

Current	Proposed
<p data-bbox="186 268 246 300">2.01</p> <p data-bbox="186 382 799 814">The administrative policy of the court system is established by the judiciary in conjunction with the court s management team. The court is administered under policy direction of the judges through lines of administrative authority. All judges participate in court policy-making by means of regularly scheduled meetings consisting of the entire membership of the judiciary. The daily administration of the court is conducted by the duly elected presiding judge and the appointed court executive officer.</p> <p data-bbox="186 856 792 1285">Additionally, an executive committee, comprised of three judges, shall assist the presiding judge, the court executive officer, and the judiciary and has the authority to formulate and propose rules of procedure and court policies according to arrangements that include opportunity for the public and the bar to participate, as appropriate. Proposed rules, policies, and procedures are presented to the executive committee for discussion as to the ramifications or effects on the court system as a whole.</p>	<p data-bbox="820 268 1409 378">2.01(added apostrophe; Second paragraph deleted in its entirety. New second paragraph added.)</p> <p data-bbox="820 382 1425 814">The administrative policy of the court system is established by the judiciary in conjunction with the court’s management team. The court is administered under policy direction of the judges through lines of administrative authority. All judges participate in court policy-making by means of regularly scheduled meetings consisting of the entire membership of the judiciary. The daily administration of the court is conducted by the duly elected presiding judge and the appointed court executive officer.</p> <p data-bbox="820 856 1432 1180">The Finance Committee is comprised of the Presiding Judge, the Asst. Presiding Judge, and one additional judicial officer. The Committee reviews all items related to budget, personnel plan, and compensation before consideration by the entire judiciary. The Finance Committee generally does not make any decisions alone, but do provide recommendations to the entire judiciary.</p>
<p data-bbox="186 1297 251 1329">New</p>	<p data-bbox="820 1297 1144 1329">4.04 CONTINUANCES</p> <p data-bbox="820 1333 1432 1837">No mandatory settlement conference, civil pre-trial conference, or trial may be continued except upon noticed motion. The parties may also present an ex parte application, requesting a continuance based upon the written stipulation of all parties. Stipulations to continue the trial date must include mutually acceptable future trial dates agreed upon by all parties. No continuance will be granted absent an affirmative showing of good cause. A trial conflict may not be deemed good cause for a continuance unless the conflict arose after the trial date was set and the conflict could not have reasonably been avoided.</p>
<p data-bbox="186 1848 267 1879">5.01B</p>	<p data-bbox="820 1848 901 1879">5.01B</p>

<p>B. Presentation. Applications for ex parte orders must be presented to the court clerk by 4:00 p.m. on the court date preceding the requested hearing date. Applications received after 4:00 p.m. will be calendared not earlier than the second court day following receipt by the clerk. The clerk must present the application to the appropriate judicial officer assigned to the case. The procedure for presentation and hearing in the Truckee Division may differ from time to time. Parties and/or counsel should check with the Truckee Division court clerk concerning presentation and hearing.</p>	<p>B. Presentation. Applications for ex parte orders and proposed temporary orders must be presented to the court clerk by 4:00 p.m. on the court date preceding the requested hearing date. Applications received after 4:00 p.m. will be calendared not earlier than the second court day following receipt by the clerk. The clerk must present the application to the appropriate judicial officer assigned to the case. The procedure for presentation and hearing in the Truckee Division may differ from time to time. Parties and/or counsel should check with the Truckee Division court clerk concerning presentation and hearing.</p>
<p>5.03M M. Re-issuance of Request for Order. If service of a Request for Order is not timely made, the Request for Order may be re-issued, with a new hearing date, on form FL-306 (general family law matters) or DV-125 (domestic violence matters). An application for re-issuance may be submitted to the court clerk by 4:00 p.m. two (2) days before the scheduled hearing date, in which case no appearance in court is required. Otherwise, an appearance for the re-issuance will be required on the scheduled hearing date.</p>	<p>5.03M (change form number only) M. Re-issuance of Request for Order. If service of a Request for Order is not timely made, the Request for Order may be re-issued, with a new hearing date, on form FL-306 (general family law matters) or DV-115 (domestic violence matters). An application for re-issuance may be submitted to the court clerk by 4:00 p.m. two (2) days before the scheduled hearing date, in which case no appearance in court is required. Otherwise, an appearance for the re-issuance will be required on the scheduled hearing date.</p>
<p>New</p>	<p>5.03R Except for documents that impeach the truthfulness of a party or witness, a party shall provide a copy of each document to be offered to the Court before any hearing or trial to all counsel and self-represented parties. Parties shall bring to the court three copies of any document to be offered at the hearing or trial. Parties shall also be prepared to provide to the Court at the hearing or trial copies of all pleadings, proofs of service and earlier orders relied upon or sought to be modified.</p>
<p>5.05.1A ... In the event the moving party fails to schedule a CCRC appointment as set forth above, upon service of the moving pleadings, the responding party shall promptly schedule CCRC for a date prior to the hearing, unless the parties have by that time already reached</p>	<p>5.05.1A (fix typo in "FSC") ...In the event the moving party fails to schedule a CCRC appointment as set forth above, upon service of the moving pleadings, the responding party shall promptly schedule CCRC for a date prior to the hearing, unless</p>

<p>an agreement regarding a parenting plan, in which case they need not contact FSC.</p>	<p>the parties have by that time already reached an agreement regarding a parenting plan, in which case they need not contact FCS.</p>
<p>5.05.1B B. Additional mediation services. The Court also provides mediation services to parents who desire to resolve a parenting issue without filing a new motion or without a motion pending, so long as the court has jurisdiction over the parties as a result of some prior action or proceeding. In that situation, mediation is permitted, but it is not mandated. This type of mediation is referred to in these rules as "voluntary mediation." Due to budgetary constraints, the voluntary mediation process is currently suspended. C. Telephone Appearances. Upon a showing of good cause, telephonic CCRC may take place when either party resides outside of Nevada County and will suffer extreme hardship by traveling to the CCRC appointment. The request for telephone CCRC shall be made to FCS in advance of the CCRC appointment. Telephone CCRC may be authorized by the Court, the Director of Family Court Services, or any individual counselor to whom a CCRC assignment has been made.</p>	<p>5.05.1B (B is deleted and C is renumbered) B. Telephone Appearances. Upon a showing of good cause, telephonic CCRC may take place when either party resides outside of Nevada County and will suffer extreme hardship by traveling to the CCRC appointment. The request for telephone CCRC shall be made to FCS in advance of the CCRC appointment. Telephone CCRC may be authorized by the Court, the Director of Family Court Services, or any individual counselor to whom a CCRC assignment has been made.</p>
<p>5.05.2 HOW CASES ARE SCHEDULED, ORDERED OR REFERRED TO CCRC; RELATED ISSUES</p>	<p>(Deleted in its entirety)</p>
<p>5.05.5D D. Agreement not reached. In the absence of an agreement, the counselor shall make a written recommendation to the court...</p>	<p>5.05.5D (add "status report and") D. Agreement not reached. In the absence of an agreement, the counselor shall make a written status report and recommendation to the court...</p>
<p>New</p>	<p>5.05.5G The status report and recommendation of the CCRC counselor are admitted into evidence without the necessity of the Family Court Services author laying the foundation. However, upon request, the author will be made available for cross-examination at any contested hearing.</p>
<p>5.10 As required by the Family Law Facilitator Act, Family Code Sections 10000 to 10012, this court maintains an office of the Family Law</p>	<p>5.10 (internal renumbering only) A. As required by the Family Law Facilitator Act, Family Code Sections 10000 to 10012, this court maintains an office of the Family</p>

<p>Facilitator. Pursuant to Family Code Section 10005, this court designates the following additional duties of the Family Law Facilitator:</p> <p>...</p> <p>7. Providing the services specified in Section 10004 concerning the issues of child custody and visitation as they relate to calculating child support, if funding is provided for that purpose. If staff and other resources are available and the duties listed above have been accomplished, the duties of the Family Law Facilitator may also include the following:</p> <p>8. Assisting the court with research and any other responsibilities which will enable the court to be responsive to the litigants' needs.</p> <p>9. Developing programs for bar and community outreach through day and evening programs, videotapes, and other innovative means that will assist unrepresented and financially disadvantaged litigants in gaining meaningful access to the family court. These programs must specifically include information concerning underutilized legislation, such as expedited child support orders (Chapter 5 (commencing with Section 3620) of Part 1 of Division 9), and preexisting, court-sponsored programs, such as supervised visitation and appointment of attorneys for children.</p>	<p>Law Facilitator. Pursuant to Family Code Section 10005, this court designates the following additional duties of the Family Law Facilitator:</p> <p>...</p> <p>7. Providing the services specified in Section 10004 concerning the issues of child custody and visitation as they relate to calculating child support, if funding is provided for that purpose.</p> <p>B. If staff and other resources are available and the duties listed above have been accomplished, the duties of the Family Law Facilitator may also include the following:</p> <p>1. Assisting the court with research and any other responsibilities which will enable the court to be responsive to the litigants' needs.</p> <p>2. Developing programs for bar and community outreach through day and evening programs, videotapes, and other innovative means that will assist unrepresented and financially disadvantaged litigants in gaining meaningful access to the family court. These programs must specifically include information concerning underutilized legislation, such as expedited child support orders (Chapter 5 (commencing with Section 3620) of Part 1 of Division 9), and preexisting, court-sponsored programs, such as supervised visitation and appointment of attorneys for children.</p>
<p>6.01.8A</p> <p>A. Detention Hearings. Detention hearings shall be heard no later than the end of the next court day after a petition has been filed. (W&I C Section 315; CRC 5.666.)</p>	<p>6.01.8A</p> <p>A. Detention Hearings. Detention hearings shall be heard no later than the end of the next court day after a petition has been filed. (W&I C Section 315; CRC 5.670.)</p>
<p>6.01.8B</p> <p>B. Jurisdiction Hearing. If the child is not detained, the hearing on the petition shall commence within 30 calendar days from the date the petition was filed. If the child is detained, the hearing on the petition shall commence within 15 court days from the date of the detention order. (W&I C Section 334; CRC 5.680.)</p>	<p>6.01.8B</p> <p>B. Jurisdiction Hearing. If the child is not detained, the hearing on the petition shall commence within 30 calendar days from the date the petition was filed. If the child is detained, the hearing on the petition shall commence within 15 court days from the date of the detention order. (W&I C Section 334; CRC 5.682.)</p>
<p>6.01.8C</p> <p>C. Disposition Hearing. If the child is detained, the hearing on disposition must</p>	<p>6.01.8C</p> <p>C. Disposition Hearing. If the child is detained, the hearing on disposition must</p>

commence within 10 court days from the date the petition was sustained. If the child is not detained, the disposition hearing shall commence no later than 30 calendar days after jurisdiction is found. (W&I C Section 358; CRC 5.686.)	commence within 10 court days from the date the petition was sustained. If the child is not detained, the disposition hearing shall commence no later than 30 calendar days after jurisdiction is found. (W&I C Section 358; CRC 5.690.)
6.01.8G5 5. If the order was made by a referee not acting as a temporary judge, the party has an additional 10 days to file the notice of intent as provided in rule 5.540(c). (CRC 8.450(e)(4).)	6.01.8G5 (deleted in its entirety)
6.01.8K K. Notice of Appeal. A notice of appeal shall be filed within 60 days after the rendition of the judgment. (CRC 8.400(d).)	6.01.8K K. Notice of Appeal. A notice of appeal shall be filed within 60 days after the rendition of the judgment. (CRC 8.400(d) and 5.590.)
New	6.04.5D D. All Detention reports shall be filed not less than one hour before the scheduled Detention hearing.
6.08.1 RELEASE OF INFORMATION RELATING TO JUVENILES (WIC §§827, 10850, CRC 1423)	6.08.1 RELEASE OF INFORMATION RELATING TO JUVENILES (WIC §§827, 10850) (removing reference to old CRC number)
New	6.12 JUVENILE DELINQUENCY PROCEEDINGS (Effective July 1, 2017.)
New	6.12.1 PURPOSE AND AUTHORITY These rules are established to comply with Rule 5.663 California Rules of Court, and are effective July 1, 2017 for juvenile delinquency matters.
New	6.12.2 GENERAL COMPETENCY REQUIREMENT A. All attorneys appearing in juvenile delinquency proceedings must meet the minimum standards of competence set forth in CRC 5.664(b) & (c). B. Attorneys who have completed the required education and training shall complete a Declaration of Eligibility for Appointment to Represent Youth in Delinquency Court (JV-700) by July 1 of each year. C. In the case of an attorney who maintains his or her principal office outside of this county, proof of certification by the juvenile court of

	<p>the California county in which the attorney maintains an office shall be sufficient evidence of competence to appear in a juvenile delinquency proceeding in this county.</p>
<p>7.00 All counsel and defendants representing themselves in a criminal matter are expected to know and follow these rules as well as all applicable sections of the federal and California Constitutions, California codes and statutes, California Rules of Court, especially Rule 10.950, et. seq., and Standards of Judicial Administration. Sanctions similar to Rule 2.30 of the Rules of Court may be imposed for failure to comply with these rules, the Rules of Court or orders of the court.</p> <p>These rules are intended to supplement the Rules of Court and constitutional and Penal Code provisions except where a contrary intent is expressed herein. Rules 10.950-10.953 of the Rules of Court are adopted herein and shall apply equally to all unified courts, except that the term "readiness conference" as used in the Rules of Court shall mean "pretrial conference" when used in these local rules. As used in these rules, "readiness conference" means a conference to determine if the case is ready for trial.</p>	<p>7.00 (New third paragraph added) All counsel and defendants representing themselves in a criminal matter are expected to know and follow these rules as well as all applicable sections of the federal and California Constitutions, California codes and statutes, California Rules of Court, especially Rule 10.950, et. seq., and Standards of Judicial Administration. Sanctions similar to Rule 2.30 of the Rules of Court may be imposed for failure to comply with these rules, the Rules of Court or orders of the court.</p> <p>These rules are intended to supplement the Rules of Court and Constitutional and Penal Code provisions except where a contrary intent is expressed herein. Rules 10.950-10.953 of the Rules of Court are adopted herein and shall apply equally to all unified courts, except that the term "readiness conference" as used in the Rules of Court shall mean "pretrial conference" when used in these local rules. As used in these rules, "readiness conference" means a conference to determine if the case is ready for trial.</p> <p>Unless ordered otherwise by the trial judge, these criminal court rules apply to all criminal cases in both Nevada City and Truckee.</p>
<p>7.01E E. The first felony conference with the court shall occur prior to the preliminary hearing. Upon a written request, the prosecutor shall deliver to defense counsel or a defendant proceeding in pro per a formal offer for resolution prior to the felony conference. Defense counsel shall meet with his/her client before said conference and be prepared to discuss the offer or other possible disposition with the court. All counsel shall appear at the felony conference and shall have authority to dispose of the case.</p>	<p>7.01E E. The first felony conference with the court shall occur prior to the preliminary hearing. The first misdemeanor pre-trial conference shall occur on a date set by the court. Upon a written request, the prosecutor shall deliver to defense counsel or a defendant proceeding in pro per a formal offer for resolution prior to the conference. Defense counsel shall meet with his/her client before said conference and be prepared to discuss the offer to other possible disposition with the court. Counsel appearing at the conference shall have the authority to</p>

	dispose of the case.
7.01F F. After a defendant is held to answer or an indictment is filed, early disposition shall again be attempted following compliance by all parties with discovery rules. The 14 day rule in California Rule of Court 4.100(1)(B) may be waived if counsel or the court believe that an early pretrial conference will help resolve the case. Additional conferences may be set.	7.01F F. After a defendant is held to answer or an indictment is filed, early disposition shall again be attempted following compliance by all parties with discovery rules. Additional conferences may be set.
New	<p>7.02.1 EX PARTE APPLICATIONS IN CRIMINAL PROCEEDINGS</p> <p>A. Contents of application: A request for ex parte relief must be in writing and must include all of the following: (1) An application containing the case caption and stating the relief requested; (2) A declaration making a factual/legal showing for the relief requested and notice given; (3) A proposed order.</p> <p>B. Factual/Legal Showing Required: An applicant must make an affirmative factual and legal showing in a declaration containing competent testimony of the basis for granting relief ex parte.</p> <p>C. Notice Required: An ex parte application must be accompanied by a declaration regarding notice stating: (1) The notice given (including the date, time, manner, and name of the party informed), and whether opposition is expected; (2) That the applicant in good faith attempted to inform the opposing party but was unable to do so, specifying the efforts made to inform the opposing party; or (3) That, for reasons specified, the applicant should not be required to inform the opposing party.</p> <p>D. Service of papers: Parties must serve the ex parte application on all other parties by personal delivery, electronic mail, or facsimile, at the first reasonable opportunity, or must show cause why they should not be required to serve the opposing party.</p> <p>E. Hearing: Ordinarily, ex parte applications will be resolved based on the written submission(s) of the party(ies) solely. A hearing will be conducted only upon request and with leave of the court.</p>

	F. Sealing: A party requesting that an application or order be filed under seal must comply with the requirements of California Rules of Court 2.550 and 2.551.
7.06A A. A trial readiness conference shall be held a minimum of ten (10) court days prior to trial and shall be attended by counsel, including a pro per defendant. The court may waive the ten (10) day limit.	7.06A (add word "trial") A. A trial readiness conference shall be held a minimum of ten (10) court days prior to trial and shall be attended by trial counsel, including a pro per defendant. The court may waive the ten (10) day limit.
7.06B B. Ordinarily, <i>in limine</i> or Evidence Code Section 402 motions shall be filed and served on opposing counsel a sufficient amount of time prior to the readiness conference that all counsel are prepared to argue and submit them at that conference. Complex or extensive (more than three (3)) motions shall be filed and served at least five (5) court days prior to trial. Said motions will not be heard after the readiness conference absent a showing of good cause.	7.06B B. <i>In limine</i> or Evidence Code Section 402 motions shall be filed and served on opposing counsel at least two days prior to the Trial Readiness Conference. Any written oppositions to said motions shall be filed and served on opposing counsel at the Trial Readiness Conference.
7.06C C. Charge bargained pleas may be presented at the readiness conference if the dismissed charges are subject to Penal Code Section 654. No such plea need thereafter be entertained by the court. If a defendant desires to waive a jury trial, counsel is encouraged to make a reasonable effort to advise the court by the readiness conference.	7.06C C. Charge bargained pleas may be presented at the readiness conference. No such plea need thereafter be entertained by the court. If a defendant desires to waive a jury trial, counsel is encouraged to make a reasonable effort to advise the court by the readiness conference.
10.00.5F F. Travel expenses. Whenever under this rule a party is required to pay or deposit a reporter's fee, the party shall also pay or deposit one day's actual expenses for the reporter's out-of-town travel, including mileage at the rate per mile specified by local ordinance or resolution, or, if none, the rate per mile specified by the State Board of Control for travel by private automobile under Title 2, Division 2, Chapter 1, California Administrative Code.	10.00.5F F. Travel expenses. Whenever under this rule a party is required to pay or deposit a reporter's fee, the party shall also pay or deposit one day's actual expenses for the reporter's out-of-town travel, including mileage at the rate per mile specified by the Judicial Council .
10.01A A. Interpreters will not be provided for civil, family law or small claims matters, unless	10.01A A. Interpreters may be provided for civil, family law or small claims matters, to the

<p>otherwise ordered by the court. Upon request, the clerk will provide the names of authorized interpreters with whom a party may make arrangements for interpreting services, or may refer the party to the court's interpreter coordinator. Any party requiring the services of an interpreter is responsible for arranging and paying for the services of such interpreter unless otherwise ordered by the court.</p>	<p>extent that State funding is available. Any party desiring the services of an interpreter must submit a request to the clerks' office or the court's interpreter coordinator. Form INT-1 may be utilized to make such requests.</p>
<p style="text-align: center;">Forms:</p> <p><u>Added:</u> CIV7, CIV8, CL2, TR3, TR4, INT1</p> <p><u>Deleted:</u> CIV2, CIV4, CIV5, FL2, FL3, FL5, FL7, FL9, FL10, FL13, PR1</p> <p><u>Amended:</u> FL17 (added LaChance as Comm.); FL14 (added that form can't be used for CC or CV and changed signature to "Judicial Officer")</p>	
<p style="text-align: center;">Standing Orders:</p> <p><u>Amended:</u> SO2 from "Human Services" to "Social Services"</p> <p><u>Added:</u> SO4. It had been included in the last rules, but not referenced in the Appendix.</p>	