiver of Final Declaration of Disclosure* (form FL-144) is necessary to add the word “intelligently” to item 2d so that the form would state “[e]ach of the parties enters into this waiver knowingly, *intelligently*, and voluntarily” (emphasis added). Adding the word “intelligently” is a minor substantive change, but it appears that it was an inadvertent omission not to include the word “intelligently” in the initial draft of this form. Upon being notified of this omission, AOC staff researched the issue and determined that, in accordance with Family Code section 2105(d)(4), the appropriate standard is that parties may stipulate to a mutual waiver concerning the final declaration of disclosure so long as “[t]he waiver is knowingly, *intelligently*, and voluntarily entered into by each of the parties.” (Emphasis added.)

Form JV-800

The revision to item 6c of *Notice of Appeal—Juvenile* (form JV-800) is necessary to clarify that, in appeals under Welfare and Institutions Code section 366.28, the litigant must file a petition for extraordinary writ review before filing an appeal in order to preserve the issue for appeal.

Item 6 of form JV-800 provides a list of Welfare and Institutions Code sections under which a juvenile dependency or delinquency appeal may be filed and directs the person completing the form to check each box that applies. Item 6c currently states “Section

366.28 (order designating a specific placement after termination of parental rights).” Several courts have found this item misleading because Welfare and Institutions Code section 366.28(b)(1) precludes appeal of an order designating a specific placement after termination of parental rights *unless* (1) a petition for extraordinary writ review was filed in a timely manner, (2) the petition substantively addressed the specific issues to be challenged and supported that challenge by an adequate record, and (3) the petition was summarily denied or otherwise not decided on the merits. Failure to meet any of these three requirements precludes subsequent review by appeal of the findings and orders. (Welf. & Inst., § 366.28 subd. (b)(2).)

Based on the language in item 6c of form JV-800, however, litigants in several courts have incorrectly believed that they could challenge an order under section 366.28 for the first time on appeal. Staff therefore recommend adding language to item 6c to clarify that a petition for extraordinary writ review must be timely filed before filing for appeal in order to preserve the issue for appeal. It is recommended that item 6c state “Section 366.28 (order designating a specific placement after termination of parental rights in which a petition for extraordinary writ review that substantively addressed the specific issues to be challenged was timely filed and summarily denied or otherwise not decided on the merits).

Although this clarifying change may be interpreted as substantive in nature, it is unnecessary to circulate form JV-800 for comment because the Rules and Projects Committee has the authority to recommend that the Judicial Council adopt a rule without prior circulation “[i]f the proposal presents a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy.” (Cal. Rules of Court, rule 6.22(d)(2).²) This revision should not result in any controversy since it involves clarifying language intended to assist those completing form JV-800 in determining whether an appeal was appropriately filed under Welfare and Institutions Code section 366.28.

Other Changes

The remaining changes are to correct grammatical and typographical errors, to reflect current rule style and format, and to correctly refer to renumbered rules as discussed on pages 2–4.

Alternative Actions Considered

The proposed actions are necessary for the proper organization and accuracy of Judicial Council rules and forms, and to comply with governing law. No alternative actions were considered.

² At its June 30, 2006, meeting, the Judicial Council approved reorganization and renumbering of the California Rules of Court. Effective January 1, 2007, current rule 6.22 will be renumbered to rule 10.22.

Comments From Interested Parties

These proposals were not circulated for comment because they are noncontroversial and involve either technical revisions or minor substantive changes. They are therefore within the Judicial Council's purview to adopt without prior circulation. (See Cal. Rules of Court, rule 6.22(d)(2).)

Implementation Requirements and Costs

The proposed amendments and revisions will result in standard reproduction costs.

Attachments

Rules 2.893, 2.1010, 3.51, 3.56, 3.57, 3.220, 3.867,³ 3.1182, 3.1202, 3.1590, 5.20, 5.134, 5.365, 5.375, 5.501, 5.518, 5.585, 5.595, 5.600, 5.682, 5.695, 5.710, 5.715, 5.720, 5.726, 5.728, 8.160, 8.300, 8.332, 8.340, 8.456, 8.482, 8.494, 8.532, 8.605, 8.613, 8.616, 8.619, 8.754, 8.765, 8.766, 8.1105, 10.15, 10.501, 10.670, 10.781, 10.810, 10.815, 10.820, and standards 3.25, 4.30, and 10.50 are amended, effective January 1, 2007, to read:⁴

1 **Rule 2.893. Appointment of noncertified interpreters in criminal cases and juvenile**
2 **delinquency proceedings**

3
4 (a) ***

5
6 (b) **Appointment of noncertified interpreters**

7
8 An interpreter who is not certified by the Judicial Council to interpret a language
9 designated by the Judicial Council under Government Code section 68560 et seq.
10 may be appointed under Government Code section 68561(c) in a proceeding if:

11
12 (1) ***

13
14 (2) *Noncertified interpreter not provisionally qualified*

15
16 (A) To prevent burdensome delay or in other unusual circumstances, at the
17 request of the defendant, or of the minor in a juvenile delinquency
18 proceeding, the judge in the proceeding may appoint a noncertified
19 interpreter who is not provisionally qualified under ~~subdivision~~ (b)(1)
20 to interpret a brief, routine matter provided the judge, on the record:
21

³ When this rule was renumbered by the Judicial Council at its June 30, 2006, meeting, subdivision (e) of existing rule 1622.2 was inadvertently omitted. This subdivision should be added to the text and amended as shown to contain correct cross-references to rule 3.865.

⁴ The recommended amendments to the rules and standards that were renumbered as part of the rules reorganization have been made to the version of these rules adopted by the Judicial Council at its June 30, 2006, business meeting and reflect the text that will be in effect on January 1, 2007. The amendments adopted as part of this proposal will be incorporated into the text of these rules and standards that go into effect on January 1, 2007.

1 (i) Indicates that the defendant or minor has waived the appointment
2 of a certified interpreter and the appointment of an interpreter
3 found provisionally qualified by the presiding judge;
4

5 (ii) Finds that good cause exists to appoint an interpreter who is
6 neither certified nor provisionally qualified; and
7

8 (iii) Finds that the interpreter is qualified to interpret that proceeding.
9

10 (B) The findings and appointment under (b)(2)(A) made by the judge in
11 the proceeding are effective only in that proceeding. The appointment
12 must not be extended to subsequent proceedings without an additional
13 waiver, findings, and appointment.
14

15 (c)–(e) ***
16

17 **Rule 2.1010. Juror motion to set aside sanctions imposed by default**
18

19 (a)–(g) ***
20

21 **(h) Sunset date**
22

23 This rule is effective until January 1, ~~2007~~2010.
24

25 **Rule 3.51. Method of application and filing of papers**
26

27 **(a) Mandatory application forms**
28

29 An application to proceed in forma pauperis must be made on *Application for*
30 *Waiver of Court Fees and Costs* (form ~~982(a)(17)~~FW-001). An application for
31 waiver of additional court fees and costs under rule 3.62 must be made on
32 *Application for Waiver of Additional Court Fees and Costs (In Forma Pauperis)*
33 (~~form 982(a)(20)~~FW-002). The clerk must provide either form without charge to
34 any person who requests it or indicates that he or she is unable to pay any court fee
35 or cost.
36

37 **(b) *****
38

39 **Rule 3.56. Procedure for determining application**
40

41 The procedure for determining an application is as follows:
42

1 (1) The court must consider and determine the application as required by Government
2 Code section 68511.3.

3
4 (2) An order determining an application to proceed in forma pauperis must be made
5 on *Order on Application for Waiver of Court Fees and Costs (In Forma Pauperis)*
6 (form ~~982(a)(18)~~FW-003).

7
8 (3)–(5) ***

9
10 **Rule 3.57. Application granted unless acted on by the court**

11
12 The application to proceed in forma pauperis is deemed granted unless acted on by the
13 court within five court days after it is filed. If the application is deemed granted under
14 this provision, the clerk must execute a *Notice of Waiver of Court Fees and Costs (In*
15 *Forma Pauperis)* (form ~~982(a)(19)~~FW-005) five court days after the application is filed.

16
17 **Rule 3.220. Case Cover Sheet**

18
19 (a) ***

20
21 **(b) List of cover sheets**

22
23 (1) *Civil Case Cover Sheet* (form CM-010) must be filed in each civil action or
24 proceeding, except those filed in small claims court or filed under the Probate
25 Code, Family Law Code, or Welfare and Institutions Code.

26
27 (2) [**Note:** Case cover sheets will be added for use in additional areas of the law
28 as the data collection program expands.]

29
30 (c) ***

31
32 **Rule 3.867. Confidentiality of complaint procedures, information, and records**

33
34 ~~(a)~~**(a)** ***

35
36 ~~(b)~~**(b)** ***

37
38 ~~(c)~~**(c)** ***

39
40 ~~(d)~~**(d)** ***

41
42 (e) In determining whether the disclosure of information or records concerning rule
43 ~~1622~~ 3.865 complaint procedures is required by law, courts should consider the

1 purposes of the confidentiality of rule ~~4622~~ 3.865 complaint procedures stated in
2 (a). Before the disclosure of records concerning procedures under rule ~~4622~~ 3.865 is
3 ordered, notice should be given to any person whose mediation communications
4 may be revealed.
5

6 **Rule 3.1182. Monthly reports**
7

8 **(a) Content of reports**
9

10 The receiver must provide monthly reports to the parties and, if requested, to
11 nonparty client lien holders. These reports must include:
12

- 13 (1) A narrative report of events;
14
15 (2) A financial report; and
16
17 (3) A statement of all fees paid to the receiver, employees, and professionals
18 showing:
19
20 ~~(i)~~(A) Itemized services;
21
22 ~~(ii)~~(B) A breakdown of the services by 1/10 hour increments;
23
24 ~~(iii)~~(C) If the fees are hourly, the hourly fees; and
25
26 ~~(iv)~~(D) If the fees are on another basis, that basis.
27

28 **(b) *****
29

30 **Rule 3.1202. Contents of application**
31

32 **(a)–(b) *****
33

34 **(c) Affirmative factual showing required**
35

36 An applicant must make an affirmative factual showing in a declaration containing
37 competent testimony based on personal knowledge of irreparable harm, immediate
38 danger, or any other statutory basis for granting relief ex parte.

1
2 **Rule 3.1590. Announcement of tentative decision, statement of decision, and**
3 **judgment**

4
5 (a) ***

6
7 (b) **Tentative decision not binding**

8
9 The tentative decision does not constitute a judgment and is not binding on the
10 court. If the court subsequently modifies or changes its announced tentative
11 decision, the clerk must mail a copy of the modification or change to all parties ~~who~~
12 that appeared at the trial.

13
14 (c)–(k) ***

15
16 **Rule 5.20. Applicabilitytion of rules**

17
18 The rules in this division apply to every action and proceeding as to which the Family
19 Code applies and, unless these rules elsewhere explicitly make them applicable, do not
20 apply to any other action or proceeding.

21
22 **Rule 5.134. Notice of entry of judgment**

23
24 (a) Notwithstanding Code of Civil Procedure section 664.5, the clerk must give notice
25 of entry of judgment, using *Notice of Entry of Judgment* (form FL-190), to the
26 attorney for each party or to the party if ~~unrepresented~~ self-represented, of the
27 following:

28
29 (1)–(5) ***

30
31 (b) ***

32
33 **Rule 5.365. Procedure for consolidation of child support orders**

34
35 (a) When an order of consolidation of actions has been made under section 1048(a) of
36 the Code of Civil Procedure in cases in which a local child support agency is
37 appearing under section 17400 of the Family Code, or when a motion to consolidate
38 or combine two or more child support orders has been made under section 17408 of
39 the Family Code, the cases in which those orders were entered must be consolidated
40 as follows:

41
42 (1) *Priority of consolidation*

1 The order consolidating cases that contain child support orders must designate
2 the primary court file into which the support orders must be consolidated and
3 must also designate the court files that are subordinate. Absent an order upon
4 showing of good cause, the cases or child support orders must be consolidated
5 into a single court file according to the following priority, including those
6 cases or orders initiated or obtained by a local child support agency under
7 division 17 of the Family Code that are consolidated under either section
8 1048(a) of the Code of Civil Procedure or section 17408 of the Family Code:
9

10 (i)(A) If one of the cases or child support orders to be consolidated is in
11 an action for nullity, dissolution, or legal separation brought under
12 division 6 of the Family Code, all cases and orders so consolidated must
13 be consolidated into that action, which must be the primary file.
14

15 (ii)(B) If none of the cases or child support orders to be consolidated is in
16 an action for nullity, dissolution, or legal separation, but one of the child
17 support orders to be consolidated has been issued in an action under the
18 Uniform Parentage Act (Fam. Code, div. 12, pt. 3), all orders so
19 consolidated must be consolidated into that action, which must be the
20 primary file.
21

22 (iii)(C) If none of the cases or child support orders to be consolidated is in
23 an action for nullity, dissolution, or legal separation or in an action under
24 the Uniform Parentage Act, but one of the child support orders to be
25 consolidated has been issued in an action commenced by a *Petition for*
26 *Custody and Support of Minor Children* (form FL-260), all orders so
27 consolidated must be consolidated into that action, which must be the
28 primary file.
29

30 (iv)(D) If none of the cases or child support orders to be consolidated is in
31 an action for nullity, dissolution, or legal separation or in an action under
32 the Uniform Parentage Act, the case or cases with the higher number or
33 numbers must be consolidated into the case with the lowest number,
34 which must be the primary file. Child support orders in cases brought
35 under the Domestic Violence Protection Act (Fam. Code, div. 10, pt. 4)
36 or any similar law may be consolidated under this rule. However, a
37 domestic violence case must not be designated as the primary file.
38

39 (2) *Notice of consolidation*
40

41 Upon issuance of the consolidation order, the local child support agency must
42 prepare and file in each subordinate case a *Notice of Consolidation* (form FL-
43 920), indicating that the support orders in those actions are consolidated into

1 the primary file. The notice must state the date of the consolidation, the
2 primary file number, and the case number of each of the cases so consolidated.
3 If the local child support agency was not a participant in the proceeding in
4 which the consolidation was ordered, the court must designate the party to
5 prepare and file the notice.
6

7 (b) ***
8

9 **Rule 5.375. Procedure for a support obligor to file a motion regarding mistaken**
10 **identity**

11 (a) ***
12

13 (b) **Procedure for filing motion in superior court**
14

15 The support obligor's motion in superior court to establish mistaken identity must
16 be filed on, *Notice of Motion* (form FL-301), with appropriate attachments. The
17 support obligor must also file as exhibits to the notice of motion a copy of the claim
18 of mistaken identity that he or she filed with the local child support agency and a
19 copy of the local child support agency's denial of the claim.
20
21

22 **Rule 5.501. Preliminary provisions**
23

24 (a) **Applicability of rules (§§ 200–945)**
25

26 The rules in this division solely apply to every action and proceeding to which the
27 juvenile court law (Welf. & Inst. Code, div. 2, pt. 1, ch. 2, § 200 et seq.) applies,
28 unless they are explicitly made applicable in any other action or proceeding. The
29 rules in this division do not apply to an action or proceeding heard by a traffic
30 hearing officer, nor to a rehearing or appeal from a denial of a rehearing following
31 an order by a traffic hearing officer.
32

33 (b)–(d) ***
34

35 **Rule 5.518. Court-connected child protection/dependency mediation**
36

37 (a)–(d) ***
38

39 (e) **Education, experience, and training requirements for dependency mediators**
40

41 Dependency mediators must meet the following minimum qualifications:
42

43 (1)–(2) ***

1
2 (3) Completion of at least 40 hours of initial dependency mediation training
3 before or within 12 months of beginning practice as a dependency mediator.
4 Currently practicing dependency mediators must complete the required 40
5 hours of initial training by January 1, 2006. The training must cover the
6 following subject areas as they relate to the practice of dependency mediation:
7

8 (A) Multiparty, multi-issue, multiagency, and high-conflict cases, including;
9 ~~but not limited to:~~

10
11 (i)–(vi) ***

12
13 (B)–(G) ***

14
15 (i)–(ii) ***

16
17 (H)–(K) ***

18
19 (f)–(j) ***

20
21 **Rule 5.585. Review by appeal**

22
23 (a)–(d) ***

24
25 (e) **Notice of trial rights; section 366.26**

26
27 When the court orders a hearing under section 366.26, the court must advise orally
28 all parties present, and by first class mail for parties not present, that if the party
29 wishes to preserve any right to review on appeal of the order setting the hearing
30 under section 366.26, the party is required to seek an extraordinary writ by filing a
31 *Notice of Intent to File Writ Petition and Request for Record (California Rules of*
32 *Court, Rule ~~38.1~~ 8.450)* (form JV-820) or other notice of intent to file a writ petition
33 and request for record and a *Petition for Extraordinary Writ (California Rules of*
34 *Court, Rules ~~38.1~~ 8.452, ~~38.3~~ 8.456)* (form JV-825) or other petition for
35 extraordinary writ.
36

37 (1) ***

38
39 (2) Copies of *Petition for Extraordinary Writ (California Rules of Court, Rules*
40 *~~38.1~~ 8.452, ~~38.3~~ 8.456)* (form JV-825) and *Notice of Intent to File Writ*
41 *Petition and Request for Record (California Rules of Court, Rule ~~38~~ 8.450)*
42 (form JV-820) must be available in the courtroom and must accompany all
43 mailed notices informing the parties of their rights.

1
2 **(f) Time for filing notice of appeal**
3

4 Notice of appeal must be filed within 60 days after the making of an appealable
5 order or, if the matter was heard by a referee who was not sitting as a temporary
6 judge, within 60 days after the order becomes final under rule 5.540(c). Notice of
7 appeal may be filed on *Notice of Appeal—Juvenile (California Rules of Court, Rule*
8 *37 8.400*) (form JV-800).
9

10 **(g) *****
11

12 **Rule 5.595. Review by extraordinary writ—section 300 proceedings**
13

14 If review by petition for extraordinary writ is sought regarding judgments, orders, or
15 decrees other than those described in rules 8.450, 8.452, 8.454, 8.456, and 5.600, a
16 *Petition for Extraordinary Writ (California Rules of Court, Rules ~~38.1 8.452~~, ~~38.3 8.456~~)*
17 (form JV-825) may be used.
18

19 **Rule 5.600. Writ petition after orders setting hearing under section 366.26; appeal**
20

21 **(a) *****
22

23 **(b) Notice of trial rights; section 366.26**
24

25 When the court orders a hearing under section 366.26, the court must advise orally
26 all parties present, and by first-class mail for parties not present, that if the party
27 wishes to preserve any right to review on appeal of the order setting the hearing
28 under section 366.26, the party is required to seek an extraordinary writ by filing a
29 *Notice of Intent to File Writ Petition and Request for Record, (California Rules of*
30 *Court, Rule ~~38 8.450~~)* (form JV-820) or other notice of intent to file a writ petition
31 and request for record and a *Petition for Extraordinary Writ (California Rules of*
32 *Court, Rules ~~38.1 8.452~~, ~~38.3 8.456~~)* (form JV-825) or other petition for
33 extraordinary writ.
34

35 **(1) *****
36

37 **(2)** Copies of *Petition for Extraordinary Writ (California Rules of Court, Rules*
38 *~~38.1 8.452~~, ~~38.3 8.456~~)* (form JV-825) and *Notice of Intent to File Writ*
39 *Petition and Request for Record (California Rules of Court, Rule ~~38 8.450~~)*
40 (form JV-820) must be available in the courtroom and must accompany all
41 mailed notices informing the parties of their rights.
42

1 (c) **Time for filing the notice of intent to file writ petition and request for record**

2
3 To permit determination of the writ petition before the scheduled date for the
4 hearing under section 366.26 on the selection of the permanent plan, a notice of
5 intent to file a writ petition and request for record must be filed with the clerk of the
6 juvenile court within 7 days of the date of the order setting a hearing under section
7 366.26. The period for filing a notice of intent to file a writ petition and request for
8 record will be extended 5 days if the party received notice of the order setting the
9 hearing under section 366.26 only by mail. A *Notice of Intent to File Writ Petition*
10 *and Request for Record* (*California Rules of Court, Rule 38.1 8.450*) (form JV-820)
11 may be used.

12
13 (d)–(g) ***

14
15 (h) **Petition for extraordinary writ; form JV-825**

16
17 The petition for extraordinary writ may be filed on a *Petition for Extraordinary Writ*
18 (*California Rules of Court, Rules 38.1 8.452, 38.3 8.456*) (form JV-825) or other
19 petition for extraordinary writ. Petitions for extraordinary writ submitted on a
20 *Petition for Extraordinary Writ* (*California Rules of Court, Rules 38.1 8.452, 38.3*
21 *8.456*) (form JV-825) must be accepted for filing by the appellate court. All
22 petitions must be liberally construed in favor of their sufficiency.

23
24 (i)–(j) ***

25
26 **Rule 5.682. 1449. Commencement of jurisdiction hearing—advisement of trial**
27 **rights; admission; no contest; submission**

28
29 (a)–(g) ***

30
31 **Rule 5.695. Orders of the court**

32
33 (a)–(e) ***

34
35 (f) **Provision of reunification services (§ 361.5)**

36
37 (1)–(13) ***

38
39 (14) A judgment, order, or decree setting a hearing under section 366.26 is not an
40 immediately appealable order. Review may be sought only by filing *Petition*
41 *for Extraordinary Writ* (*California Rules of Court, Rules 38.1 8.452, 38.3*
42 *8.456*) (form JV-825) or other petition for extraordinary writ. If a party wishes
43 to preserve any right to review on appeal of the findings and orders made

1 under this rule, the party must seek an extraordinary writ under rules 8.450,
2 8.452, and 5.600.

3
4 (15) A judgment, order, or decree setting a hearing under section 366.26 may be
5 reviewed on appeal following the order of the 366.26 hearing only if the
6 following have occurred:

7
8 (A) An extraordinary writ was sought by the timely filing of *Petition for*
9 *Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~*
10 *8.456)* (form JV-825) or other petition for extraordinary writ; and

11
12 (B) ***

13
14 (16)–(17) ***

15
16 (18) When the court orders a hearing under section 366.26, the court must advise
17 orally all parties present, and by first-class mail for parties not present, that if
18 the party wishes to preserve any right to review on appeal of the order setting
19 the hearing under section 366.26, the party must seek an extraordinary writ by
20 filing a *Notice of Intent to File Writ Petition and Request for Record*
21 *(California Rules of Court, Rule ~~38~~ 8.450)* (form JV-820) or other notice of
22 intent to file a writ petition and request for record and a *Petition for*
23 *Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~ 8.456)*
24 (form JV-825) or other petition for extraordinary writ.

25
26 (A) ***

27
28 (B) Copies of *Petition for Extraordinary Writ (California Rules of Court,*
29 *Rules ~~38.1~~ 8.452, ~~38.3~~ 8.456)* (form JV-825) and *Notice of Intent to File*
30 *Writ Petition and Request for Record (California Rules of Court, Rule ~~38~~*
31 *8.450)* (form JV-820) must be available in the courtroom and must
32 accompany all mailed notices informing the parties of their rights.

33
34 (g)–(h) ***

35
36 (i) **15Fifteen-day reviews (§ 367)**

37
38 If a child is detained pending the execution of the disposition order, the court must
39 review the case at least every 15 calendar days to determine whether the delay is
40 reasonable. During each review the court must inquire about the action taken by the
41 probation or welfare department to carry out the court's order, the reasons for the
42 delay, and the effect of the delay on the child.

1 (j) ***

2
3 **Rule 5.710. Six-month review hearing**

4
5 (a)–(e) ***

6
7 (f) **Conduct of hearing (§ 366.21)**

8
9 If the court does not return custody of the child:

10
11 (1)–(2) ***

12
13 (3) A judgment or an order setting a hearing under section 366.26 is not
14 immediately appealable. Review may be sought only by filing *Petition for*
15 *Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~ 8.456)*
16 (form JV-825) or other petition for extraordinary writ. If a party wishes to
17 preserve any right to review on appeal of the findings and orders made under
18 this rule, the party must seek an extraordinary writ under rules 8.450, 8.452,
19 and 5.600.

20
21 (4) A judgment, order, or decree setting a hearing under section 366.26 may be
22 reviewed on appeal following the order of the 366.26 hearing only if the
23 following have occurred:

24
25 (A) An extraordinary writ was sought by the timely filing of *Petition for*
26 *Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~*
27 *8.456)* (form JV-825) or other petition for extraordinary writ; and

28
29 (B) ***

30
31 (5)–(6) ***

32
33 (7) When the court orders a hearing under section 366.26, the court must advise all
34 parties that, to preserve any right to review on appeal of the order setting the
35 hearing, the party must seek an extraordinary writ by filing:

36
37 (A) A notice of the party's intent to file a writ petition and a request for the
38 record, which may be submitted on *Notice of Intent to File Writ Petition*
39 *and Request for Record (California Rules of Court, Rule ~~38~~ 8.450)* (form
40 JV-820); and
41

1 (B) A petition for an extraordinary writ, which may be submitted on *Petition*
2 *for Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~*
3 *8.456)* (form JV-825).
4

5 (8) ***
6

7 (9) Copies of *Petition for Extraordinary Writ (California Rules of Court, Rules*
8 *~~38.1~~ 8.452, ~~38.3~~ 8.456)* (form JV-825) and *Notice of Intent to File Writ*
9 *Petition and Request for Record (California Rules of Court, Rule ~~38~~ 8.450)*
10 (form JV-820) must be available in the courtroom and must accompany all
11 mailed notices informing the parties of their rights.
12

13 (10)–(11) ***
14

15 (g)–(i) ***
16

17 **Rule 5.715. Twelve-month review hearing**
18

19 (a)–(c) ***
20

21 **(d) Determinations and orders**
22

23 The court must proceed as follows:
24

25 (1)–(2) ***
26

27 (3) If the court does not find that there is a substantial probability of return within
28 18 months of the initial removal, and finds that reasonable services have been
29 offered or provided to the parent or guardian, the court must order a hearing
30 under section 366.26 within 120 days.
31

32 (A)–(B) ***
33

34 (C) A judgment or an order setting a hearing under section 366.26 is not
35 immediately appealable. Review may be sought only by filing *Petition for*
36 *Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~*
37 *8.456)* (form JV-825) or other petition for extraordinary writ. If a party
38 wishes to preserve any right to review on appeal of the findings and
39 orders made under this rule, the party must seek an extraordinary writ
40 under rules 8.450, 8.452, and 5.600.
41

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(D) A judgment, order, or decree setting a hearing under section 366.26 may be reviewed on appeal following the order of the section 366.26 hearing only if the following have occurred:

(i) An extraordinary writ was sought by the timely filing of *Petition for Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~ 8.456)* (form JV-825) or other petition for extraordinary writ; and

(ii) ***

(E)–(F) ***

(G) When the court orders a hearing under section 366.26, the court must advise all parties that, to preserve any right to review on appeal of the order setting the hearing, the party must seek an extraordinary writ by filing:

(i) A notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record (California Rules of Court, Rule ~~38~~ 8.450)* (form JV-820); and

(ii) A petition for an extraordinary writ, which may be submitted on *Petition for Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~ 8.456)* (form JV-825).

(H) ***

(I) Copies of *Petition for Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~ 8.456)* (form JV-825) and *Notice of Intent to File Writ Petition and Request for Record (California Rules of Court, Rule ~~38~~ 8.450)* (form JV-820) must be available in the courtroom and must accompany all mailed notices informing the parties of their trial rights.

(J) ***

(e) ***

1
2 **Rule 5.720. Eighteen-month review hearing**

3
4 (a)–(b) ***

5
6 (c) **Conduct of hearing (§ 366.22)**

7
8 At the hearing the court must state on the record that the court has read and
9 considered the report of petitioner, the report of any CASA volunteer, any report
10 submitted by the child’s caregiver under section 366.21(d), and any other evidence,
11 and must proceed as follows:

12
13 (1)–(6) ***

14
15 (7) A judgment or an order setting a hearing under section 366.26 is not
16 immediately appealable. Review may be sought only by filing *Petition for*
17 *Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~ 8.456)*
18 (form JV-825) or other petition for extraordinary writ. If a party wishes to
19 preserve any right to review on appeal of the findings and orders made under
20 this rule, the party is required to seek an extraordinary writ under rules 8.450,
21 8.452, and 5.600.

22
23 (8) A judgment, order, or decree setting a hearing under section 366.26 may be
24 reviewed on appeal following the order of the 366.26 hearing only if the
25 following have occurred:

26
27 (A) An extraordinary writ was sought by the timely filing of *Petition for*
28 *Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~*
29 *8.456)* (form JV-825) or other petition for extraordinary writ; and

30
31 (B) ***

32
33 (9)–(10) ***

34
35 (11) When the court orders a hearing under section 366.26, the court must advise
36 orally all parties that to preserve any right to review on appeal of the order
37 setting the hearing, the party is required to seek an extraordinary writ by filing:

38
39 (A) A notice of the party’s intent to file writ petition and request for the
40 record, which may be submitted on *Notice of Intent to File Writ Petition*
41 *and Request for Record (California Rules of Court, Rule 38 8.450)* (form
42 JV-820); and
43

1 (B) A petition for an extraordinary writ, which may be submitted on *Petition*
2 *for Extraordinary Writ (California Rules of Court, Rules ~~38.1~~ 8.452, ~~38.3~~*
3 *8.456)* (form JV-825).
4

5 (12) Within 24 hours of the review hearing, the clerk of the court must provide
6 notice by first-class mail to the last known address of any party who is not
7 present when the court orders the hearing under section 366.26. The notice
8 must include the advisement required by ~~(b)~~(c)(11).
9

10 (13) Copies of *Petition for Extraordinary Writ (California Rules of Court, Rules*
11 *~~38.1~~ 8.452, ~~38.3~~ 8.456)* (form JV-825) and *Notice of Intent to File Writ*
12 *Petition and Request for Record (California Rules of Court, Rule ~~38~~ 8.450)*
13 (form JV-820) must be available in the courtroom and must accompany all
14 mailed notices informing the parties of their rights.
15

16 (14) ***
17

18 (d) ***
19

20 **Rule 5.726. Prospective adoptive parent designation (§ 366.26(n))**
21

22 (a)–(b) ***
23

24 (c) **Hearing on request for prospective adoptive parent designation**
25

26 The court must evaluate whether the caregiver meets the criteria in (b).
27

28 (1)–(3) ***
29

30 (4) If it appears to the court that the request for designation as a prospective
31 adoptive parent will be contested, or if the court wants to receive further
32 evidence on the request, the court must set a hearing.
33

34 (A) ***
35

36 (B) If the request for designation is made before a request for removal is
37 filed or before an emergency removal has occurred, the court must order
38 that the hearing be set at a time within 30 calendar days after the filing of
39 the request for designation.
40

41 (5) ***
42

1 (d)–(f) ***

2
3 **Rule 5.728. Emergency removal (§ 366.26(n))**

4
5 (a)–(d) ***

6
7 (e) **Notice of emergency removal hearing**

8
9 After the court has ordered a hearing on an emergency removal, notice of the
10 hearing must be as follows:

11
12 (1)–(3) ***

13
14 (4) Proof of notice on ~~form~~ *Notice of Emergency Removal, Objection to Removal,*
15 *and Order After Hearing* (form JV-324) must be filed with the court before
16 the hearing on the emergency removal.

17
18 (f)–(g) ***

19
20 **Rule 8.160. Sealed records**

21
22 (a)–(e) ***

23
24 (f) **Unsealing a record in the reviewing court**

25
26 (1) A sealed record must not be unsealed except on order of the reviewing court.

27
28 (2) Any person or entity may serve and file a motion, application, or petition in
29 the reviewing court to unseal a record. If necessary to preserve confidentiality,
30 the motion, application, or petition; any opposition; and any supporting
31 documents must be filed in both a public redacted version and a sealed
32 complete version.

33
34 (3)–(6) ***

35
36 (g) ***

37
38 **Rule 8.300. Appointment of appellate counsel by the Court of Appeal**

39
40 (a)–(e) ***

41
42 **Advisory Committee Comment ~~[revised version]~~**

1 **Subdivision (b).** The “designated oversight committee” referred to in subdivision (b)(2) is currently the
2 Appellate Indigent Defense Oversight Advisory Committee.
3

4 **Rule 8.332. Juror-identifying information**
5

6 **(a) Applicability**
7

8 A clerk’s transcript, a reporter’s transcript, or any other document in the record that
9 contains juror-identifying information must comply with this rule.
10

11 **(b)–(c) *****
12

13 **Rule 8.340. Augmenting or correcting the record in the Court of Appeal**
14

15 **(a)–(d) *****
16

17 **Advisory Committee Comment**
18

19 **Subdivision (b).** The words “or order” in the first sentence of (b) are intended to refer to any court order
20 to include additional material in the record, e.g., an order of the superior court ~~pursuant to~~ under rule
21 8.324(d)(1).
22

23 **Rule 8.456. Writ petition under Welfare and Institutions Code section 366.28 and**
24 **rule 5.600 to review order designating specific placement of a dependent child**
25 **after termination of parental rights**
26

27 **(a)–(i) *****
28

29 **(j) Right to appeal other orders**
30

31 This section does not affect the right of a parent, a legal guardian, or the child to
32 appeal any order that is otherwise appealable and that is issued at a hearing held
33 under Welfare and Institutions Code section 366.26.
34

35 **Rule 8.482. Appeal from judgment authorizing conservator to consent to**
36 **sterilization of conservatee**
37

38 **(a)–(b) *****
39

40 **(c) Superior court clerk’s duties**
41

42 After entering the judgment, the clerk must immediately:
43

- 1 (1) Begin preparing a clerk’s transcript and notify the reporter to prepare a
2 reporter’s transcript; and
3
4 (2) Mail certified copies of the judgment to the Court of Appeal and the Attorney
5 General.
6

7 **(d)–(i) *****
8

9 **Rule 8.494. Review of Workers’ Compensation Appeals Board cases**
10

11 **(a) Petition**
12

- 13 (1) A petition to review an order, award, or decision of the Workers’
14 Compensation Appeals Board must include:
15
16 (A) The order, award, or decision to be reviewed; and
17
18 (B) The workers’ compensation judge’s minutes of hearing and summary of
19 evidence, findings and opinion on decision, and report and
20 recommendation on the petition for reconsideration.
21
22 (2) If the petition claims that the board’s ruling is not supported by substantial
23 evidence, it must fairly state and attach copies of all the relevant material
24 evidence.
25
26 (3) The petition must be accompanied by proof of service of two copies of the
27 petition on the Secretary of the Workers’ Compensation Appeals Board in San
28 Francisco and one copy on each party who appeared in the action and whose
29 interest is adverse to the petitioner. Service on the board’s local district office
30 is not required.
31

32 **(b)–(c) *****
33

34 **Rule 8.532. Filing, finality, and modification of decision**
35

36 **(a)–(c) *****
37

38 **Advisory Committee Comment**
39

40 **Subdivision (b).** Subdivision (b)(2)(A) recognizes the general rule that the denial of a petition for review
41 of a Court of Appeal decision is final on filing. Subdivision (b)(2)(B)–(D) recognizes several additional
42 types of Supreme Court decisions that are final on filing. Thus (b)(2)(B) recognizes that a dismissal, a
43 transfer, and a retransfer under subdivisions (b), (d), and (e), respectively, of rule 8.528 are decisions final
44 on filing. A remand under rule 8.528(c) is not a decision final on filing because it is not a separately filed

1 order; rather, as part of its appellate judgment at the end of its opinion in such cases the Supreme Court
2 simply orders the cause remanded to the Court of Appeal for disposition of the remaining issues in the
3 appeal.
4

5 Subdivision (b)(2)(C) recognizes that an order denying a petition for a writ within the court’s original
6 jurisdiction without issuance of an alternative writ or order to show cause is final on filing. The provision
7 reflects the settled Supreme Court practice, since at least 1989, of declining to file petitions for rehearing
8 in such matters. (See, e.g., *In re Hayes* (S004421) Minutes, Cal. Supreme Ct., July 28, 1989 [“The motion
9 to vacate this court’s order of May 18, 1989 [denying a petition for habeas corpus without opinion] is
10 denied. Because the California Rules of Court do not authorize the filing of a petition for rehearing of
11 such an order, the alternate request to consider the matter as a petition for rehearing is denied.”].)
12

13 Subdivision (b)(2)(D) recognizes that an order denying a petition for writ of supersedeas is final on filing.
14

15 **Rule 8.605. Qualifications of counsel in death penalty appeals and habeas corpus**
16 **proceedings**
17

18 (a)–(k) ***
19

20 **Advisory Committee Comment ~~[revised version]~~**
21

22 **Subdivision (c).** The definition of “associate counsel” in (c)(3) is intended to make it clear that although
23 appointed lead counsel has overall and supervisory responsibility in a capital case, appointed associate
24 counsel also has casewide responsibility to perform the duties for which he or she was appointed, whether
25 they are appellate duties, habeas corpus duties, or appellate *and* habeas corpus duties.
26

27 **Rule 8.613. Preparing and certifying the record of preliminary proceedings**
28

29 (a)–(f)
30

31 **(g) Declaration and request for corrections or additions**
32

33 (1) Within 30 days after the clerk delivers the transcript, each trial counsel must
34 serve and file a declaration stating that counsel or another person under
35 counsel’s supervision has performed the tasks required by (f), and must serve
36 and file either:
37

38 (A) A request for corrections or additions to the reporter’s transcript or court
39 file;² or
40

41 (B) A statement that counsel does not request any corrections or additions.
42

43 (2)–(4) ***
44

1 (h)–(i) ***

2
3 (j) **Delivery to the superior court**

4
5 Within five days after the reporter delivers the computer-readable copies, the clerk
6 must deliver to the responsible judge, for inclusion in the record:

7
8 (1) The certified original reporter’s transcript of the preliminary proceedings and
9 the copies that have not been distributed to counsel, including the computer-
10 readable copies; and

11
12 (2) The complete court file of the preliminary proceedings or a certified copy of
13 that file.

14
15 (k)–(l) ***

16
17 **Rule 8.616. Preparing the trial record**

18
19 (a)–(d) ***

20
21 **Advisory Committee Comment [~~revised version~~]**

22
23 Rule 8.616 implements Penal Code section 190.8(b).

24
25 **Rule 8.619. Certifying the trial record for completeness**

26
27 (a)–(h) ***

28
29 **Advisory Committee Comment**

30
31 Rule 8.619 implements Penal Code section 190.8(c)–(e).

32
33 Subdivision (e)(4) restates a provision of former rule 35(b), second paragraph, as it was in effect on
34 December 31, 2003.

35
36 **Rule 8.754. Clerk’s transcript and original papers**

37
38 (a)–(c) ***

39
40 (d) **Preparation of clerk’s transcript**

41
42 Within 10 days after the appellant has arranged for payment of the cost of the
43 transcript, as provided in (c), the clerk shall prepare and certify a transcript
44 consisting of either copies or originals, as specified in (e), of:

1
2 The following whether designated in the notices or stipulations or referred to in the
3 statements of the parties or not:

4
5 (1)–(2) ***

6
7 (3) The judgment appealed from with an endorsement by the clerk showing the
8 date notice of entry thereof was mailed by the clerk or served by a party; and

9
10 (4) Any notice of intention to move for a new trial or motion to vacate the
11 judgment, and the ruling thereon, if any; and

12
13 The following, if they have been designated by any of the parties:

14
15 (5) The judgment roll, or such parts thereof as have been designated by the
16 parties; and

17
18 (6) ***

19
20 (e)–(f) ***

21
22 **Rule 8.765. Definitions**

23
24 In this chapter, unless the context or subject matter otherwise requires:

25
26 ~~(a)~~(1) The past, present and future tenses shall each include the other; the masculine,
27 feminine and neuter gender shall each include the other; and the singular and plural
28 number shall each include the other.

29
30 ~~(b)~~(2) “Trial court” means the municipal or justice court from which an appeal is
31 taken pursuant to these rules; “reviewing court” applies to the court in which an
32 appeal is pending, and means the appellate department of the superior court.

33
34 ~~(c)~~(3) The party appealing is known as the “appellant,” and the adverse party as the
35 “respondent.”

36
37 ~~(d)~~(4) “Shall” is mandatory and “may” is permissive.

38
39 ~~(e)~~(5) “Party,” “appellant,” “respondent,” “petitioner,” or other designation of a
40 party include such party’s attorney of record. Whenever under these rules a notice is
41 required to be given to or served on a party, such notice or service shall be made on
42 his attorney of record, if he has one.

1 ~~(f)~~(6) “Serve and file” mean that a document filed in a court is to be accompanied by
2 proof of prior service in a manner permitted by law of one copy of the document on
3 counsel for each adverse party who is represented by separate counsel.
4

5 ~~(g)~~(7) “Judgment” includes any judgment, order or decree from which an appeal lies.
6

7 ~~(h)~~(8) “Judgment roll” with respect to a justice court consists of the same papers as
8 in the municipal court.
9

10 ~~(i)~~(9) “Presiding judge” includes the acting presiding judge.
11

12 ~~(j)~~(10) “Clerk” with respect to a justice court means the judge if there be no clerk.
13

14 ~~(k)~~(11) “Written,” “writing,” “typewriting” and “typewritten” include other methods of
15 duplication equivalent in legibility to typewriting.
16

17 ~~(l)~~(12) Rule and subdivision headings do not in any manner affect the scope, meaning
18 or intent of the provisions of these rules.
19

20 **Rule 8.766. Applications on routine matters** 21

22 Except as otherwise provided in these rules, applications to extend time for filing briefs,
23 applications to shorten time, and applications relating to other matters of routine shall be
24 served and filed; but the presiding judge of the reviewing court may require an additional
25 showing to be made and for good cause may excuse advance service. The application
26 shall set forth facts showing:
27

28 (1) Good cause for granting the application; and
29

30 (2) Any previous applications granted or denied to any party after filing of the notice of
31 appeal.
32

33 The application may be granted or denied by the presiding judge, unless the court
34 otherwise determines. The applicant shall provide to the clerk addressed, postage-prepaid
35 envelopes and sufficient additional copies of the application for later mailing by the clerk
36 to all other parties of a copy of the order granting or denying the application, together
37 with a copy of the application.
38

39 **Rule 8.1105. Publication of appellate opinions** 40

41 **(a)–(d) *****
42

1 (e) **Editing**

2
3 (1) Computer versions of all opinions of the Supreme Court and Courts of Appeal
4 must be provided to the Reporter of Decisions on the day of filing. Opinions
5 of superior court appellate divisions certified for publication must be provided
6 as prescribed in rule ~~406~~ 8.707.

7
8 (2) The Reporter of Decisions must edit opinions for publication as directed by
9 the Supreme Court. The Reporter of Decisions must submit edited opinions to
10 the courts for examination, correction, and approval before finalization for the
11 Official Reports.
12

13 **Rule 10.15. Interim Court Facilities Panel**

14
15 (a)–(d) ***

16
17 (e) **Applicability of rule 10.10**

18
19 Except as otherwise specifically provided in this rule, rule 10.10 applies to this
20 panel.
21

22 (f) ***

23
24 **Rule 10.501. Judicial education**

25
26 (a)–(b) ***

27
28 (c) **Applicability**

29
30 All California judicial officers must comply with these judicial education
31 requirements.
32

33 (d)–(g) ***

34
35 **Rule 10.670. Trial court personnel plans**

36
37 (a)–(c) ***

38
39 (d) **Optional provisions**

40
41 A personnel plan may contain additional provisions, including, ~~but not limited to,~~
42 the following:
43

1 (1)–(3) ***

2
3 (e) ***

4
5 **Rule 10.781. Court-related ADR neutrals**

6
7 (a) ***

8
9 **(b) Requirements to be on lists**

10
11 In order to be included on a court list of ADR neutrals, an ADR neutral must sign a
12 statement or certificate agreeing to:

13
14 (1) ~~Sign a certificate agreeing to~~ Comply with all applicable ethical ethics
15 requirements and rules of court and;

16
17 (2) ~~Agree to~~ Serve as an ADR neutral on a pro bono or modest-means basis in at
18 least one case per year, not to exceed eight hours, if requested by the court.
19 The court must establish the eligibility requirements for litigants to receive,
20 and the application process for them to request, ADR services on a pro bono
21 or modest-means basis.

22
23 **Rule 10.810. Court operations**

24
25 (a)–(c) ***

26
27 **(d) Functional budget categories**

28
29 Trial court budgets and financial reports shall identify all allowable court operations
30 in the following eleven (11) functional budget categories. Costs for salary, wages,
31 and benefits of court employees are to be shown in the appropriate functions
32 provided the individual staff member works at least 25 percent time in that function.
33 Individual staff members whose time spent in a function is less than 25 percent are
34 reported in Function 10, All Other Court Operations. The functions and their
35 respective costs are as follows:

36
37 **Function 1. – Function 10. *****

38
39 **Function 11. County General Services (“Indirect Costs”)**

40
General county services are defined as all eligible accounting, payroll, budgeting,
personnel, purchasing, and county administrator costs rendered in support of court
operations. Costs for included services are allowable to the extent the service is provided
to the court. The following costs, regardless of how characterized by the county or by

which county department they are performed, are reported in this function only and are subject to the statutory maximum for indirect costs as specified in Government Code § 77003. To the extent costs are allowable under this rule, a county's approved Cost Plan may be used to determine the specific cost although the cost categories, or functions, may differ.

Cost items within the meaning of rule 10.810(a)(7) and the county departments often performing the service may include, for example,

County Administrator

- budget development and administration
- interdepartmental budget unit administration and operations
- personnel (labor) relations and administration

Auditor-Controller

- payroll
- financial audits
- warrant processing
- fixed asset accounting
- departmental accounting for courts, e.g., fines, fees, forfeitures, restitutions, penalties, and assessments; accounting for the Trial Court Special

Revenue Fund

- accounts payable
- grant accounting
- management reporting
- banking

Personnel

- recruitment and examination of applicants
- maintenance and certification of eligible lists
- position classification
- salary surveys
- leave accounting
- employment physicals
- handling of appeals

Treasurer/Tax Collector

- warrant processing
- bank reconciliation
- retirement system administration
- receiving, safeguarding, investing, and disbursing court funds

Purchasing Agent

- process departmental requisitions
- issue and analyze bids
- make contracts and agreements for the purchase or rental of personal property
- store surplus property and facilitate public auctions

Unallowable costs

Unallowable court-related costs are those

- (a) in support of county operations,
- (b) expressly prohibited by statute,
- (c) facility-related, or
- (d) exceptions of the nature referenced in Functions 1-11.

Unallowable cost items, including any related data processing costs, are not reported in Functions 1-11 and may include, for example,

Communications

central communication control and maintenance for county emergency and general government radio equipment

Central Collections

processing accounts receivable for county departments (not courts)

County Administrator

legislative analysis and activities
preparation and operation of general directives and operating procedures
responses to questions from the Board, outside agencies, and the public
executive functions: Board of Supervisors
county advisory councils

Treasurer/Tax Collector

property tax determination, collection, etc.

General Services

rental and utilities support
coordinate county's emergency services

Property Management

negotiations for the acquisition, sale, or lease of property, except for space rented for storage of court records
making appraisals
negotiating utility relocations
assisting County Counsel in condemnation actions
preparing deeds, leases, licenses, easements
collecting rents
building lease management services (except for storage of court records)

Facility-related

construction services
right-of-way and easement services
purchase of land and buildings
construction
depreciation of buildings/use allowance
space rental/building rent (except for storage of court records)
building maintenance and repairs (except interior painting and to replace/repair flooring)
purchase, installation, and maintenance of H/V/A/C equipment

maintenance and repair of utilities
utility use charges (e.g., heat, light, water)
elevator purchase and maintenance
alterations/remodeling
landscaping and grounds maintenance services
exterior lighting and security
insurance on building damages (e.g., fire, earthquake, flood, boiler and
machinery)
grounds' liability insurance
parking lot or facility maintenance
juror parking

1
2 **Rule 10.815. Fees to be set by the court**

3
4 (a) ***

5
6 (b) **Approved fees**

7
8 The Judicial Council authorizes courts to charge a reasonable fee not to exceed costs
9 for the following products and services unless courts are prohibited by law from
10 charging a fee for, or providing, the product or service:

11
12 (1)–(13) ***

13
14 (14) Direct fax filing under rule ~~2006~~ 2.304 (fee per page);

15
16 (15)–(17) ***

17
18 (c)–(g) ***

19
20 **Rule 10.820. Acceptance of credit cards by the superior courts**

21
22 (a) ***

23
24 (b) **Standards for use of credit cards**

25
26 The Administrative Director of the Courts is authorized to approve requests under (a)
27 for acceptance of credit cards if all of the following are true:

28
29 (1) The court (A) imposes a fee for the use of the credit card, or (B) demonstrates that
30 the cost of acceptance of credit cards is not greater than the cost of acceptance of
31 other means of payment of fees, or (C) demonstrates that it can absorb the cost of
32 the acceptance of the credit card;

1
2 (2) The court has obtained a credit card acceptance contract that is competitive with
3 other possible contracts the court could obtain; and

4
5 (3) The court provides alternative means for a person to pay court fees.

6
7 (c)–(e) ***

8
9 **Standard 3.25. Examination of prospective jurors in civil cases**

10
11 (a)–(b) ***

12
13 (c) **Examination of jurors**

14
15 Except as otherwise provided in (d), the trial judge’s examination of prospective jurors
16 should include the following areas of inquiry and any other matters affecting their
17 qualifications to serve as jurors in the case:

18
19 (1)–(19) ***

20
21 (20) Each of you should now state your:

22
23 (A)–(D) ***

24
25 (E) Present employer;:

26
27 And for your spouse or anyone with whom you have a significant personal relationship,
28 their:

29
30 (F)–(I) ***

31
32 (21) ***

33
34 (d) **Examination of jurors in eminent domain cases**

35
36 In eminent domain cases, the trial judge’s examination of prospective jurors should
37 include, in the areas of inquiry in (c)(1) through (c)(12), the following matters, and any
38 other matters affecting their qualifications to serve as jurors in the case:

39
40 (1)–(27) ***

41
42 (28) Each of you should now state your:

1 (A)–(D) ***

2
3 (E) Present employer;

4
5 And for your spouse or anyone with whom you have a significant personal
6 relationship, their:

7
8 (F)–(I)***

9
10 (29)–(30) ***

11
12 (e)–(f) ***

13
14 **Standard 4.30. Examination of prospective jurors in criminal cases**

15
16 (a) ***

17
18 (b) **Examination of jurors**

19
20 The trial judge’s examination of prospective jurors in criminal cases should include the
21 areas of inquiry listed below and any other matters affecting their qualifications to
22 serve as jurors in the case. The trial judge may want to use the *Juror Questionnaire for*
23 *Criminal Cases* (form MC-002) to assist in the examination of prospective jurors. Form
24 MC-002 is an optional form and is not intended to constitute the complete examination
25 of prospective jurors. Form MC-002 is a tool for trial judges to use to make the initial
26 examination of prospective jurors more efficient. If the court chooses to use form MC-
27 002, its use and any supplemental questions submitted by counsel must be discussed at
28 the pre-voir dire conference required by rule 4.200. Excusing jurors based on
29 questionnaire answers alone is generally not advisable.

30
31 (1)–(21) ***

32
33 (22) Each of you should now state your:

34
35 (A)–(D) ***

36
37 (E) Present employer;

38
39 And for your spouse or anyone with whom you have a significant personal
40 relationship, their:

41
42 (F)–(G) ***

43

1 (H) Present employers;
2
3 And for your adult children, their:

4
5 (I)–(K) ***

6
7 (23)–(27) ***

8
9 (c) ***

10
11 **Standard 10.50. Selection of regular grand jury**

12
13 (a)–(d) ***

14
15 (e) **Disfavored nominations**

16
17 Judges should not nominate to the grand jury a spouse or immediate family member
18 (within the first degree of consanguinity) of any superior court judge, commissioner, or
19 referee; elected official; or department head of any city, county, or governmental
20 entity subject to grand jury scrutiny.
21

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> <hr style="width: 20px; margin-left: 0;"/> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	FOR COURT USE ONLY Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	CASE NUMBER:

1. I am a party to this proceeding to determine custody of a child.
2. My present address is not disclosed. It is confidential under Family Code section 3429. I have listed the address of the children presently residing with me as confidential.
3. *(Number):* _____ minor children are subject to this proceeding as follows:
(Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name	Place of birth	Date of birth	Sex
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with <i>(name and present address)</i>	Relationship
to			
to			
to			

b. Child's name	Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a. <i>(If NOT the same, provide the information below.)</i>			
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with <i>(name and present address)</i>	Relationship
to			
to			
to			

C. Additional children are listed on Attachment 3c. *(Provide all requested information for additional children.)*

SHORT TITLE: _____	CASE NUMBER: _____
-----------------------	-----------------------

4. Have you participated as a party or a witness or in some other capacity in another litigation or custody proceeding, in California or elsewhere, concerning custody of a child subject to this proceeding?

No Yes (If yes, provide the following information):

a. Name of each child:

b. I was a: party witness other (specify):

c. Court (specify name, state, location):

d. Court order or judgment (date):

5. Do you have information about a custody proceeding pending in a California court or any other court concerning a child in this case, other than that stated in item 4?

No Yes (If yes, provide the following information):

a. Name of each child:

b. Nature of proceeding: dissolution or divorce guardianship adoption other (specify):

c. Court (specify name, state, location):

d. Status of proceeding:

6. One or more domestic violence restraining /protective orders are now in effect. (Attach a copy of the orders if you have one.)

The orders are from the following court or courts (specify county and state):

a. <input type="checkbox"/> Criminal: County/state: _____ Case No. (if known): _____	c. <input type="checkbox"/> Juvenile: County/state: _____ Case No. (if known): _____
b. <input type="checkbox"/> Family: County/state: _____ Case No. (if known): _____	d. <input type="checkbox"/> Other: County/state: _____ Case No. (if known): _____

7. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case?

No Yes (If yes, provide the following information):

a. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights	b. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights	c. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights
Name of each child	Name of each child	Name of each child

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

▶

(SIGNATURE OF DECLARANT)

8. Number of pages attached after this page: _____

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY <h2 style="margin: 0;">Not approved by the Judicial Council</h2>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/ PETITIONER: DEFENDANT/ RESPONDENT: OTHER:	
STIPULATION AND WAIVER OF FINAL DECLARATION OF DISCLOSURE	CASE NUMBER: _____

1. Under Family Code section 2105(d), the parties agree to waive the requirements of Family Code section 2105(a) concerning the final declaration of disclosure.

2. The parties agree as follows:

- a. We have complied with Family Code section 2104, and the preliminary declarations of disclosure have been completed and exchanged.
- b. We have completed and exchanged a current *Income and Expense Declaration* (form FL-150) that includes all material facts and information on each party's earnings, accumulations, and expenses.
- c. We have fully complied with Family Law section 2102 and have fully augmented the preliminary declarations of disclosure, including disclosure of all material facts and information on
 - (1) the characterization of all assets and liabilities,
 - (2) the valuation of all assets that are community property or in which the community has an interest, and
 - (3) the amounts of all community debts and obligations.
- d. Each of the parties enters into this waiver knowingly, intelligently, and voluntarily.
- e. Each party understands that this waiver does not limit the legal disclosure obligations of the parties but rather is a statement under penalty of perjury that those obligations have been fulfilled.
- f. The parties also understand that if they do not comply with these obligations, the court will set aside the judgment.

The petitioner and respondent declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)

(SIGNATURE OF RESPONDENT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <hr/> TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY Not approved by the Judicial Council												
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____													
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____													
<table style="width:100%; border: none;"> <tr> <td style="width:33%;">ORDER TO SHOW CAUSE</td> <td style="width:33%;"><input type="checkbox"/> MODIFICATION</td> <td style="width:33%;"><input type="checkbox"/> Injunctive Order</td> </tr> <tr> <td><input type="checkbox"/> Child Custody</td> <td><input type="checkbox"/> Visitation</td> <td><input type="checkbox"/> Other (specify):</td> </tr> <tr> <td><input type="checkbox"/> Child Support</td> <td><input type="checkbox"/> Spousal Support</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Attorney Fees and Costs</td> <td></td> <td></td> </tr> </table>	ORDER TO SHOW CAUSE	<input type="checkbox"/> MODIFICATION	<input type="checkbox"/> Injunctive Order	<input type="checkbox"/> Child Custody	<input type="checkbox"/> Visitation	<input type="checkbox"/> Other (specify):	<input type="checkbox"/> Child Support	<input type="checkbox"/> Spousal Support		<input type="checkbox"/> Attorney Fees and Costs			CASE NUMBER: _____
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<input type="checkbox"/> Child Support	<input type="checkbox"/> Spousal Support												
<input type="checkbox"/> Attorney Fees and Costs													

1. TO (name): _____
2. YOU ARE ORDERED TO APPEAR IN THIS COURT AS FOLLOWS TO GIVE ANY LEGAL REASON WHY THE RELIEF SOUGHT IN THE ATTACHED APPLICATION SHOULD NOT BE GRANTED. **If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed below.**

a. Date: _____	Time: _____	Dept.: <input type="checkbox"/>	Room: <input type="checkbox"/>
----------------	-------------	---------------------------------	--------------------------------

b. The address of the court is same as noted above other (specify): _____

c. The parties are ordered to attend custody mediation services as follows:

3. THE COURT FURTHER ORDERS that a completed *Application for Order and Supporting Declaration* (form FL-310), a **blank Responsive Declaration** (form FL-320), and the following documents be served with this order:

- a. (1) Completed *Income and Expense Declaration* (form FL-150) and a **blank Income and Expense Declaration**
- (2) Completed *Financial Statement (Simplified)* (form FL-155) and a **blank Financial Statement (Simplified)**
- (3) Completed *Property Declaration* (form FL-160) and a **blank Property Declaration**
- (4) Points and authorities
- (5) Other (specify): _____

b. Time for service hearing is shortened. Service must be on or before (date): _____
 Any responsive declaration must be served on or before (date): _____

- c. You are ordered to comply with the temporary orders attached.
- d. Other (specify): _____

Date: _____

JUDICIAL OFFICER

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.

You do not have to pay any fee to file declarations in response to this order to show cause (including a completed Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to www.courtinfo.ca.gov/selfhelp/courtcalendars/.



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <hr/> <p style="text-align: center;">TELEPHONE NO.: _____ FAX NO. (Optional): _____</p> <p style="text-align: center;">E-MAIL ADDRESS (Optional): _____</p> <p style="text-align: center;">ATTORNEY FOR (Name): _____</p>	FOR COURT USE ONLY Not approved by the Judicial Council												
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:													
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT:													
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NOTICE OF MOTION	<input type="checkbox"/> MODIFICATION	<input type="checkbox"/> Injunctive Order											
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<input type="checkbox"/> Child Support	<input type="checkbox"/> Spousal Support												
<input type="checkbox"/> Attorney Fees and Costs													

1. TO (name): _____
2. A hearing on this motion for the relief requested in the attached application will be held as follows:

a. Date:	Time:	<input type="checkbox"/> Dept.:	<input type="checkbox"/> Rm.:
----------	-------	---------------------------------	-------------------------------

b. Address of court same as noted above other (specify): _____

3. Supporting attachments:

- | | |
|--|---|
| a. Completed <i>Application for Order and Supporting Declaration</i> (form FL-310) and a blank Responsive Declaration (form FL-320)
b. <input type="checkbox"/> Completed <i>Income and Expense Declaration</i> (form FL-150) and a blank Income and Expense Declaration
c. <input type="checkbox"/> Completed <i>Financial Statement (Simplified)</i> (form FL-155) and a blank Financial Statement (Simplified) | d. <input type="checkbox"/> Completed <i>Property Declaration</i> (form FL-160) and a blank Property Declaration
e. <input type="checkbox"/> Points and authorities
f. <input type="checkbox"/> Other (specify): _____ |
|--|---|

Date: _____ ▶ _____
(TYPE OR PRINT NAME) (SIGNATURE)

ORDER

4. Time for service hearing is shortened. Service must be on or before (date): _____
5. Any responsive declaration must be served on or before (date): _____
6. If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed above. The parties are ordered to attend orientation and mandatory custody services as follows:

Date: _____ _____
JUDICIAL OFFICER

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.

You do not have to pay any fee to file declarations in response to this *Notice of Motion* (including a completed *Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)* (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to www.courtinfo.ca.gov/selfhelp/courtcalendars/.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT:	CASE NUMBER:
--	--------------

7. PROOF OF SERVICE BY MAIL

a. I am at least age 18, **not a party to this action**, and am a resident or employed in the county where the mailing took place. My residence or business address is:

b. I served copies of the following documents by enclosing them in a sealed envelope with postage fully prepaid, depositing them in the United States mail as follows:

(1) Papers served:

- (a) *Notice of Motion* and a completed *Application for Order and Supporting Declaration* (form FL-310) **and** a blank *Responsive Declaration* (form FL-320)
- (b) Completed *Income and Expense Declaration* (form FL-150) **and** a blank *Income and Expense Declaration*
- (c) Completed *Financial Statement (Simplified)* (form FL-155) **and** a blank *Financial Statement (Simplified)*
- (d) Completed *Property Declaration* (form FL-160) **and** a blank *Property Declaration*
- (e) Points and authorities
- (f) Other (*specify*):

(2) Manner of service:

- (a) Date of deposit:
- (b) Place of deposit (*city and state*):
- (c) Addressed as follows:

c. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

▶

(SIGNATURE OF DECLARANT)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

PETITIONER: RESPONDENT:	CASE NUMBER:
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6. PROPERTY RESTRAINT **To be ordered pending the hearing**
- a. The petitioner respondent claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
- The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.
- b. Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor children.
- c. Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.
7. PROPERTY CONTROL **To be ordered pending the hearing**
- a. The petitioner respondent is given the exclusive temporary use, possession, and control of the following property that we own or are buying (*specify*):
- b. The petitioner respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
| | | |
8. **I request** that time for service of the *Order to Show Cause* and accompanying papers be shortened so that these documents may be served no less than (*specify number*): _____ days before the time set for the hearing. I need to have the order shortening time because of the facts specified in the attached declaration.
9. OTHER RELIEF (*specify*):
10. **FACTS IN SUPPORT** of relief requested and change of circumstances for any modification are (*specify*):
 contained in the attached declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME)

▶

 (SIGNATURE OF APPLICANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <hr/> TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
MARRIAGE OF PETITIONER: RESPONDENT:	
APPLICATION AND ORDER FOR HEALTH INSURANCE COVERAGE	
	CASE NUMBER:

APPLICATION

1. On (*date*): _____, this court ordered obligor (*name*): _____ to provide health insurance coverage for the children named in the order below.
2. a. On (*date*): _____, which is at least 15 days before the filing of this application, I gave written notice to obligor of my intent to seek this order below by first-class mail by personal service.
OR
- b. Obligor has waived the requirement of written notice.
3. I ask the court to order the employer or other person providing health insurance coverage to enroll or maintain the children in any health insurance coverage available to the obligor.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____ _____
 (TYPE OR PRINT NAME) (SIGNATURE OF APPLICANT)

ORDER FOR HEALTH INSURANCE COVERAGE (ASSIGNMENT)

To employer or other person providing health insurance coverage for obligor (name):
Social security number (if known):

YOU ARE ORDERED TO

1. Begin or maintain health insurance coverage of:

<u>Name of child</u>	<u>Date of birth</u>	<u>Social security No.</u>
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- You may deduct any premium or costs from the wages or earnings of obligor.
2. If the obligor works for you or if you provide health insurance coverage to obligor, give him or her a copy of this order within 10 days after you receive it.
 3. If no health insurance coverage is available to the obligor, complete and sign the *Declaration of No Health Insurance Coverage* on the reverse and mail this form within 20 days to the attorney or person requesting the assignment.

Date: _____

 (JUDICIAL OFFICER)

MARRIAGE OF (<i>Last name, first name of each party</i>): _____	CASE NUMBER: _____
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DECLARATION OF NO HEALTH INSURANCE COVERAGE

No health insurance coverage is available to the obligor (*name*):
because (*state reasons*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Date:



(TYPE OR PRINT NAME AND TITLE)

(SIGNATURE OF EMPLOYER OR PERSON PROVIDING HEALTH INSURANCE)

MAIL A COPY OF THIS DECLARATION WITHIN 20 DAYS TO THE ATTORNEY OR PERSON SEEKING THIS ENROLLMENT
(SEE INSTRUCTION NO. 5, BELOW).

**INSTRUCTIONS
FOR EMPLOYER OR OTHER PERSON PROVIDING HEALTH INSURANCE**

These instructions apply only to an *Order for Health Insurance Coverage* issued by a court.

1. If the obligor works for you or is covered by health insurance provided by you, you must give him or her a copy of this order within 10 days after you receive it.
2. Unless you receive a motion to quash the assignment, you must take steps to begin or maintain coverage of the specified children within 30 days after you deliver a copy of this order to the obligor. The coverage should begin at the earliest possible time consistent with group plan enrollment rules.
3. The obligor's existing health coverage will be replaced only if the children are not provided benefits under the existing coverage where they reside.
4. If the obligor is not enrolled in a plan and there is a choice of several plans, you may enroll the children in any plan that will reasonably provide benefits or coverage where they live, unless the court has ordered coverage by a specific plan.
5. If no coverage is available, complete the *Declaration of No Health Insurance Coverage* at the top of this page and mail the declaration by first-class mail to the attorney or person seeking the assignment within 20 days of your receipt of this order. Keep a copy of the form for your records.
6. If coverage is provided, you must supply evidence of coverage to both parents and to any person having custody of the child.
7. Upon request of the parents or person having custody of the child, you must provide all forms and other documentation necessary for submitting claims to the insurance carrier to the extent you provide them to other covered individuals.
8. You must notify the applicant of the effective date of the coverage of the children.
9. You will be liable for any amounts incurred for health care services that otherwise would have been covered under the insurance policy if you willfully fail to comply with this order. You can also be held in contempt of court. California law forbids your firing or taking any disciplinary action against any employee because of this order.

EMPLOYEE INFORMATION

1. This order tells your employer or other person providing health insurance coverage to you to enroll or maintain the named children in a health insurance plan available to you and to deduct the appropriate premium or costs, if any, from your wages or other compensation.
2. You have 15 days after you receive a copy of this order to object to the order. Family Code section 3765 tells you how.
3. Family Code section 3770 tells you how and when to petition the court to end this assignment.

GOVERNMENTAL AGENCY (under Family Code, §§ 17400, 17406): <hr/> <p style="text-align: center;">TELEPHONE NO.: FAX NO. (Optional):</p> <p>E-MAIL ADDRESS (Optional):</p> <p>ATTORNEY FOR (Name):</p>	FOR COURT USE ONLY <p style="font-size: 1.2em;">Not approved by the Judicial Council</p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	
NOTICE OF OPPOSITION AND NOTICE OF MOTION ON CLAIM OF EXEMPTION	LEVYING OFFICER FILE NO.: COURT CASE NO.:

— DO NOT USE THIS FORM FOR WAGE GARNISHMENTS —

The original of this form must be filed with the court, and a copy must be served on the judgment debtor and other claimant at least 10 days before the hearing.

TO THE JUDGMENT DEBTOR OR OTHER CLAIMANT:

1. A hearing to determine the claim of exemption of judgment debtor other claimant will be held as follows:

a. Date: _____ Time: _____ Dept.: _____ Div.: _____ Room: _____

b. Address of court: same as noted above other (specify): _____

If you do not attend the hearing, the court may determine your claim based on the Claim of Exemption, Financial Statement (when one is required), this form, and other evidence that may be presented.

2. Name and address of judgment debtor: _____

3. Name and address of claimant (if other than judgment debtor): _____

Social Security Number (if known): _____

4. The notice of filing claim of exemption states it was mailed on (date): _____

5. The item or items claimed as exempt are
- a. not exempt under the statutes relied upon in the *Claim of Exemption*.
 - b. not exempt because the judgment debtor's equity is greater than the amount provided in the exemption.
 - c. other (specify): _____

6. The local child support agency requests any property found to be exempt be applied to the satisfaction of the judgment under Code of Civil Procedure section 703.070.

7. The facts necessary to support item 5 are

continued on the attachment labeled Attachment 7.

as follows (specify): _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

▶

(TYPE OR PRINT NAME)
(SIGNATURE OF DECLARANT)

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	LEVYING OFFICER FILE NO.:	COURT CASE NO.:
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PROOF OF SERVICE BY MAIL

1. I am over the age of 18, **not a party to this cause**, and a resident of or employed in the county where the mailing took place.
2. My residence or business address is:

3. I served a copy of this motion by enclosing it in a sealed envelope and depositing the envelope directly in the United States mail with postage paid OR at my place of business for same-day collection and mailing with the United States mail, following our ordinary business practices with which I am readily familiar.
 - a. Date of deposit:
 - b. Place of deposit (*city and state*):
 - c. Addressed as follows:

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

 _____

(SIGNATURE OF PERSON COMPLETING THIS FORM)

Clerk stamps date here when form is filed.

Not approved by the Judicial Council

After filling out this form, bring it to the clerk of the court. If you want to keep an address or telephone number confidential, fill out form JV-322, Confidential Information—Prospective Adoptive Parent, and do not write the address or phone number on this form.

- ① Information about the person or persons you want to be designated as prospective adoptive parents:
 - a. Name: _____
 - b. Name: _____
 - c. Address: _____
 - d. Phone number: _____

Fill in court name and street address:

Superior Court of California, County of

- ② If you are not a person in ①, fill out below.
 - a. My name: _____
 - b. I am the child child's attorney other
(specify role): _____
 - c. My address: _____
 - d. My phone number: _____

Fill in child's name and date of birth:

Child's Name:

Date of Birth:

Clerk fills in case number when form is filed.

Case Number:

- ③ If you are not the child's attorney and you know who the child's attorney is, fill out below.
 - a. Name of child's attorney's : _____
 - b. Phone number of child's attorney: _____
 - c. Address of child's attorney: _____

- ④ The child is 10 years of age or older. Child's phone number: _____
or Telephone number is confidential

- ⑤ The child lived with the person from (date): _____ to (date): _____
and from (date): _____ to the present.
In order for the person in ① to become a prospective adoptive parent, the child must be living with that person now.

- ⑥ Date of Welfare and Institutions Code section 366.26 hearing: _____
If a Welfare and Institutions Code section 366.26 hearing has not been set, it is too early to fill out this form. The person in ① must wait until the section 366.26 hearing is scheduled and parental rights are terminated to be designated as a prospective adoptive parent.

- ⑦ The person in ① is committed to adopting the child.



Child's name: _____

Case Number: _____

NOTICE

9 Notice of the request for "prospective adoptive parent" designation was given to:

a. The adoption agency (name of agency employee notified): _____

(1) Orally, in person, on (date): _____ at (time): _____

(2) Orally, by telephone, on (date): _____ at (time): _____
Phone number: _____

(3) By personally delivering copies to the person served on (date): _____ at (time): _____

(4) By placing copies in a sealed envelope and depositing the envelope directly in the U.S. mail with postage paid at my place of business for same-day collection and mailing with the U.S. mail, following our ordinary business practice addressed as follows: _____

Clerk stamps date here when form is filed.

Fill in court name and street address:
Superior Court of California, County of

b. The caregiver (name): _____

(1) Orally, in person, on (date): _____ at (time): _____

(2) Orally, by telephone, on (date): _____ at (time): _____
Phone number: _____ or Confidential phone number in court file

(3) By personally delivering copies to the person served on (date): _____ at (time): _____

(4) by placing copies in a sealed envelope and depositing the envelope directly in the U.S. mail with postage paid at my place of business for same-day collection and mailing with the U.S. mail, following our ordinary business practice addressed as follows: _____

or Confidential address in court file

c. The child's attorney (name): _____

(1) Orally, in person, on (date): _____ at (time): _____

(2) Orally, by telephone, on (date): _____ at (time): _____
Phone number: _____

(3) By personally delivering copies to the person served on (date): _____ at (time): _____



Child's name: _____

- (4) By placing copies in a sealed envelope and depositing the envelope directly in the U.S. mail with postage paid at my place of business for same-day collection and mailing with the U.S. mail, following our ordinary business practice addressed as follows: _____

d. The child, if 10 years of age or older (*name*): _____

- (1) Orally, in person, on (*date*): _____ at (*time*): _____
- (2) Orally, by telephone, on (*date*): _____ at (*time*): _____
 Phone number: _____ or Confidential phone number in court file
- (3) By personally delivering copies to the person served on (*date*): _____ at (*time*): _____
- (4) By placing copies in a sealed envelope and depositing the envelope directly in the U.S. mail with postage paid at my place of business for same-day collection and mailing with the U.S. mail, following our ordinary business practice addressed as follows: _____

or Confidential address in court file

e. The child's identified Indian tribe, if any (*name of tribe and person notified*): _____

- (1) Orally, in person, on (*date*): _____ at (*time*): _____
- (2) Orally, by telephone, on (*date*): _____ at (*time*): _____
 Phone number: _____ or Confidential phone number in court file
- (3) By personally delivering copies to the person served on (*date*): _____ at (*time*): _____
- (4) By placing copies in a sealed envelope and depositing the envelope directly in the U.S. mail with postage paid at my place of business for same-day collection and mailing with the U.S. mail, following our ordinary business practice addressed as follows: _____

f. The child's Indian custodian, if any (*name*): _____

- (1) Orally, in person, on (*date*): _____ at (*time*): _____
- (2) Orally, by telephone, on (*date*): _____ at (*time*): _____
 Phone number: _____ or Confidential phone number in court file
- (3) By personally delivering copies to the person served on (*date*): _____ at (*time*): _____
- (4) By placing copies in a sealed envelope and depositing the envelope directly in the U.S. mail with postage paid at my place of business for same-day collection and mailing with the U.S. mail, following our ordinary business practice addressed as follows: _____

or Confidential address in court file

Case Number:

Child's name: _____

g. The child's Court Appointed Special Advocate (CASA) program, if any (*name of person notified*):

(1) Orally, in person, on (*date*): _____ at (*time*): _____

(2) Orally, by telephone, on (*date*): _____ at (*time*): _____

Phone number: _____

(3) By personally delivering copies to the person served on (*date*): _____ at (*time*): _____

(4) By placing copies in a sealed envelope and depositing the envelope directly in the U.S. mail with postage paid at my place of business for same-day collection and mailing with the U.S. mail, following our ordinary business practice addressed as follows: _____

10 At the time of notice I was at least 18 years of age and not a party to this matter. I work or am employed in the county where the mailing occurred. My residence or business address is (*specify*): _____

11 I declare under penalty of perjury under the laws of the State of California that the information in items 10 and 11 is true and correct, which means if I lie on this form I am committing a crime.

Date: _____

Type or print your name



Sign your name



Case Number:

Child's name: _____

Clerk stamps date here when form is filed.

- 12 This order was made:
- a. On the court's own motion
 - b. At the request of
 (name): _____
 (relationship to the child): _____
 - c. The request was made:
 - (1) Orally at the hearing held on (date): _____
 - (2) In writing by filing form JV-321, *Request for Prospective Adoptive Parent Designation*, on (date): _____

Fill in court name and street address:

Superior Court of California, County of

The court finds and orders:

- 13 The child's current caregiver or caregivers
 (name): _____
 (name): _____
 is are designated as the child's prospective adoptive parent or parents because:
- a. The child has lived with the caregiver for at least six months
 - b. The caregiver currently expresses a commitment to adopting the child *and*
 - c. The caregiver has taken at least one step to facilitate the adoption

- 14 The child's current caregiver or caregivers
 (name): _____
 (name): _____
 does do not qualify as the prospective adoptive parent or parents of the child, and the request for designation as the prospective adoptive parent or parents is denied, because:
- a. The child has not lived with the caregiver for at least six months
 - b. The caregiver does not currently express a commitment to adopting the child
 - c. The caregiver has not taken any steps to facilitate the adoption
 - d. Other (explain): _____

- 15 The court thinks that the request for designation as a prospective adoptive parent will be contested or wants more evidence on the request, and orders a hearing on the request.
 The hearing will be on (date): _____ at (time): _____ a.m. p.m.
 in department _____ of the superior court located at: _____

Date: _____



Judge (or Judicial Officer)

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO. : _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<p style="text-align: center;">FOR COURT USE ONLY</p> <p style="text-align: center;">Draft 1 08/02/06 mc Not approved by the Judicial Council</p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
NOTICE OF APPEAL—JUVENILE (California Rules of Court, Rule 8.400)	CASE NUMBER:

—NOTICE—

- You or your attorney **must** fill in items 1 and 2 and sign this form at the bottom of the page. If possible, to help process your appeal, fill in items 4–6 on the reverse of this form.
- Rule 8.400 says that to appeal from an order or judgment, you must file a written notice of appeal within **60** days after rendition of the judgment or the making of the order being appealed or, in matters heard by a referee, within **60** days after the order of the referee becomes final.

1. I appeal from the findings and orders of the court *(specify date of order or describe order):*

2. This appeal is filed by
 a. Appellant *(name):*
 b. Address:

c. Phone number:

d. Name and address and phone number of person to be contacted *(if different from appellant):*

Date:

 (TYPE OR PRINT NAME)

▶

 (SIGNATURE OF APPELLANT ATTORNEY)

3. Items 4 through 6 on the reverse are completed not completed.

CASE NAME: _____	CASE NUMBER: _____
-------------------------	---------------------------

4. Appellant is the
- | | |
|--------------------------------------|---|
| a. <input type="checkbox"/> child | e. <input type="checkbox"/> de facto parent |
| b. <input type="checkbox"/> mother | f. <input type="checkbox"/> county welfare department |
| c. <input type="checkbox"/> father | g. <input type="checkbox"/> district attorney |
| d. <input type="checkbox"/> guardian | h. <input type="checkbox"/> other (<i>state relationship to child or interest in the case</i>): |
5. This notice of appeal pertains to the following child or children (*specify number of children included*): _____
- a. Name of child:
Child's date of birth:
- b. Name of child:
Child's date of birth:
- c. Name of child:
Child's date of birth:
- d. Name of child:
Child's date of birth:
- Continued in Attachment 5.
6. The order appealed from was made under Welfare and Institutions Code section (*check all that apply*):
- a. **Section 360** (declaration of dependency) Removal of custody from parent or guardian Other orders
 with review of section 300 jurisdictional findings
Dates of hearing (*specify*):
- b. **Section 366.26** (selection and implementation of permanent plan)
 Termination of parental rights Appointment of guardian Planned permanent living arrangement
Dates of hearing (*specify*):
- c. **Section 366.28** (order designating a specific placement after termination of parental rights in which a petition for extraordinary writ review that substantively addressed the specific issues to be challenged was timely filed and summarily denied or otherwise not decided on the merits)
Dates of hearing (*specify*):
- d. Other appealable orders relating to dependency (*specify*):
Dates of hearing (*specify*):
- e. **Section 725** (declaration of wardship and other orders)
 with review of section 601 jurisdictional findings
 with review of section 602 jurisdictional findings
Dates of hearing (*specify*):
- f. Other appealable orders relating to wardship (*specify*):
Dates of hearing (*specify*):
- g. Other (*specify*):