

SUPERIOR COURT OF CALIFORNIA
County of Marin



NOTICE

**Revision of the Uniform Local Rules of Court
for January 2027**

(California Rule of Court 10.613)

The Judges of the Marin County Superior Court have approved a draft set of proposed Local Court Rules. As authorized under CRC 10.613, they are posted on the internet at the following web page of the Court:

[Local Rules | Marin County Superior Court](#)

Should an individual or organization not have access to the internet, a printed copy of the local rules of court may be obtained at a cost of \$40.00 by writing the Court at:

Marin County Superior Court
Court Executive Officer
Attn: Local Rules of Court
P.O. Box 4988
San Rafael, CA 94913-4988
administration@marin.courts.ca.gov

Written comments or proposed changes should be submitted to the above no later than **Friday, November 13, 2026 by 4:00 p.m.**

Should you need additional information regarding the proposed revisions, please call Court Administration at (415) 444-7020, or email administration@marin.courts.ca.gov.

September 30, 2026

MARIN COUNTY SUPERIOR COURT

LOCAL RULE REVISION TABLE FOR JANUARY 2027

NEW / DELETED / REVISED / RENUMBERED / RENAMED

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★ = DELETED

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MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

1. GENERAL ADMINISTRATIVE RULES

1.16 JUDICIAL FAIRNESS COMMITTEE LOCAL COMMITTEE ON THE ELIMINATION OF BIAS

~~Pursuant to the applicable Standards of Judicial Administration, the Court supports the establishment of a local committee to assist in maintaining a courtroom environment free of bias or the appearance of bias. In furtherance thereof, the Court has endorsed the Statement of Organization of the Marin County Judicial Fairness Committee approved and adopted jointly by the Boards of Directors of the Marin County Bar Association and the Marin County Women Lawyers.~~ **A. Policy.** The Court is dedicated to eliminating explicit and implicit bias in all court proceedings and to providing equal justice. In all court interactions, except where such conduct is relevant to the issues in the courtroom proceeding, the court and its judicial officers and employees shall refrain from engaging in conduct and shall take action to prevent others from engaging in conduct that exhibits bias, including but not limited to, bias based on age, ancestry, color, ethnicity, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, physical or mental disability, political affiliation, race, religion, sex, sexual orientation, socioeconomic status, and any other classification protected by federal or state law, including Government Code section 12940(a) and Code of Judicial Ethics, canon 3(B)(5), whether that bias is directed toward counsel, court staff, witnesses, parties, jurors, or any other person. The Court, judicial officers and court employees may consider such classifications only if necessary or relevant to the proper exercise of their adjudicatory or administrative functions.

Each judicial officer should ensure that courtroom interactions are conducted in a manner that is fair and impartial to all persons. Each judicial officer shall ensure that all orders, rulings, and decisions are based on the sound exercise of judicial discretion and the balancing of competing rights and interests and are not influenced by stereotypes or biases. (Standards of Judicial Administration (“SJA”) Standard 10.20.)

B. Local Committee on Elimination of Bias (“the Committee”). The Presiding Judge shall appoint a standing committee in consultation with the President of the Marin County Bar Association of 5 or more members, at least 3 of whom are not members of the Court. To ensure compliance with SJA, Standard 10.20, the Presiding Judge shall solicit recommendations for Committee members from local bar associations and related organization representing the interests of persons impacted by implicit bias and/or historical discrimination including but not limited to the minority, women, LGBTQ persons and persons with disabilities.

C. —The Committee should:

(1) Sponsor or support educational programs designed to eliminate unconscious and explicit biases within the court and legal communities. Education should include:

(a) Information as to bias based on the protected classifications listed in paragraph A. above;

(b) Information regarding how unconscious and explicit biases based on these classifications develop, how to recognize unconscious and explicit biases, and how to address and eliminate unconscious and explicit biases; and

(c) Other topics on bias relevant to the local community informed by the committee's independent assessment of the unique educational needs in that community.

(2) Engage in outreach to the local community to learn about issues of importance to court users.

(3) Make recommendations to the Court regarding promoting the elimination of biases, including avoiding the appearance of implicit bias.

(3) Assist court users in determining where to submit specific complaints regarding court employees and/or judicial officers

D. Complaint Procedure. The Committee on Elimination of Bias does not investigate or assess specific complaints about court employees or judicial officers. However, the Committee will assist court users in determining where to submit specific complaints as follows:

1) Complaints against court employees must be submitted in writing to either the direct manager or supervisor of the employee, or the Chief Executive Officer of the Court.

2) Complaints against judicial officers must be submitted in writing to either the judicial officer's direct supervising judge, the Presiding Judge of the Court, or the Commission on Judicial Performance. The Commission's address is:

Commission on Judicial Performance

455 Golden Gate Avenue, Suite 14400

San Francisco, California 94102-3660

[Rule 8.16 adopted effective 7/1/99; renumbered as Rule 1.16 effective 1/1/22; [amended 1/1/27](#)]

1.18 COURT REPORTERS

A. General Provisions. Official and pro tempore court reporter services and compensation are described in § 68086 et seq. of the Government Code, and in other applicable statutes, CRC, and rules of this [eCourt](#). All matters required by law to be reported at the [eCourt](#)'s expense shall be reported. All other matters shall be reported at the request of the Court or the parties, subject to the availability of an official court reporter.

As required by law, court reporting services shall be provided at the [eCourt](#)'s expense in all felony and juvenile matters and proceedings under the Lanterman-Petris-Short (LPS) Act. Court reporting services may also be provided at the request of the Court or the parties for certain types of civil proceedings. **For the purposes of this local rule, "civil" is defined as all matters other than criminal, juvenile and LPS (e.g. civil, family law, probate.)** These services,

however, will be subject to the availability of a court reporter and the cost of court reporting services will typically be borne by the parties.

Generally, the cCourt will not provide court reporters for the following types of proceedings: case management and status conferences; ex parte applications or hearings; orders to show cause; civil harassment; infractions and small claims. Court reporters may be used in such proceedings, but they shall be obtained, and the expense shall be borne, by the party requesting a reporter. The party requesting a reporter shall file ten (10) days' advance written notice to the clerk of his/her request to have a reporter present during any of these proceedings.

At the Ccourt's discretion, in settlement of unlimited civil cases, the terms thereof shall be placed on the record by a court reporter or shall be reduced to writing and signed by all necessary parties, and the fact of the settlements shall be entered into the cCourt's minutes.

B. Use of Electronic Recording. Pursuant to Government Code § 69957, electronic recording may be used in the following types of proceedings, when an official reporter is unavailable: infractions, misdemeanors, limited jurisdiction civil matters, limited jurisdiction civil appeals, infraction and misdemeanor appeals, and small claims trials de novo.

In addition, and in accordance with *Family Violence Appellate Project v. Superior Court of Contra Costa County* 2026 WL 2291541, and under the Court's inherent power and obligation to facilitate meaningful access to justice for indigent litigants, if no official court reporter is available and a party cannot afford to pay for a private court reporter, at the request of such party, the court will provide an official verbatim record of proceedings by means of electronic recording.

C. Court Reporting Services Requested by Parties in Civil Trials and Hearings. A party in any type of civil case must file a statement ten (10) days before the trial or hearing date indicating whether the party requests the presence of an official court reporter. The clerk shall notify a party having filed such a statement no later than five (5) days before the trial or hearing date if the services of an official reporter will not be available. Pursuant to CRC 2.956, if the services of an official court reporter are not available for a trial or hearing, a party may arrange for the presence of a certified shorthand reporter to serve as an official pro tempore reporter. It is the requesting party's responsibility to pay the pro tempore reporter's fee directly to the reporter for attendance at the proceedings, but the expense may be recoverable as part of the costs, as provided by law. Per diem fees for official court reporters are listed in the cCourt's Uniform Filing Fee Schedule and are to be paid by the parties in all matters other than criminal, juvenile or LPS. If the court makes available an official reporter for the trial or hearing lasting longer than one hour, the per diem fee shall be advanced to the courtroom clerk before the commencement of each day's proceedings.

D. Reporting Notes of Certified Reporters Hired to Serve as Official Pro Tempore Reporters. Reporting notes of all certified shorthand reporters employed to report in this cCourt are the official records of the cCourt and shall be secured by the cCourt in accordance with Government Code § 69955. The notes may be lodged by email at courtreporter@marin.courts.ca.gov or by submitting a CD to the Clerk of the cCourt within thirty (30) days of reporting. The notes shall be labeled with the date recorded, the cCourt department, and the name of the reporter.

[Rule 8.18 adopted effective 7/1/10; amended 1/1/20; renumbered as Rule 1.18 effective 1/1/22; amended 1/1/27]

~~1.20 REMOTE APPEARANCES CIVIL, FAMILY, PROBATE, AND APPELLATE DIVISIONS~~

~~A party making a remote appearance shall: (a) eliminate to the greatest extent possible all ambient noise from the party's location; (b) speak directly into a telephone handset during the appearance; and (c) not utilize the "hold" button. Each time a party speaks, the party shall identify by name for the record and participate in the appearance with the same degree of courtesy and courtroom etiquette as a personal appearance would require.~~

~~[Rule 8.20 adopted effective 1/1/18; amended and renumbered as Rule 1.20 effective 1/1/22; amended 7/1/24, amended 7/1/25]~~

1.51 ELECTRONIC FILING

This Rule applies to filing of all documents, electronically and paper, with the court.

A. Applicable Statutes and Rules of Court. Parties must comply with all requirements and conditions for electronic filing and service as set forth in Code of Civil Procedure section 1010.6(a)(1), (3), (4), (b)(1), (2), (5) and CRC Rules 2.250 through 2.253, 2.256, 2.257, and 2.259.

B. Mandatory Electronic Filing Rules.

1. Mandatory Electronic Filing and Service. As authorized by Code of Civil Procedure section 1010.6(d) and CRC 2.253(b)(1)(A), and subject only to the exceptions in Local Rules 1.51(B)(2), 1.51(B)(3), and 1.51(B)(4) below, all parties represented by attorneys in all civil cases (including Family, Juvenile Dependency, and Probate cases), all Appellate Division cases, as permitted by law must file and serve documents electronically, except when personal service is required by statute or rule. Attorneys who are subject to this rule, and self-represented parties who have consented to electronic filing and service, may not object to electronic service.

2. Documents Not Filed Electronically.

(a) The following documents shall not be filed electronically

- (i) subpoenaed documents;
- (ii) Affidavit re: Real Property of Small Value;
- (iii) Labor Commissioner deposits of cash or check;
- (iv) bonds and undertakings;
- (v) wills and codicils
- (vi) trial exhibits; and
- (vii) other documents. Please see:

<https://www.marin.courts.ca.gov/online-services/efiling>

(b) During trial and with permission from the Court, a party may submit to the courtroom clerk, and serve by hand any pleadings, as long as the pleadings are also filed and served electronically by the party before the close of business no later than the following court day. The proof of service must reference the date the document was originally served in open court.

(c) A party may be excused from filing any particular document electronically if it is not available in electronic format and it is not feasible for the party to convert the document to electronic format by scanning it to PDF, or if it may not be comprehensively viewed in an electronic format. Exhibits to declarations that are real objects also need not be filed electronically. Such a document or exhibit may be manually filed with the Clerk of the Court and served on the parties by non-electronic means. A party manually filing such a document or exhibit must file electronically and serve a Notice of Manual Filing describing the document or exhibit and stating the reason the party cannot electronically file the document or exhibit.

(d) Any required courtesy copies are deemed submitted upon the e-filing of an original document unless otherwise ordered by the Court.

3. Self-Represented Parties. Self-represented parties are not required to file and serve documents electronically. (CRC 2.253(b)(2).) Self-represented parties may continue to file, serve, and receive paper documents by non-electronic means according to all statutory requirements and the California Rules of Court that apply to paper documents, unless the self-represented party affirmatively agrees in writing to electronic filing and service. Self-represented parties are encouraged to agree to electronic filing and service, and may agree by filing with the Clerk of the Court and serving on all parties, either electronically or by non-electronic means, a Consent to Electronic Filing and Service and Notice of Electronic Service Address (Judicial Council Form [EFS-005-CV](#)).

4. Party Requests for Excuse from Electronic Filing and Service. A party who is required to file, serve, and receive documents electronically under this Rule may request to be excused from those requirements by showing undue hardship or significant prejudice. Undue hardship or significant prejudice does not include the inability to pay fees for electronic filing, as fee waivers may be requested if the party otherwise qualifies for or has been granted a fee waiver, as provided in this Rule. The party must file with the Clerk of the Court and serve on all parties a Request for Exemption from Mandatory Electronic Filing and Service (Judicial Council Form [EFS-007](#)) with a Proposed Order (Judicial Council Form [EFS-008](#)). A party who files and serves a Request for Exemption from Mandatory Electronic Filing and Service must be served with documents in paper form until the court rules on the Request for Exemption.

5. Electronic Filing Fee Waiver. A party who has received a fee waiver is not required to pay any fee for electronic filing and service. A party who has not already received a fee waiver may request a waiver of the fees for electronic filing and service by filing with the court an Application for Waiver of Court Fees and Costs, (Judicial Council Forms [FW-001](#) and [FW-002](#)).

6. Date and Time of Filing. Parties may electronically transmit a document to the court at any time. Acceptance of a transmitted document for filing occurs on the (i) date the document is submitted, if the submission occurs between 12:00 a.m. and 11:59 p.m. on a day when the Clerk of the Court's office is open for business, or (ii) next day when the Clerk of the Court's office is open for business following submission of the document, if the submission occurs on a day when the Clerk of the Court's office is closed.

7. Confirmation of Receipt and Filing. The court will provide an electronic confirmation to the filer indicating the date and time the document was received and the date and time the document was filed.

8. Errors in Electronically Filed Documents. The filing party is solely responsible for the accuracy of the data and information contained in electronically filed documents.

9. User Technical Problems. In the event a filer is temporarily unable to electronically file due to technical problems, the filer should follow procedures set forth by the court. The court may establish policies and procedures for filers to follow when requesting an extension of time due to technical problems. Otherwise, such requests may be made by ex parte motion, addressed to the judge to whom the case is assigned for all purposes, or, if the case has not been assigned, to the Supervising Judge of the relevant division. The Clerk of the Court, pursuant to established policies and procedures in effect at any time, may determine whether a filer has complied with established policy and procedures entitling the filer to an extension of time.

The filer may alternatively file by submitting documents to a court approved electronic filing vendor. The vendor must then convert those documents to electronic form, file them with the Clerk of the Court, and serve designated parties as provided. Filers filing via facsimile through a vendor must be charged fees reflecting the vendor's then current published rates for filing and service in this manner.

10. User Error or Vendor Technical Problems. If electronic filing or service does not occur due to (1) error in the transmission of the document to a vendor or served party which was unknown to the sending party; (2) a vendor's failure to process the electronic document; (3) a party's erroneous exclusion from the service list; (4) other technical problems experienced by the vendor, then the filer affected may be entitled to an extension of time for any response or the period within which any right, duty, or other act must be performed, provided the filer demonstrates that the filer attempted to file or complete service on a particular day and time. The court may establish policies and procedures for the way in which a filer may demonstrate the filer attempted to file or complete service on a particular day and time. The Clerk of the Court, pursuant to established policies and procedures in effect at that time, may determine whether a filer has complied with established policy and procedure entitling filer to an extension of time.

11. Hearing Dates for Electronically Filed Motions. Hearing dates and times for motions or Requests for Orders (RFO's) filed electronically under this rule shall be set in conformity with the procedures followed in the courtroom in which the motion or RFO will be set for hearing or heard. If filed electronically, parties will be noticed electronically by the cCourt. If filed in person, parties will receive notice via mail or other non-electronic notice.

12. E-Filing and Service of Orders and Other Papers by Court. The cCourt may issue, file, and serve notices, orders and other documents electronically subject to the provisions of these Rules.

13. Confidential Documents.

(a) Except as provided in CRC 2.500 through 2.507, an electronically filed document is a public document at the time it is filed unless it is ordered sealed pursuant to CRC 2.550 – 2.551 or filed as a confidential document pursuant to law. Unless the document is confidential and/or will be filed under seal, to protect personal privacy, parties must refrain from including, or must redact where inclusion is necessary, the personal data identifiers from all documents, including exhibits, filed with the court under this Rule, such as social security numbers and financial account numbers. (CRC 1.201)

(b) A motion to file documents under seal must be filed and served electronically. Confidential documents shall be lodged or filed with the court by electronic submission in the manner described in CRC 2.551(d). Such records must not be submitted in paper form, unless an exception to the mandatory electronic filing rules applies or has been granted. A cover sheet that identifies the lodged or sealed documents must be electronically filed. Redacted versions of any lodged or sealed documents must be filed electronically at the same time.

14. Format for Exhibits and Documents. Exhibit attachments to pleadings filed electronically shall be separated by a single page with a title identifying the sequence of the exhibit. All exhibits must be electronically bookmarked (referred to in these Marin County Local Rules as “bookmarked”) for ease of reference. Any pleadings or documents (except for trial exhibits) that are submitted to the Clerk of the Court in paper format must not be stapled but instead must be held together by binder clips or two-prong fasteners.

15. Trial Exhibits Not to be Filed Electronically. Proposed trial exhibits must not be filed electronically but instead must be lodged in paper format with the trial department once assigned, unless otherwise instructed by the trial judge.

C. Electronic Filing Rules for Non-Criminal Cases.

1. Mandatory Electronic Filing and Service. Upon implementation of the cCourt’s E-filing system, parties filing documents electronically must use one of the court’s approved electronic filing service providers. Information concerning the approved electronic filing service providers, including the procedures for electronically filing documents with the court and for electronically serving documents, is available on the court’s website at www.marin.courts.ca.gov. ~~Until such time, parties may use the Court’s E-delivery system to file documents as provided on the Court’s website or continue to file paper documents in person in the Clerk’s Office.~~

2. Proposed Orders in Probate Cases. Subject to any applicable exemptions, proposed orders submitted with the moving papers before a hearing on a regularly-noticed motion or orders after hearing shall be lodged with the court electronically in PDF format attached to Judicial Council Form EFS-020.

3. Proposed Orders in Civil and Family Cases. Proposed orders may not be submitted with moving papers before a hearing on a regularly-noticed motion or RFO unless ordered by the court or if otherwise required by applicable statute or Rule of Court (such as motions to be relieved as counsel, petitions for compromise of minors’ claims, orders on objections to evidence in summary judgment motion, pro hac vice applications, applications for writs of attachment, etc.). If instructed to prepare an order after a

hearing, proposed orders after hearing shall be lodged with the court electronically in PDF format attached to Judicial Council Form EFS-020.

D. Electronic Filing Rules for Criminal Cases.

Pursuant to Penal Code section 959.1, a criminal prosecution shall be commenced by filing an accusatory pleading in electronic form. Represented parties in criminal matters shall file and serve documents electronically pursuant to Penal Code section 690.5(a), Code of Civil Procedure 1016.6, and the authorities cited in Local Rule 1.51(B) above except for any Motion to Set Aside a Bail Forfeiture and any appeal of a denial of a Motion to Set Aside a Bail Forfeiture. Parties may electronically file documents in two ways:

(1) Parties with computer systems that are integrated with the court's case management system may file directly through those systems. Parties with computer systems that are integrated with the court's system include the Marin County District Attorney's Office, Marin County Public Defender's Office, Marin County Probation Department, Division of Adult Parole Operations of the California Department of Corrections and Rehabilitation, California Department of Child Support Services, and the California Department of Social Services.

(2) Until implementation of the eCourt's E-filing system, parties that do not have computer systems that are integrated with the eCourt's case management system may use the eCourt's E-delivery system to file documents as provided on the court's website or continue to file paper documents in person in the Clerk's Office.

[Rule 1.51 adopted effective 1/1/22; amended effective 7/1/24; amended effective 1/1/26; amended 1/1/27]

2. CIVIL RULES

2.7 PETITIONS FOR EXTRAORDINARY WRITS (PEROGATIVE WRITS)

A. This rule applies to petitions for writs of review, mandate, and prohibition filed in the civil division. It does not apply to petitions for extraordinary relief filed in the appellate division or the criminal division of the superior court.

B. Upon the filing of a petition for extraordinary writ, the case will be assigned to a judge for all purposes. If the petition is combined with a complaint for injunctive or declaratory relief, the assignment will apply to the complaint as well as the petition. When the petition is filed, the court will schedule a case management conference within sixty (60) days of the filing of the petition to determine the status of service (Code Civ. Proc., §1088.5) and facilitate the use of the motion procedure, as well as the preparation and lodging of the administrative record, should one be necessary.

In cases arising under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000 et seq.), the court will schedule a status conference within thirty (30) days of the filing of the petition to facilitate the use of the motion procedure and promote the efficient and timely resolution of the case.

C. While there are two means by which a party may set a mandamus petition for trial, e.g. noticed motion for a peremptory writ, or alternative writ, the noticed motion procedure pursuant to, e.g. Civil Procedure Code section 1094, California Rules of Court, rule 3.1103(a)(2), is ordered by the Court.

D. The hearing on the petition is the trial of the case. In cases where evidence before the Court is not confined to an administrative record, evidence shall be presented by declarations, exhibits, deposition testimony, etc. and not by oral testimony unless the Court, in its discretion, permits it.

[Rule 2.7 adopted effective 1/1/27]

LAW AND MOTION MATTERS

2.102.11 TENTATIVE RULINGS

A. Obtaining Rulings. Parties or their attorney of record may obtain tentative rulings online at (~~Tentative Rulings | Superior Court of California | County of Marin~~) by going to the court's website tentative ruling webpage and following the instructions on how to view posted tentative rulings or by calling (415) 444-7260 from 2:00 p.m. to 43:00 p.m. on the court day preceding the scheduled hearing. The tentative ruling webpage is <https://www.marin.courts.ca.gov/online-services/tentative-rulings>

B. Oral Argument. If a party wants to present oral argument, the party *must contact the court at (415) 444-7046 and all opposing parties by 4:00 p.m. of the court day preceding the scheduled hearing.* Notice may consist of a phone call or email to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly). Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court.

C. Length of Hearings. Non-evidentiary hearings on the Law and Motion calendar are limited to a maximum of 20 minutes.

D. Sanction Requests. All requests for sanctions not ruled upon are deemed denied.

[Rule 1.10 adopted effective 5/1/98; amended 7/1/15; renumbered as Rule 2.10 effective 1/1/22]

2.134 DISCOVERY FACILITATOR PROGRAM

A. Policy of the Marin County Superior Court. Parties must reasonably and in good faith attempt informal resolution of each issue in any discovery dispute in a civil case prior to filing a discovery motion. Parties must submit a declaration setting forth this reasonable and good faith attempt at resolution with any discovery motion, pursuant to Code of Civil Procedure section 2016.040. Notwithstanding the outcome of a particular motion, the Court may impose a monetary sanction on any party who fails to meet and confer as required, for the reasonable expenses, including attorneys' fees, incurred by anyone as a result of that failure. Code Civ. Proc., § 2023.020.)

For any discovery dispute in a civil case that the parties cannot resolve informally in the meet and confer process, it shall be the policy of the Marin County Superior Court to require use of the Discovery Facilitator Program ("the Program"). Reasonable and good faith

participation in the Program before the filing of a discovery motion satisfies a party's meet and confer obligation for purposes of this rule.

In furtherance of this policy, all parties to a discovery dispute are expected to participate in good faith in the Discovery Facilitator Program or another appropriate form of dispute resolution before the matter is set for hearing. Nonparties who are the subject of a discovery motion (including third-party recipients of subpoenas or discovery requests) are encouraged, but not required, to participate in the Discovery Facilitator Program or other ADR process. The Court may consider the participation or non-participation of such nonparties in managing how the discovery motion proceeds.

B. Participation in the Program. Parties to a civil case discovery dispute shall be referred to the Program or participate in the Program in one of the following ways:

1. *Before the Filing of a Discovery Motion.* The parties may request referral to the Program, before the filing of a discovery motion, by filing a stipulation with the court. Filing the stipulation will toll the time for filing the discovery motion until a party files a Declaration of Non-Resolution with the ~~c~~Court (see Rule 2.13H); or

2. *After the Filing of a Discovery Motion.* After the filing of a discovery motion, the ~~c~~Court shall refer the dispute to the Program. All discovery motions will be referred to the discovery facilitation process. The parties and the discovery facilitator shall promptly commence the resolution process upon the discovery facilitator's appointment. The court anticipates that the motion will not go forward on the assigned hearing date if the court has not received a Declaration of Non-Resolution of the motion at least five (5) court days prior to the scheduled hearing date.

C. Discovery Facilitator Panel. The ~~c~~Court shall maintain a list of qualified Discovery Facilitators. Each panelist on the list must be an active member of the State Bar licensed for at least 10 years or a retired judge.

D. Selection of a Discovery Facilitator. The Discovery Facilitator shall be selected for a discovery motion as follows:

1. Upon the filing of a discovery motion or referral stipulation, the ADR Coordinator shall appoint a Discovery Facilitator from the Court's panel of qualified Discovery Facilitators. In making the appointment, the ADR Coordinator may consider facilitator availability, conflicts, and the equitable distribution of assignments among qualified Discovery Facilitators. The ADR Coordinator shall select, at random, a number of names from the panel of qualified Discovery Facilitators equal to the number of sides plus one and shall prepare a list of the names of the randomly selected Discovery Facilitators. The ADR Coordinator shall provide this list to the parties upon the filing of a discovery motion or referral stipulation. For purposes of this rule, a "side" shall consist of all parties represented by the same counsel (e.g., where one counsel represents more than one plaintiff or cross-complainant or more than one defendant or cross-defendant).

2. The ADR Coordinator shall promptly assign the case to the appointed Discovery Facilitator and shall serve the "Notice of Appointment of Discovery Facilitator" on all parties and on the Discovery Facilitator. Upon receipt of the "Notice of Appointment of Discovery Facilitator," the parties shall promptly deliver to the Discovery Facilitator copies of the pleadings and discovery necessary to facilitate

~~resolution of the dispute. If the parties agree on the selection of a Discovery Facilitator from the list provided, they shall notify the ADR Coordinator within ten (10) calendar days following the filing date of the discovery motion or referral stipulation. If the parties cannot agree on a Facilitator, then within the ten (10) calendar day period, each side shall submit to the ADR Coordinator a written rejection identifying no more than one name on the list of potential Facilitators that it does not accept.~~

~~3. Promptly upon expiration of the ten (10) calendar day period, the ADR Coordinator shall appoint one of the persons on the list who was either agreed upon or whose name was not rejected to serve as Discovery Facilitator.~~

~~4. The ADR Coordinator shall promptly assign the case to the Discovery Facilitator and shall serve the "Notice of Appointment of Discovery Facilitator" on all parties and on the Discovery Facilitator. Upon receipt of the "Notice of Appointment of Discovery Facilitator," the parties shall promptly deliver to the Discovery Facilitator copies of the pleadings and discovery necessary to facilitate resolution of the dispute.~~

E. Facilitator Process. The Discovery Facilitator shall establish the procedures in each case to be utilized by the parties, through telephone conferences, exchange(s) of letters or emails and/or in-person conferences, for discussion and attempted resolution of the discovery dispute.

F. Compensation. Beginning from the time the Discovery Facilitator receives notice from the parties or the ~~c~~Court of an appointment, the Discovery Facilitator shall devote up to two (2) hours, without charge to any of the parties, in an attempt to facilitate resolution of the discovery dispute. If the matter has not resolved after the two hours, the parties may continue working with the Discovery Facilitator if the parties and the Discovery Facilitator agree regarding the Discovery Facilitator's compensation.

G. Resolution. If a pending discovery motion is resolved, then no later than five (5) ~~calendar~~ court days before the scheduled law and motion hearing date the moving party shall withdraw the motion and drop it from the calendar. If the motion is not dropped at least five (5) court days prior to the date it is on calendar, the moving party shall file a declaration explaining to the Court why the motion could not have been dropped sooner.

H. Declaration of Non-Resolution.

1. If a discovery dispute is not resolved with the assistance of the Discovery Facilitator, each party shall file and serve a pleading entitled "Declaration of Non-Resolution." The Declaration shall not exceed three pages and shall briefly summarize the remaining disputed issues and each party's contentions. If the parties entered the Program after filing a discovery motion, then the Declaration caption shall include the name of the motion and the date of the hearing, and the parties shall file and serve it no later than five (5) court days prior to the hearing.

2. If the Declaration of Non-Resolution is filed less than five (5) court days prior to the date the motion is on calendar, the Court shall issue a tentative ruling, dropping the hearing from calendar.

3. The Discovery Facilitator may at their option, serve on all parties or their counsel of record and file with the ~~c~~Court, a report containing a brief summary of the dispute and the parties' contentions, and any legal or factual analysis made by the Discovery Facilitator regarding the dispute.

[Rule 1.13 adopted effective 7/1/12; amended 7/1/17; renumbered as Rule 2.13 effective 1/1/22; amended effective 1/1/26; amended 7/1/26; [amended 1/1/27](#)]

SETTLEMENT AND ISSUE CONFERENCES

2.145 SETTLEMENT CONFERENCE

A. Mandatory Settlement Conference. The Court shall hold a mandatory settlement conference in all cases where a jury trial has been demanded or in the Court's discretion.

B. Settlement Conference Statement. At least ten (10) court days before the settlement conference, parties shall lodge a settlement conference statement with the ~~c~~Court. If excused by the Court from E-filing, the excused party shall mail the statements to the settlement panelists. The Court may impose sanctions of \$99 per calendar day for statements lodged late. The parties shall note the date and time of the settlement conference and trial on the face sheet of the statement. The settlement conference statement shall comply with all requirements of CRC 3.1380(c) and shall also include the following, where applicable:

1. Pertinent excerpts of medical reports, depositions, photographs, and records with material portions highlighted on all copies submitted;
2. The highest previous offer and lowest previous demand;
3. The date of the last face-to-face settlement discussion;
4. Presentation of any special barriers to settlement.

C. Required Attendance. The Court requires personal attendance at all settlement conferences by lead trial counsel, a client representative with full settlement authority, and in cases involving third-party payors ([insurance providers](#)), a representative with full settlement authority from each third-party. Exceptions to this rule require advance written approval from the Court.

D. Sanctions. An attorney's or party's failure to prepare for, appear at, or participate in a settlement conference, absent good cause shown, may result in the imposition of sanctions.

[Rule 1.14 adopted effective 5/1/98; amended and renumbered as Rule 2.14 effective 1/1/22; amended 7/1/26, [1/1/27](#)]

3. FELONY AND MISDEMEANOR RULES

3.2 ASSIGNMENT OF CRIMINAL MATTERS

A. New Out of Custody Misdemeanor Complaints. Each new out of custody misdemeanor complaint shall be assigned to Department ~~NM~~ at ~~8:200~~ a.m. for arraignment. If a defendant appears without counsel, the court shall advise the defendant of the option to obtain counsel, and to the right to appointed counsel if the defendant cannot afford counsel.

If a defendant is represented by counsel, said counsel may appear pursuant to Penal Code §977 and enter a letter plea by filling out the Court's Arraignment Plea and Counsel Form (CR016).

At arraignment, a defendant may elect to:

1. Plead guilty on the day of arraignment. ~~A defendant wishing to plead guilty on the day of arraignment shall be referred to Department M to appear immediately following arraignment.~~ Said defendant may enter a guilty plea. Pronouncement of judgment may occur immediately or on a subsequent date, in the discretion of the court. A defendant who desires counsel but does not have counsel present, may not enter a guilty plea on the day of arraignment.

2. Defer entry of plea. A defendant wishing to defer entry of plea shall be set for hearing ~~referred to Department M for appearance~~ within thirty (30) days for entry of plea and appearance of counsel (if counsel is desired). A defendant who qualifies for public representation and desires counsel shall be referred, at arraignment, to the Public Defender's Office for an eligibility determination. If eligible for public representation, the public defender may appear for the defendant pursuant to Penal Code §977 at the next hearing.

B. New In-Custody Misdemeanor Complaints – no other criminal matters pending.

Each new in-custody misdemeanor complaint shall be calendared in Department M at 1:30 p.m. for arraignment. If there are other active or post judgment felony matters in other departments, the new in-custody misdemeanor arraignment shall be assigned to the department presiding over the felony matters.

C New Felony Complaints – no other criminal matters pending. Each new felony complaint shall be assigned at random to a felony department. New felony complaints shall be assigned randomly unless a defendant already has a pending or active post-judgment felony case in a department. (See subdivision D below)

D. New Criminal Complaints – other felony matters pending. If a defendant in a new criminal complaint has pending felony matters or felonies on active probation or mandatory supervision, the new complaint shall be assigned to the same Judicial Officer to whom the pending and active post-judgment felony matters have previously been assigned.

E. Post Release Community Supervision and Parole Petitions. Post release community supervision petitions shall be assigned in the same manner as in MCR Crim 3.2C and D.

F. Petitions to Revoke or Modify Probation or Terminate Diversion.

1. A petition to revoke or modify probation or terminate diversion, or any post-judgment matter in a felony case, shall remain in the department to which it is presently assigned.

2. A petition to revoke or modify probation or terminate diversion, or any post-judgment matter in a misdemeanor case, shall be assigned to Department M, unless there are other active criminal cases for that defendant. If there are other active cases, the petition or post-judgment matter will go to the department assigned to hear the other active criminal cases.

G. New Criminal Complaints with Multiple Defendants – other felony matters pending. If any co-defendant in a new criminal complaint has pending or post-judgment felony matters, the new complaint, together with any pending or post-judgment misdemeanor matters as to that or any other co-defendant, shall be assigned to the Judicial Officer to whom the pending or active post-judgment felony matters have previously been assigned or are to be assigned pursuant to these rules.

Generally, if more than one co-defendant in a new criminal complaint has pending or active post-judgment felony matters in a particular department, the new complaint and all pending and active post-judgment matters of all co-defendants shall be assigned to the Judicial Officer to whom the oldest pending or active post-judgment felony matter has been assigned. In certain instances, such reassignment of criminal matters may not be efficient. In these instances, it shall be at the discretion of the Supervising Judicial Officer to determine whether or not to reassign the case.

H. Assignment of Cases from Department M. Department M shall be a master calendar court when the Judicial Officer presiding makes an assignment to any other department.

[Rule 2.2 adopted effective 5/1/98; amended and renumbered as Rule 3.2 effective 1/1/22; amended 7/1/24; [amended 1/1/27](#)]

3.10 TRIAL READINESS CONFERENCE

The Court shall conduct a trial readiness conference in all cases prior to the date set for trial. Resolution of cases shall be ~~set for trial. Trial~~ encouraged at these conferences.

A. Felonies. Motions in Limine, proposed witness lists that include a short summary of each proposed witness's testimony, proposed fully drafted jury instructions and proposed verdict forms shall be filed at least five (5) court days before the date set for a hearing regarding the motions in Limine. Absent a showing of good cause, untimely submissions shall not be considered by the Court. The Court may make an order necessary to enforce the provisions of this rule, including, but not limited to, contempt proceedings, delaying or prohibiting the testimony of a witness or the presentation of real evidence, granting or denying a continuance of the matter, or any other lawful order.

B. Misdemeanors. All misdemeanor trials shall be assigned to criminal departments from Department M or the Supervising Judicial Officer of the Criminal Division. All misdemeanor cases set for trial shall be set for a trial readiness conference within ten (10) days preceding the trial date. Motions in Limine, proposed witness lists that include a short summary of each proposed witness's testimony, proposed fully drafted jury instructions, and proposed verdict forms shall be filed on a date to be set by the presiding Judicial Officer of Department M at the time the case is set for trial. Absent a showing of good cause, untimely submissions shall not be considered by the Court. The Court may make an order necessary to enforce the provisions of this rule, including, but not limited to, contempt proceedings, delaying or prohibiting the testimony of a witness or the presentation of real evidence, granting or denying a continuance of the matter, or any other lawful order.

C. Requests to Continue Felony or Misdemeanor Trials. It is the intent of the Court to strictly enforce the provision of Penal Code § 1050 when ruling on any motion made to continue a misdemeanor or felony trial.

D. Time for Submission. Notwithstanding the time for submission of proposed jury instructions set forth in Penal Code § 1093.5, counsel shall submit proposed jury instructions with motions in Limine before trial commences.

E. Form. Proposed instructions from Judicial Council of California Criminal Jury Instructions (CALCRIM) may be offered by citation to the number and title of the instruction. Any deviation from the form of CALCRIM instruction shall be emphasized by underscoring or other discernible method. Any special instruction or modification of a standard CALCRIM instruction shall be in writing and in a form suitable for submission to the jury. "Form suitable

for submission to the jury" means the title and text of the instruction only, without any additional words, marks, emphasis, or symbols on the page.

[Rule 2.10 adopted effective 5/1/98; amended and renumbered as Rule 3.10 effective 1/1/22;
amended 1/1/27]

6. PROBATE RULES

6.2 CALENDAR AND PROCEDURAL MATTERS

A. General Guidelines.

1. *General Probate Matters.* One department of the Superior Court shall be designated by the Presiding Judge of the Superior Court to hear general probate matters. Except as otherwise indicated in these rules, all probate petitions concerning the following are to be calendared for hearing on the Regular Probate Calendar:

a. Decedent's Estates

~~b.~~ ~~b.~~ ~~Trusts~~

c. Conservatorships of the person and of the estate (except for matters involving the Lanterman-Petris-Short Act which shall be calendared on the LPS Calendar).

d. Guardianships

e. Special Needs Trusts

f. Fact of Birth/Death/Marriage

2. *Probate Research Attorney.*

a. The Probate Research Attorney reviews filings in probate proceedings to ensure that filed matters are properly ready for consideration by the Court in accordance with the requirements of the Probate Code, the rules in Title 7 of the California Rules of Court, and the Court's Local Rules.

b. The Probate Research Attorney will not review any document unless and until it has been filed.

c. The Probate Research Attorney will not give legal advice or provide advisory opinions.

B. Filing, Hearing, and Continuance Procedures.

1. *Petitions.* All petitions and supporting documents must be filed with the Probate Clerk.

2. *Hearing Date.*

a. The next available hearing date will be assigned by the Probate Clerk at the time of filing.

b. If there is urgency to the petition, counsel may file an ex parte motion to advance the hearing date.

3. *Opposition Papers and Supplemental Documents.*

a. Unless ordered otherwise, all opposition papers and supplemental documents must be filed at least five (5) court days before the hearing.

b. Pursuant to Probate Code § 1043, if an interested party appears in court to contest a petition without submitting written opposition, the Court may (in the interests of justice and efficiency) either hear the objections/opposition at the time of the hearing or continue the matter to allow the interested party to file written objections.

4. *Exhibits*. All referenced exhibits must be properly tabbed for easy reference by the Court.

5. *Untimely Filings*. If a party presents a document/documents to the clerk for filing that is untimely, the Probate Clerk will accept the documents. At the Court's discretion, a late filing may result in:

- a. The Court's refusal to consider the late filed documents;
- b. A continuance of the hearing;
- c. Sanctions.

6. *Procedure for Obtaining a Continuance in Uncontested Matters*.

a. Any request for a continuance before the time of the hearing must be made:

- i. By noticed motion with notice to all interested parties entitled to notice of the underlying petition;
- ii. At least three (3) court days prior to hearing; and
- iii. With the permission of petitioner, if self-represented, or by petitioner's counsel.

b. The court will continue the following matters only upon a properly noticed appearance:

- i. Sale of Real Property
- ii. Order to Show Cause
- iii. Ex Parte Petition

7. *Procedure for Obtaining a Continuance in Contested Matters*.

a. Any request for a continuance before the time of the hearing must be made:

- i. At least three (3) court days prior to hearing;
- ii. By a stipulated motion and proposed order signed by all parties who have appeared in the matter.
- iii. Petitioner and all parties who have made an appearance in the case must stipulate to the continuance.
- iv. All parties entitled to notice of the underlying petition must receive notice.

b. Once a matter has been scheduled for an evidentiary hearing/trial, it cannot be continued by stipulation. These requests must be made by filing a noticed motion with notice to all interested parties entitled to notice of the underlying petition.

C. Submission of Proposed Orders.

1. Proposed orders shall be submitted at the time of filing the petition.
2. If submitted via mail, drop box, or in person: the Probate Clerk will return a file endorsed copy by mail if a self-addressed, pre-paid envelope is submitted with the proposed order.
3. If submitted via mail, drop box, or in person, and a conformed copy is desired, additional copies must be submitted.
4. If submitted via mail, drop box, or in person, and it is requested that the Clerk's Office mail back conformed copies of their filings, a self-addressed stamped envelope of proper size and with sufficient postage must be provided.
5. If no envelope is provided, the conformed copy will be placed in the Will Call cabinet in the Clerk's Office in Room 113 for a maximum of sixty (60) days.
6. If the postage or the envelope provided is insufficient to mail the entire conformed copy, only the face copy of the pleading will be mailed and the conformed copy will be placed in the Will Call cabinet for a maximum of sixty (60) days.

D. Tentative Rulings.

1. *Obtaining Tentative Rulings.* Parties or their attorney of record may obtain tentative rulings online by going to the court's tentative ruling webpage and following the instructions on how to view posted tentative rulings ~~Parties may obtain tentative rulings online at~~ [Tentative Rulings | Superior Court of California | County of Marin](https://www.marin.courts.ca.gov/online-services/tentative-rulings) or by calling (415) 444-7260 from 2:00 to 3:40:00 p.m. on the court day preceding the scheduled hearing. The tentative ruling webpage is <https://www.marin.courts.ca.gov/online-services/tentative-rulings> . Probate cases that are designated as confidential by California law will not be posted online. Tentative rulings in those matters may be obtained by telephone from the judicial secretary at (415) 444-7260. Confidential cases include applications for Special Immigrant Juvenile Status.

2. *Oral Argument.* If a party wants to present oral argument, the party *must contact the Court at (415) 444-7046 and all parties entitled to notice of the underlying petition or motion by 4:00 p.m. the court day preceding the scheduled hearing.* Notice may be by telephone or in person to all other parties that argument is being requested (i.e. it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. If oral argument is not requested, the tentative ruling shall become the order of the Court.

3. *Length of Hearings.* Non-evidentiary hearings on the Probate Calendar are limited to a maximum of 20 minutes.

E. Contested Matters.

1 *Written Objections.* Before the Court will conduct a formal hearing in any contested proceeding, written objections specifying the grounds for such objection or opposition must be filed. If oral objections are made at a hearing, the Court may continue the matter in order to have the objections submitted in writing. (Probate Code § 1043)

2. *Meet and Confer Requirement.* Prior to the setting of a contested evidentiary hearing, a party or their respective attorneys shall make a reasonable and good faith attempt to informally resolve the controversy at a face-to-face conference, if possible, otherwise by telephone conference. If resolution is not possible, and an evidentiary hearing is scheduled, then each party shall file a Statement of Issues as provided below.

3. *Statement of Issues or Settlement.* At least five (5) court days before the scheduled hearing, each party shall file and serve a Statement of Issues or a notice of settlement. Each Statement of Issues must:

- a. indicate that the party or their respective attorney has met face-to-face or, if that is not possible, have participated in a telephone conference to discuss the issues in dispute;
- b. identify the substantial issues in the controversy, with references to any supporting evidence and/or legal authority;
- c. include each party's opinion of any barriers to settlement; and
- d. provide an estimate of the time requirement for the hearing or resolution.

4 *Trial Scheduling.* If the hearing on a contested matter is estimated to exceed twenty (20) minutes or a trial is demanded, the matter may be specially set for an extended hearing by the assigned probate Judge.

[Rule 5.2 adopted effective 7/1/19; amended and renumbered as Rule 6.2 effective 1/1/22; amended 7/1/24; amended 1/1/25; [amended 1/1/27](#)]

7. FAMILY LAW RULES

7.4 CONFORMED COPIES OF FILINGS

The following applies to those who have been excused by the Court from ~~E-fe~~Filing (Parties should review MCR 1.51(B)(1), 1.51(B)(2)(d), 1.51(B)(3) and (4) to determine if they may be excused from ~~E-fe~~Filing). ~~If a conformed copy is desired, an additional copy must be submitted.~~—The ~~c~~Court will conform a maximum of two copies (or three copies if the case involves Department of Child Support Services) of any pleading at the time of filing. Parties requesting that the ~~C~~court mail them conformed copies of their filings must provide a self-addressed stamped envelope of proper size and with sufficient postage. If eFiled, a conformed copy will be returned through EFSP. ~~If filed in person, a conformed copy will be provided by mail.~~ If no envelope is provided, the conformed copy will be placed in the Will Call cabinet in the Clerk's Office in Room 113 for a maximum of sixty (60) calendar days. If the envelope provided or the postage is insufficient to mail the conformed copy, it will be placed in the Will Call cabinet for a maximum of sixty (60) calendar days.

[Rule 6.4 adopted effective 5/1/98; amended and renumbered as Rule 7.4 effective 1/1/22; amended 7/1/24; amended 1/1/27]

7.6 EX PARTE MATTERS AND ORDERS

A. Ex Parte Applications. All ex parte applications shall be made to the assigned judicial officer unless that judicial officer is unavailable. All applications for ex parte relief will be heard in the assigned family law department at that department's calendar start time, Monday through Friday. Ex parte matters involving the Department of Child Support Services (DCSS) will be heard at the beginning of the regularly scheduled DCSS calendar. The ex parte procedure shall be used only in emergencies. At the time of the hearing parties should be prepared to make a showing justifying their emergency to proceed ex parte.

The ex parte application shall be filed, and the filing fee (or Application and Order for Fee Waiver) shall be paid to the Clerk's Office prior to the hearing in a department.

B. Conditions for Issuance of Ex Parte Orders. Before submitting ex parte applications, parties shall comply where applicable with Family Code §§ 2045, 3060-3064, and CRC 5.151 et seq., including all requirements for a declaration setting forth that notice to the other party has been given or, alternatively, the reason notice has not been given. A party seeking an ex parte order shall complete and file Judicial Council form FL-303, which is available at Legal Self Help Center or online at [FL-303 Declaration Regarding Notice and Service of Request for Temporary Emergency \(Ex Parte\) Orders Legal Self Help Center | Superior Court of California | County of Marin](#) Legal Self-Help Center | Superior Court of California | County of Marin. A party seeking an ex parte order shall ~~and~~ attach to the ~~application request~~ -a ~~conformed-filed~~ copy of any prior order(s) which the applicant seeks to enforce or modify. ~~Prior to the hearing,~~ parties appearing at the ex parte hearing shall serve the ex parte application or any written opposition on all other appearing parties at the first reasonable opportunity. Absent exceptional circumstances, no hearing shall be conducted unless such service has been made. Any attorney or party requesting an ex parte order is required to deliver all documents required pursuant to California Rule of Court 3.1201 and/or 5.151 to the court by no later than 10:00 a.m. the day before the hearing. Delivery shall be through eFiling if an attorney, or through eFiling, mail, or in person in room 113 if the party is a self-represented litigant. All required documents shall be served on the opposing party/attorney at the first reasonable opportunity before the hearing.

C. Orders Shortening Time. If an order shortening time for the hearing and/or service is requested, the supporting declaration shall state whether the responding party has been contacted and has agreed to the date and time proposed for the hearing and/or service. If the responding party has not been contacted or has not agreed to the proposed setting, the supporting declaration shall clearly demonstrate why the hearing and/or service should be set on the proposed date without the consent of the responding party. Provision for immediate delivery of the pleading to responding party should be set forth in the order.

[Rule 6.6 adopted effective 5/1/98; amended and renumbered as Rule 7.6 effective 1/1/22; amended 7/1/24; amended 7/1/26; amended 1/1/27]

7.7 SPECIAL PROCEDURES FOR RESTRAINING ORDERS AND INJUNCTIVE RELIEF PERTAINING TO DOMESTIC VIOLENCE (FAMILY CODE §§ 6200-6389)

Applicants for protective orders under Family Code § 6200 et seq. (Domestic Violence Prevention Act) shall file their request for restraining order in any existing or concurrently filed Family Law/Parentage action rather than file a new case. There is no filing fee for domestic violence restraining orders.

A party seeking the protection of a court restraining order may obtain the necessary forms and information about how to file for a temporary restraining order at Legal Self Help Center (Room C-44). ~~The~~ Legal Self Help Center also has instruction pamphlets and referrals to agencies that may assist with filling out the forms.

An applicant for a domestic violence restraining order must submit a Request for Domestic Violence Restraining Order (DV-100), Temporary Restraining Order (DV-110), Notice of Court Hearing (DV-109), Confidential Information for Law Enforcement (CLETS-001), and Restraining Order After Hearing (DV-130). ~~and (if counsel) file it electronically~~ Documents must be submitted through eFiling or ePortal (if represented) or through eFiling, ePortal, or in person ~~or (if a self-represented litigant who does not wish to file electronically) give it to the clerk~~ in room 113 before 10:30 a.m., Monday through Friday. (An applicant may need additional forms if the applicant has children with the proposed restrained party or seeks an order to transfer a wireless telephone account.) The clerk will give the completed forms to a Judicial Officer to review. ~~The~~ A self-represented applicant may pick up the temporary restraining order documents at the Clerk's Office after-between 3:00 p.m and 4:00 p.m. or view them through ePortal (if self-represented). The clerk will set a date for the hearing.

If the applicant for a domestic violence restraining order seeks to modify an existing order regarding custody and/or visitation, in a separate supporting declaration, the applicant should explain why *ex parte* notice of the request was not given to the proposed restrained party.

A. Remote Appearances in Domestic Violence Restraining Order Hearings. Pursuant to California Family Code ~~Section~~ 6308, a party may appear remotely at a hearing on a petition for a domestic violence restraining order. Instructions and procedures for remote appearances in such cases can be found on the cCourt's website at Virtual Courtrooms | Superior Court of California | County of Marin: www.marin-courts.ca.gov.

B. Termination or Modification of a Domestic Violence Restraining Order or Ancillary Order.

If the applicant seeks a termination or a modification of an existing restraining order or orders under an existing restraining order, prior to the expiration date on the restraining order the applicant shall submit a Request to Change or End Restraining Order (DV-300), Notice of Court Hearing and Temporary Order to Change or End a Restraining Order (DV-310), ~~and~~ a proposed Order on Request to Change or End Restraining Order (DV-330), ~~and~~ a proposed amended Restraining Order After Hearing (DV-130), and any attachments. See DV-300 and DV-300-INFO for additional information.

If the applicant seeks a modification of a custody or visitation order under a restraining order, the applicant shall submit a fully completed FCS Intake Sheet to the Court at the time of filing the Request to Change or End Restraining Order (DV-300). The Family Court Services

Intake Sheet (FL016) is a Local Form available in the Clerk's Office, at Legal Self Help Center, or online at [Local Forms | Superior Court of California | County of Marin](#). The hearing shall be set on the Law and Motion calendars and subject to those rules. See [MCRs 7.8-7.14](#). All other hearings shall be set on the Domestic Violence calendar of the Judge to whom the case is assigned.

There shall be no filing fee.

[Rule 6.7 adopted effective 5/1/98; amended and renumbered as Rule 7.7 effective 1/1/22; amended 7/1/24, amended 7/1/25, amended 1/1/26]

LAW AND MOTION AND REQUEST FOR ORDER PROCEEDINGS

7.8 FORMAT OF SUPPORTING DOCUMENTS AND EXHIBITS

A. Minimize Number of Attachments. The court discourages the practice of attaching voluminous and numerous exhibits to declarations and points and authorities used in Law and Motion or Request for Order proceedings. Quote the applicable portion of a document, correspondence, deposition, or pleading, at the appropriate point in a declaration or points and authorities rather than use an attachment.

B. Discovery Motions. See [MCR 7.15](#).

C. Discovery Exhibits. See [MCR 7.15](#)

D. Prior Court Order. Where a prior order of the court is relevant, a reference should be made to the date the order was filed and the pertinent language of the order (or a summary if not in dispute). A copy shall not be attached

E. Attachment of Previously Filed Documents. Parties shall not attach previously filed documents to a pleading, pending motion or request for order, except as required pursuant to MCR 7.5(B). If a litigant wants to ensure that the court was able to locate a previously filed document, that person may reference to the date the document was filed and the pertinent language of the document (or a summary if not in dispute).

F. Address Verification in Post-Judgment Proceedings. In all post-judgment proceedings, parties must submit an Address Verification Declaration for Post-Judgment Request for Order. For custody/visitation or child support, parties shall use FL-334. The Address Verification Declaration to be used for matters other than those related to minor children is Local Form (FL070) available at Legal Self Help Center, or online at [Local Forms | Superior Court of California | County of Marin](#)

[Rule 6.8 adopted effective 5/1/98; amended and renumbered as Rule 7.8 effective 1/1/22; amended 7/1/24; amended 7/1/26; amended 1/1/27]

7.10 CONTINUANCES

After service, three continuances, by agreement, may be obtained through the Clerk's Office no later than 4:00 p.m., three (3) court days before the hearing date, and paying the continuance fee, regardless of whether a response has been filed. A Stipulation and Order or Agreement and Order to Reschedule Hearing (FL-308) must be sent by the party requesting the continuance to the Clerk with a copy to the opposing party. Additional continuances, or continuances within three (3) court days of the hearing date, may not be by stipulation but only

by ~~e~~Order of the ~~C~~court upon a showing of good cause. Absent a Stipulation or Agreement, parties shall utilize the procedure outlined in CRC 5.95.

[Rule 6.10 adopted effective 5/1/98; amended 7/1/15; renumbered as Rule 7.10 effective 1/1/22; amended 7/1/24; amended 1/1/27]

7.12 HEARINGS

A. Tentative Rulings. Marin County utilizes a tentative ruling system pursuant to CRC 3.1308 for family law cases set for hearing on the Law and Motion and Request for Order Calendar. The moving party in any family law matter shall attach to any ~~Order to Show Cause~~ ~~or~~ Request for Order the Notice to Parties in Family Law Matters, a Local Form (FL008) available at Legal Self Help Center, or online at Local Forms | Superior Court of California | County of Marin, ~~concerning the availability of tentative rulings by email~~. The moving party's ~~p~~Proof of ~~s~~Service shall indicate that this ~~n~~Notice has been served or the hearing may be continued on the ~~C~~court's own ~~M~~motion or on request of the party ~~aggrieved-impacted~~ by the non-compliance.

B. Obtaining Tentative Rulings. Parties or their attorney of record may obtain tentative rulings online at (Tentative Rulings | Superior Court of California | County of Marin) by going to the court's tentative ruling webpage and following the instructions on how to view tentative rulings or by calling (415) 444-7260 from 2:00 p.m. to 4:30 p.m. on the court day preceding the scheduled hearing. The tentative ruling webpage is <https://www.marin.courts.ca.gov/online-services/tentative-rulings>

~~Parties shall obtain tentative rulings online at Tentative Rulings | Marin County Superior Court (ca.gov) or by calling (415) 444-7260 from 2:00 to 4:00 p.m. on the court day preceding the scheduled hearing. Family law cases that are designated as confidential by California law will not be posted online. Tentative rulings in those matters may be obtained by telephone from the judicial secretary at (415) 444-7260. Confidential cases include matters involving unmarried parents filed prior to 2023, cases involving reproductive assistance, cases involving Special Immigrant Juvenile Status.~~

C. Oral Argument. If a party wants to present oral argument or disagrees with the tentative ruling, the party must contact the ~~C~~court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day ~~preceding before~~ the scheduled hearing. Notice that argument is being requested may be by telephone, voicemail, or in person to all other parties ~~that argument is being requested~~ (i.e. it is not necessary to speak with counsel or parties directly.) Unless the ~~C~~court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the ~~C~~court. If oral argument is not requested, the tentative ruling will become the order of the ~~C~~court.

D. Length of Hearings. Non-evidentiary hearings on the Law and Motion and Request for Order Calendar are limited to a maximum of 20 minutes.

[Rule 6.12 adopted effective 5/1/98; amended 1/1/20; renumbered as Rule 7.12 effective 1/1/22; amended 7/1/24; amended 7/1/26; amended 1/1/27]

7.13 FINANCIAL INFORMATION TO BE PROVIDED TO THE COURT

A. Income and Expense Declaration wWith Supporting Documentation. A current completed Income and Expense Declaration (FL-150) shall be filed by each party with their

moving or responsive papers in all proceedings involving requests for child support, spousal support, attorney's fees, or other financial ~~relief~~requests.

B. Full Financial Disclosure. A completed Income and Expense Declaration (FL-150) shall include all facts relevant to the parties' employment status, income, living arrangements, and payment of household expenses. Those facts include but are not necessarily limited to:

1. Commission, bonuses and overtime, with 2-year history and amounts.
2. All employment benefits, whether in cash or in kind, with 2-year history and amounts.
3. If depreciation has been claimed as a deduction or reduction of income, it must be explained and justified. Ordinarily, depreciation will be disregarded as a non-cash item.
4. If annual income fluctuates, an income history of not less than 2 years, and description of the method used to calculate monthly income.
5. The identity of each income producing household member, the relationship of each to the party, gross and net income, contributions to household expenses, and financial arrangements, if any, between each household member and the party.
6. If a party is unemployed, an explanation must be provided. If relevant, a description of the party's most recent employment, reason for and verification of termination, gross and net income prior to termination, and a description of all efforts to seek employment since termination, if any, shall be set forth. If a party is disabled, retired or incarcerated, all pertinent facts shall be set forth.

C. Required Supplemental Documentation. In all proceedings where child or spousal support, attorney's fees, or Family Code §271 sanctions are an issue, in addition to filing completed Income and Expense Declarations (FL-150), each party is required to serve on the opposing party and lodge (under seal) the following additional financial information and documentation: copies of the party's two most recent state and federal income tax returns and all K-1's for those years; documentation of all income of the filing party since the period covered by his/her most recent tax return (including W-2's, 1099's and K-1's); and copies of the two most recent federal income tax returns filed by any entity in which the party has or has had a 25% or greater interest within the past two years, together with statements of current income and expenses and current assets and liabilities of each such entity. A self-employed party shall provide their most recent annual business profit and loss or financial statement, together with current year to date profit and loss or financial statement for the business. These materials shall be served and lodged no later than the dates by which the parties' moving or responsive pleadings are due. All materials lodged under seal pursuant to this ~~R~~rule may be returned upon request to the party submitting same at the conclusion of the hearing unless ordered to be retained by the ~~C~~court. Such records are confidential and may not be used for purposes other than court proceedings. Such materials will be destroyed by the ~~C~~court within a reasonable time after the hearing unless the submitting party requests their return.

D. Support Calculations. In all matters where child or temporary spousal support is an issue, a support calculation and explanatory declaration shall be filed, setting forth the assumptions and calculations utilized by that party to determine gross and net income figures,

the amounts of child and spousal support calculated pursuant to current state law and/or guidelines, and any other assumptions used in calculating the support, including time-share, tax filing status, etc. If it is contended by either party that the guideline or presumed level of support is inappropriate, that party's declaration shall set forth their calculation of the amount alleged to be proper and the reasons therefor. Such declaration shall include all reasons or justifications ~~urged~~argued by the party for varying from the guideline support levels. Further:

1. The responding party's calculations/declaration shall be filed and served with the ~~response~~Responsive Declaration (FL-320).
2. The moving party's calculations/declaration shall be filed and served with the ~~R~~reply.
3. The support calculations and explanatory declarations shall be signed by the party or heir attorney.

The Office of the Family Law Facilitator (Room C-44) is available to assist self-represented parties in preparing child and/or spousal support calculations.

[Rule 6.13 adopted effective 5/1/98; amended 1/1/20; renumbered as Rule 7.13 effective 1/1/22; amended 7/1/24; amended 1/1/27]

7.15 GENERAL DISCOVERY PROVISIONS

A. Policy Regarding One Deposition Rule. The Court construes the one deposition rule of Code of Civil Procedure ~~§~~ 2025.610 as permitting the taking of a bifurcated deposition. For example, a party may be required to appear for a deposition concerning the limited issues raised by an application for temporary relief and thereafter to submit to further deposition on other issues. Where issues in a particular case have been ordered bifurcated, the deposition of a party also may be bifurcated and separate depositions taken which are limited to those issues to be addressed in each stage of the bifurcated proceeding. Parties electing to conduct a bifurcated deposition under this rule shall, in the deposition notice, conspicuously state such election and clearly specify the issue(s) to be addressed at the bifurcated deposition.

B. Discovery Motions. All ~~M~~otions or ~~R~~equests for Order (FL-300) pursuant to The Civil Discovery Act (Code of Civil Procedure §§ 2016.010-2036.050) presented for filing must state "Discovery Motion" on the caption page.

C. Discovery Review. A party relying on discovery materials such as interrogatory answers, deposition testimony, or responses to requests for admissions shall properly authenticate such evidence. Any exhibits should be limited to those questions and answers, testimony and/or responses relevant to the issues presented. Unless the party filing the exhibits has been excused by the court from ~~E-filing~~Filing (see MCR ~~7-Fam~~ 7.4) each exhibit must be bookmarked. Deposition testimony must be preceded by the title page of the transcript indicating the name of the deponent and the date of deposition; only relevant pages of the transcript shall be included. The original page numbers of the deposition must be clearly visible, and the material portions of the deposition testimony shall be highlighted.

[Rule 6.15 adopted effective 5/1/98; amended 7/1/15; renumbered as Rule 7.15 effective 1/1/22; amended 7/1/24; amended 1/1/27]

7.16 DISCOVERY FACILITATOR PROGRAM

A. Participation in the Discovery Facilitator Program. Parties to a dispute regarding discovery in a family law case may participate in the Discovery Facilitator Program by stipulation or shall be referred to the Program by order of the Ccourt.

1. *Before the Filing of a Discovery Motion.* The parties may request referral to the Program, before the filing of a dDiscovery mMotion, by filing a Sstipulation for such a referral with the Ccourt. The filing of such Sstipulation will toll the time for filing a mMotion to Compel dDiscovery of the disputed issues until notice of resolution of the discovery dispute is filed with the Ccourt.

2. *Upon the Filing of a Discovery Motion.* Upon the filing of any Request for Order (RFOFL-300) or Motion to Compel Discovery, the RFORRequest for Order or Motion will be immediately referred to the Discovery Facilitator Program.

B. Discovery Motions. All discovery Motions shall be clearly labeled as such in the caption of the pleading.

C. Discovery Facilitator Panel. A list of qualified Discovery Facilitators shall be maintained in the Court. Each panelist on the list must be an active member of the State Bar licensed for at least 10 years or a retired judge.

D. Selection of a Discovery Facilitator. The Discovery Facilitator shall be selected as follows:

1. Upon the filing of a dDiscovery mMotion or referral Sstipulation, the ADR Coordinator shall appoint a Discovery Facilitator from the Court's panel of qualified Discovery Facilitators. In making the appointment, the ADR Coordinator may consider facilitator availability, conflicts, and the equitable distribution of assignments among qualified Discovery Facilitators. The ADR Coordinator shall select, at random, a number of names from the panel of qualified Discovery Facilitators equal to the number of sides plus one, and shall prepare a list of the names of the randomly selected Discovery Facilitators.

2. The ADR Coordinator shall promptly assign the case to the appointed Discovery Facilitator and shall serve the "Notice of Appointment of Discovery Facilitator" on all parties and on the Discovery Facilitator. Upon receipt of the "Notice of Appointment of Discovery Facilitator," the parties shall promptly deliver to the Discovery Facilitator copies of the pleadings and discovery necessary to facilitate resolution of the dispute. Upon agreement on the selection of a Discovery Facilitator the ADR Coordinator shall be notified of such agreement within ten (10) calendar days following the date of the stipulation or order. If the parties cannot agree on a Facilitator, then within such 10 calendar day period, each side shall submit a written rejection to the ADR Coordinator identifying no more than one name on the list of potential Facilitators that is not accepted.

3. Promptly on the expiration of the 10 calendar day period, the ADR Coordinator shall appoint one of the persons on the list who was either agreed upon or whose name was not rejected to serve as Discovery Facilitator.

4. The ADR Coordinator shall promptly assign the case to the Discovery Facilitator and shall serve the "Notice of Appointment of Discovery Facilitator" on all

~~parties and on the Discovery Facilitator. Upon receipt of the “Notice of Appointment of Discovery Facilitator,” the parties shall promptly deliver to the Discovery Facilitator copies of such pleadings and discovery as is necessary to facilitate resolution of the dispute.~~

E. Facilitator Process. The Discovery Facilitator shall establish the procedures in each case to be utilized by the parties, through telephone conferences, exchange(s) of letters or emails and/or in-person conferences, for discussion and attempted resolution of the discovery dispute.

F. Compensation. Beginning from the time the Discovery Facilitator receives notice from the parties or the Court of their appointment, the Discovery Facilitator shall devote up to two (2) hours, without charge to any of the parties, in an attempt to facilitate resolution of the discovery dispute. In the event a resolution cannot be achieved within that period of time, the parties may agree to continue to confer with the Discovery Facilitator, provided that agreement is reached between and among the parties and the Discovery Facilitator as to compensation of the Discovery Facilitator.

G. Resolution. If a Discovery Motion or Request for Order (FL-300) is pending and resolution of the discovery dispute is achieved, no later than five (5) calendar days before the scheduled law and Motion hearing date the Motion shall be withdrawn by the moving party and dropped from calendar.

H. Declaration of Non-Resolution. If a pending Motion or Request for Order is not resolved with the assistance of the Discovery Facilitator, each party shall file and serve five (5) court days prior to the hearing a pleading entitled “Declaration of Non-Resolution” no longer than three pages briefly summarizing the remaining disputed issues and each party’s contentions. The caption of the Declaration of Non-Resolution shall include the name of the Motion and the date of the hearing. If the Declaration of Non-Resolution is not filed prior to the hearing date, the Court will presume the discovery issues are resolved and drop the hearing from calendar.

[Rule 6.16 adopted effective 7/1/15; amended 7/1/17; renumbered as Rule 7.16 effective 1/1/22; amended 7/1/26; amended 1/1/27]

CHILD CUSTODY/VISITATION

7.17 PROCEDURES

A. Initial Child Custody Recommending Counseling. Marin County is a recommending County (Family Code § 3183). ~~A~~ Any Request for Order (FL-300) for custody/visitation filed with a Family Court Services Intake Sheet (FL016) will be referred, through the Clerk’s Office, to Family Court Services of the Marin County Superior Court for orientation and child custody recommending counseling (hereinafter “CCR counseling”). CCR counseling is an opportunity for ~~parents~~ to work with a ~~child custody recommending~~ CCR Ccounselor, either together or separately, in order to create a detailed agreement that suits their children’s specific needs. This agreement will be signed by a ~~j~~Judicial Officer and become the custody order. Absent an agreement between the parties, the CCR ~~e~~Counselor will make a written report and recommendation for ~~an order of~~ custody and visitation. Such report will be available to each party prior to the hearing. As to the CCR counseling process, the parties are referred to the Child Custody Recommending Counseling Orientation Booklet available through

Family Court Services or online at [Family Court Services | Superior Court of California | County of Marin](#). Both Parents will receive a ~~certified~~ letters via US mail, ~~with return receipt requested~~, advising them of the date, time and location of their appointment. If a parent prefers to receive the appointment letter via email ~~or regular first class mail~~, they may complete, file, and serve a Consent to Electronic Service and Notice of Electronic Service (EFS-005-CV) pursuant to Family Code 3156. fill out and deliver Local Form FL079 to Family Court Services.

B. Existence of Criminal Protective Order. When issuing child custody or visitation orders, the family court will make reasonable efforts to determine whether there exists a Criminal pProtective oOrder and/or domestic violence restraining order that involves any party to the action.

C. Documents Provided to the CCR Counselor. Parties shall not submit original documents (e.g., school records, medical records, etc.) to the CCR Counselor. If parties wish to provide documents to the CCR Counselor to be considered in the CCR Counselor's report and recommendations to the Court, the parties shall provide copies of these documents to the CCR Counselor. The CCR Counselor will not return any such documents to the parties following submittal of the report and recommendations or at any later time. Any documents provided to the CCR Counselor must also be provided to the opposing party at the time they are submitted to the CCR Counselor. Documents shall be submitted to familymediation@marin.courts.ca.gov and copied to the other party and/or their attorney of record.

D. Contact With Family Court Services. *Ex parte* communication in child custody proceedings is governed by Family Code ~~§~~ 216 and CRC 5.235. Parties who submit written communications to Family Court Services regarding issues raised in the Request for Order (FL-300) must provide a copy to the other party at the same time it is provided to Family Court Services.

E. Statement of Agreement/Disagreement with FCS Recommendations. Both parties may file and serve a Statement of Agreement/Disagreement with Family Court Services Recommendations (FL027), which is a Local Form available at Legal Self Help Center, or online at [Local Forms | Superior Court of California | County of Marin](#), at any time before the custody/visitation hearing.

F. Settlement Conferences. Upon the request of either party, or on the cCourt's own Mmotion, the cCourt may set a contested custody/visitation matter for a settlement conference. Both parties are required to appear in person or by remote appearance as determined by the Judicial Officer at the settlement conference and to appear with counsel if they are represented. The Court may, in its discretion, appoint a panel to assist the Court and the parties at the settlement conference. The panel may include attorneys, mediators, and/or mental health professionals. Experience requirements for panelists may be obtained from the Court's Alternative Dispute Resolution Coordinator (415-444-7049) or from the Court's website. Any such panelists will be appointed to serve as the Court's own expert pursuant to Evidence Code ~~§~~ 730, and the cCourt may find good cause to permit the panelists to review Family Court Services' recommendations and other confidential information in the file, pursuant to Family Code ~~§~~ 3025.5.

G. Required Local Forms. The moving party requesting a custody/visitation order or a modification to a custody/visitation order shall attach to any Request for Order, the "Family Court Services Child Custody Recommending Counseling Program" form, (Local Form FL005)

which is available at Legal Self Help Center, or online at [Local Forms | Superior Court of California | County of Marin](#). The moving party's ~~p~~Proof of ~~S~~service shall indicate that this notice has been served. ~~Petitioners and Respondents~~ Parties with minor children who are referred to Family Court Services for custody and visitation matters are required to submit a fully completed FCS Intake Sheet to the ~~c~~Court at the time of filing the Request for Order. The Family Court Services Intake Sheet (FL016) is a Local Form available ~~in the Clerk's Office~~, at Legal Self Help Center, or online at [Local Forms | Superior Court of California | County of Marin](#).

H. Interview of Child and Child in Court.

1. Counsel (except for court-appointed counsel for a child(ren)) are prohibited from interviewing children for any purpose whatsoever.
2. The CCR ~~C~~eounselor may interview the child as determined by the Judicial Officer or CCR ~~C~~eounselor.
3. Within the guidelines and provisions of Family Code § 3042 and CRC 5.250, it is the policy of the ~~c~~Court not to have any child in the courtroom or at any ~~c~~Court proceedings without the ~~c~~Court's prior consent. Children shall remain in the corridor outside of the courtroom or elsewhere in the courthouse in the care of a responsible adult, if for unavoidable reasons they must be brought to court. If the parties appear remotely the same rule applies; the children shall not be present or be able to see or hear the hearing.

I. Child Endangerment. If, during CCR counseling, a concern arises about a child's immediate well-being (serious abuse, neglect or endangerment), the CCR ~~C~~eounselor shall refer the case to Child and Family Services (CFS) for investigation and notify the parties, counsel, and Court by written memorandum. CCR counseling shall be stayed during the investigation by CFS. The CCR ~~C~~eounselor will notify the Court, continue to monitor the case and shall resume CCR counseling upon being notified by CFS of the conclusion of the investigation.

J. CCR Counselor Recommendations and Testimony. Any subpoena requiring the appearance of a Family Court Services CCR counselor/evaluator at deposition or trial shall be hand delivered to Family Court Services ([room 116](#)) at least ten (10) days prior to the appearance date with fees deposited as required by Government Code ~~§~~ 68097.2.

K. CCR Counselor Complaint Procedure. The procedure for processing a complaint concerning a Family Court Services CCR ~~C~~eounselor shall be as follows:

1. The complainant must ~~register~~ provide the complaint in writing ~~with to~~ the ~~manager~~—Director of Family Court Services via email at familymediation@marin.courts.ca.gov or in room 116, who will make a record of the complaint. The writing or email should be labeled "FCS Complaint."
2. The ~~manager~~ Director will conduct an investigation of the matter including consultation with the CCR ~~C~~eounselor. Within fifteen (15) days, the ~~manager~~ Director will determine whether to replace the challenged CCR ~~C~~eounselor, add a second CCR ~~C~~eounselor to the case, or take no action. The date and action will be recorded by the ~~manager~~ Director and the complainant will be informed promptly in writing.
3. The complainant may appeal the ~~manager's~~ Director's action by a Request for Order (FL-300) to the Judicial Officer of the Unified Family Court to whom the case is

assigned for all purposes. The Judicial Officer will rule on the complaint within fifteen (15) days of the date of the hearing.

[Rule 6.17 adopted effective 5/1/98; amended 1/1/20; renumbered as Rule 7.17 effective 1/1/22; amended 7/1/24; amended 1/1/25; amended 7/1/26; amended 1/1/27]

7.18 COUNSEL FOR CHILD

A. Appointment of Attorney for Child. Appointment of counsel for a child will be in compliance with Family Code §3150 and CRC 5.242; any such attorney is required to complete Judicial Council Form FL-322 Declaration of Counsel for a Child Regarding Qualifications (FL-322) –and submit it to the court within ten (10) days after being appointed and before the commencement of work on the case.

B. Complaint Procedure for Minor’s Counsel. In a family law proceeding in which the court has appointed counsel for minor children, any party or counsel or minor child may present a complaint about the performance of appointed counsel. The complaint must be in writing, filed and served on all counsel and self-represented parties, and a copy must be delivered to the courtroom clerk of the Judicial Officer to whom this case is assigned for all purposes. The Judicial Officer shall respond to the complaint, either by setting the matter for hearing or by issuing a written response.

[Rule 6.18 adopted effective 5/1/98; amended 1/1/20; amended 1/1/27 renumbered as Rule 7.18 effective 1/1/22; amended 1/1/27]

7.19 CHILD CUSTODY EVALUATIONS

A. Child Custody Evaluators. This rule is adopted to implement CRC 5.220(d)(1).

B. Appointment. Appointment of a private child custody evaluator shall be in compliance with CRC 5.225 on Judicial Council Form FL-327 Order Appointing Child Custody Evaluator (FL-327); any such Evaluator is required to file submit Form FL-326 Declaration of Private Child Custody Evaluator Regarding Qualifications (FL-326)-with the court to the Court Executive Officer within ten (10) days of his/her/their appointment, as required by CRC 5.225(1)(a)(B).

C. Contact With Evaluator. No attorney for any party shall initiate any oral or telephone contact with an Evaluator to discuss the merits of the case. Any written material provided by a party shall be maintained by the eEvaluator and, following completion of the evaluation, be provided to either party upon written request from the party/attorney. This does not apply to raw data of the Evaluator.

D. Raw Data of Evaluator. If either party wishes access to the raw data of the eEvaluator, then upon appropriate subpoena, the Evaluator will deliver copies of the raw data only to a qualified expert.

E. Report of Evaluator. The eEvaluator shall deliver a copy of the report to the court and to the parties’ attorneys and to any unrepresented party. If the eEvaluator believes that providing the report directly to a party will create a clear and present danger of personal injury

or harm to a party or child, the cCourt may issue protective orders or any other orders that the cCourt may deem appropriate.

F. Prohibition of Dissemination of Report. No party or attorney shall give, show or describe an evaluation report or any part of it to anyone other than their own experts. This means that they are specifically prohibited from showing, giving or describing the report or any part of it to any member of the public, to any child of the parties (except that an attorney for a child may discuss the report with their client or, in appropriate cases, allow the child to read it or have a copy), anyone connected with either party, including, but not limited to employers, employees, friends, relatives, teachers, mental health professionals other than those treating the minor child and/or the party providing the report. Except by court order, no party shall give, show or describe any part of the report dealing with the other party or the child to the mental health professional treating the party providing the report. The Evaluator's report shall not be furnished to any third parties without a written stipulation signed by both parties and minor's counsel, or court order.

G. Peremptory Challenge to Evaluator. No peremptory challenge is allowed to a cCourt-appointed Evaluator, whether such person is a Family Court Services staff member, any county employee, or a mental health professional. (See CRC 5.220(d).)

H. Withdrawal by Evaluator. A cCourt-appointed Evaluator may petition the cCourt to withdraw from a case. Any such petition shall be served on all parties, and may be made on any of the following grounds:

1. Both parties have refused to cooperate with the Evaluator, making it impossible or unreasonably difficult for the evaluator to complete their responsibilities.
2. One or both parties have harassed or annoyed the Evaluator or have made threats of physical or emotional harm to the evaluator, making it impossible or unreasonably difficult for the Evaluator to complete their responsibilities.
3. One or both parties have failed to complete their financial obligations to pay the Evaluator for the cost of the evaluation as ordered by the Court.
4. Any other good cause for allowing withdrawal.

I. Evaluator Complaint Procedure. The procedure for processing a complaint concerning a court-appointed Evaluator shall be as follows:

1. The complainant shall attempt to resolve the matter with the Evaluator before pursuing their complaint as provided in this rule.
2. Except in extraordinary circumstances, complaints about the performance of an Evaluator shall be addressed after issuance of the evaluation report.
3. Written notice of a complaint, specifying the conduct objected to, shall be provided to the Evaluator and the other party and lodged with the Court by direct delivery to the judicial officer to whom the case is assigned for all purposes within twenty (20) days after issuance of the evaluation report. A written response from the evaluator (and the other party, at their election) shall be provided to both parties, as well as lodged with the court, no later than ten (10) days after the complaint was provided to the evaluator, the other party, and the Court.
4. Within ten (10) days after receipt of the evaluator's response the cCourt shall issue a written statement as to what action, if any, it deems appropriate to deal with the complaint

including, but not limited to, finding that the complaint is not justified and no action will be taken, setting a settlement conference, setting a hearing, appointing an adjunct evaluator, or removing the evaluator from the case.

5. If either party or attorney for a minor is not satisfied with the Court's determination, they may file a Motion or Request for Order (FL-300) requesting other specified relief. Such Motion shall be served on the Evaluator as well as the other party. The evaluator shall appear at the hearing. The cost of the evaluator's appearance shall be advanced by the complainant, with the Court reserving jurisdiction over the allocation of such cost.

J. Fees. The Court will determine and allocate between the parties any fees or costs of the evaluation.

K. Evaluator Domestic Violence Training. All evaluators appointed by the court must comply with CRC 5.230(f) by attaching to their reports certificates of completion of the initial twelve (12) hours of advanced instruction and of the most recent annual four (4) hour update training in domestic violence.

L. Submission of Child to Evaluation. If an evaluation is ordered by the Court, neither parent shall subject the child to further examination or evaluation by another expert without the consent of the Court or of the Court-appointed counsel for the child.

[Rule 6.19 adopted effective 5/1/98; amended 1/1/20; renumbered as Rule 7.19 effective 1/1/22; amended 1/1/27]

7.20 SUPERVISED VISITATION

The court maintains a list of professional visitation supervisors who have certified their qualifications per Family Code § 3200.5. That list may be obtained from Court Administration, Legal Self Help Center or on the Court's website Local Form FL071 Local Forms | Superior Court of California | County of Marin Family Court Services - Community Resources (Local Form FL071).

[Rule 6.20 adopted effective 7/1/09; amended 1/1/14; amended 1/1/27; renumbered as Rule 7.20 effective 1/1/22; amended 1/1/27]

7.22 TRIAL READINESS CONFERENCE

A. At-Issue Memorandum. Neither party shall file an At-Issue Memorandum until both parties have served a preliminary declaration of disclosure, or pursued available remedies, as set forth in Family Code §§ 2103 and 2104, and the respondent has filed a response to the petition. The At-Issue Memorandum is a Local Form (FL018) available at Legal Self Help Center, or online at <https://www.marin.courts.ca.gov/forms-filing/local-forms> Local Forms | Superior Court of California | County of Marin.

B. Mandatory Trial Readiness Conference. Upon the filing of an At Issue Memorandum, the Clerk shall send to each party a Notice of Mandatory Trial Readiness Conference, the purpose of which is to develop a case progress plan tailored to the particular needs of each case and to give the parties adequate time to prepare before a Bench/Bar Settlement Conference is set. Except by stipulation of the parties, no case shall be set for a Bench/Bar Settlement Conference without first having had a Mandatory Trial Readiness Conference.

1. *Appearance Required.* Represented parties may appear through counsel and self-represented parties are required to appear at the Mandatory Trial Readiness Conference. Remote appearance is sufficient unless ordered to appear in person.

2. *Trial Readiness Conference Statement.* Each party shall serve and file with the Court a Trial Readiness Conference Statement ([Local Form FL064](#)) no later than five (5) court days prior to the Conference. The Trial Readiness Conference Statement is a ~~Local Form (FL064)~~ available at Legal Self Help Center, or online at [Local Forms | Superior Court of California | County of Marin](#).

3. *Early Settlement Conference.* If the parties and counsel agree that a case may be settled without the necessity and expense of preparing for and appearing at a Bench/Bar Settlement Conference, the Court may set the matter for an early settlement conference before the trial Judge.

4. *Subsequent Trial Readiness Conferences.* The Court may set subsequent Trial Readiness Conferences before determining that the case is ready to be set for a Bench/Bar Settlement Conference.

[Rule 6.22 adopted effective 5/1/98; amended 1/1/20; ~~amended 1/1/27~~ renumbered as Rule 7.22 effective 1/1/22, amended 1/1/26; ~~amended 1/1/27~~]

7.23 SETTLEMENT CONFERENCE AND TRIAL SETTING

When the Court determines at a Trial Readiness Conference that a case is adequately prepared and ready for a meaningful settlement conference, a Bench/Bar Settlement Conference (“BBSC”) shall be set.

A. Panel. The BBSC shall be conducted by a panel to be appointed by the Court.

B. Attendance. Each party and the trial counsel for each party shall attend the BBSC via remote appearance or in person as directed by the ~~e~~Court. Counsel and parties are expected to be available for the entire day or until excused by the BBSC Panel.

C. Trial Setting Conference. If the parties do not reach a settlement and place it on the record at the BBSC, they will be ordered to appear in court the next day for trial setting. The parties are reminded that under Family Code § 2105 they are required to file ~~p~~P~~ro~~of of ~~s~~S~~er~~vice of their final declarations of disclosure forty-five (45) days before the date first set for trial.

D. Continuances. Settlement conferences and trials may be continued only by order of the Court upon a showing of good cause.

[Rule 6.23 adopted effective 5/1/98; amended 7/1/15; ~~amended 11/27~~ renumbered as Rule 7.23 effective 1/1/22; amended 7/1/24; ~~amended 11/27~~]

7.24 BENCH/BAR SETTLEMENT CONFERENCE STATEMENT GENERALLY

A. Issues and Contentions. Each party shall serve and file a BBSC Statement, which shall set forth the issues and all contentions and positions to be raised at trial by that party. The BBSC Statement shall be filed, not lodged.

B. Filing. At least fifteen (15) court days before the BBSC, the court’s ADR coordinator will notify the attorneys or self-represented parties, ~~as the case may be~~, of the name and mailing address of the assigned Judge Pro Tem and the two BBSC panelists who will serve at that day’s BBSC.

The parties/counsel shall file and serve their BBSC statements on opposing party/counsel, the assigned Judge Pro Tem, and the two assigned BBSC panelists [no later than ten (10) court days before the BBSC].

If neither party submits timely BBSC Statements, the BBSC will be taken off calendar; in that case, the parties are ordered to appear in the assigned department's morning calendar the day after the BBSC was scheduled. At that time, the court will consider a monetary sanction against either or both parties for their failure to comply with BBSC procedures.

If one party submits their BBSC statement late, the case will not be removed from the BBSC calendar, but the court may sanction the party who fails timely to submit a BBSC statement in the sum of \$99 per day payable to the court.

C. Updated Preliminary Declarations of Disclosure. At the time of filing the BBSC Statements, each party shall update and serve their preliminary Declaration of Disclosure as necessary to reflect any material change in income or expenses of the party and any material change in the characterization or value of separate or community property and/or debts.

[Rule 6.24 adopted effective 5/1/98; amended 1/1/20; renumbered as Rule 7.24 effective 1/1/22 amended 7/1/24; amended 7/1/26; amended 1/1/27]

7.25 FORM AND CONTENTS OF BENCH/BAR SETTLEMENT CONFERENCE STATEMENT

A. Form. The Statement shall be entitled "Bench/Bar Settlement Conference Statement." Self-represented parties may obtain a sample BBSC Statement at Legal Self Help Center (Room C-44).

B. Contents: Statement of Issues, Property, and Income and Expense Data. The Statement shall set forth the following information in the following order, as it applies to the filing party:

1. *Introductory Paragraph.* The statement shall contain an introductory paragraph setting forth in summary form the date of the marriage, the date of separation, length of marriage, the names, ages, and birth dates of any minor children. The introductory paragraph shall also set forth the parties' ages and health, education, business or professional experience, current occupation, a general statement concerning the marital standard of living, and any pendente lite or temporary orders. If there are any special health or other needs of either party or the minor children, those needs shall also be discussed in this paragraph.

2. *Separate Property.* List each item of separate property, the date it was acquired, the basis upon which it is claimed to be separate property and, if a mixed asset, the basis for apportioning between separate and community. For each asset, state the current market value, the terms and balance of each encumbrance against the property, and the title history to the present of titled property.

3. *Community Property.* List each item of community property, the date it was acquired, the basis upon which it is claimed to be community property and, if a mixed asset, the basis for apportioning between separate and community. For each asset, state the current market value, the terms and balance of each encumbrance against the property, and the title history to the present of titled property.

4. *Tracing.* If either party claims a separate property interest in an asset, describe in detail, including dates, values and dollar amounts, all transactions relevant to the

tracing and, if there is an issue about allocation of community and separate interests in a single asset, the basis for calculating the respective values of the community property and separate property interests.

5. *Funds Held bBy Others and Future Interests.* Identify and describe in detail all community property and separate property funds of the parties or either of them held by persons and entities other than the parties and all future interests of each party, and, as to each such fund or interest, state whether it is claimed to be community property or separate property or a mixed asset and describe the basis upon which such characterization is founded. Include all pertinent data (e.g., account numbers, etc.), state the conditions, if any, upon which the parties or either of them may access or acquire each such asset, and describe in detail all encumbrances relating thereto.

6. *Current Obligations and Claimed Credits.* Separately list all debts and obligations of the spouses which are liabilities of the community and, so far as known, debts and obligations which are alleged to be the separate liabilities of the respective parties. Identify each creditor, the purpose for which each debt was incurred, the date upon which it was incurred, the balance currently due thereon, the terms of payment, and the security, if any, held by the creditor. Credits claimed by either party against the other party or against the community and claims for reimbursement to the community from the separate property of either party (e.g., for community property debts paid from separate property, separate property debts paid with community property, fair rental value of community property or separate property used by a party post-separation, etc.) which are not fully detailed in a party's BBSC Statement shall be deemed waived.

7. *Current Income and Expenses.* If child support, spousal support or attorney's fees are sought, complete and attach a current Income and Expense Declaration ([FL-150](#)). Previously filed Income and Expense Declarations ([FL-150](#)) may be attached if they were filed within three (3) months of the filing of the BBSC Statement and if financial circumstances have not changed.

8. *Contentions About Child and Spousal Support.* Each party shall specify their contentions as to the amount of child support and amount and duration of spousal support. Include calculations showing guideline child support. If any child is a recipient of public assistance, and the County is the assignee of the support, the statement shall show that the DCSS has been notified of the time and date of the BBSC and provided copies of all pertinent, current financial documents (i.e., Income and Expense Declaration, Support Calculations, etc.).

9. *Contentions About Attorney's Fees, Accountant's Fees, Expert Fees, and Costs.* Each party shall include in their statement their position regarding requests for attorney's and accountant's fees, other expert fees, and court costs. Where appropriate, such requests shall be supported by adequate documentation.

10. *Public Assistance Status.* If applicable, set forth that the family is receiving public assistance, the amount, and how long public assistance has been paid for the family. If public assistance is being received, the statement must also provide that "the children are recipients of public assistance from _____ County and that county is the assignee of all rights to support herein. The DCSS of _____ County has been notified of the time and date of this conference."

11. *Notification of Use of Expert at Bench/Bar Settlement Conference.* Any party planning to use a forensic expert of any type either in person, by telephone or otherwise at the BBSC, shall include in the Statement the name, address and telephone number of the forensic expert and identify the issues on which the expert will be consulted.

12. *Proposed Division/Allocation of Property and Obligations.* Set forth a specific and detailed proposal for dividing and/or allocating community property, separate property, and all debts and obligations.

13. *Certification Re: Compliance w~~W~~ith Disclosure Obligations.* Each party shall certify that their preliminary Declaration of Disclosure is current and complete and that they are unaware of any material changes in it. Such certification shall be signed by the party personally – signature of counsel is not sufficient.

[Rule 6.25 adopted effective 5/1/98; amended 1/1/20; ~~amended 1/1/27~~renumbered as Rule 7.25 effective 1/1/22; [amended 11/27](#)]

JUDGMENTS

7.26 DEFAULT OR UNCONTESTED JUDGMENT BY AFFIDAVIT OR DECLARATION

To obtain a Judgment by Declaration (non-appearance) pursuant to Family Code § 2336, the judgment packet submitted to the Clerk's Office must include:

1. Declaration for Default or Uncontested Dissolution or Legal Separation (FL-170).

2. Request to Enter Default (FL-165). In lieu of providing a stamped envelope for Respondent, the party may pay an additional court fee via eFiling to authorize the court to provide the envelope on their behalf, or Appearance, Stipulations and Waivers (FL-130) as appropriate.

3. Judgment (FL-180) with any attachments.

4. Notice of Entry of Judgment (FL-190). —In lieu of providing two stamped envelopes for delivery of the Notice of Entry of Judgment, the party may pay an additional court fee via eFiling to authorize the court to provide the envelope on the submitting party's behalf.

5. Copies of the Judgment (FL-180) and any attachments or supporting documents will be returned electronically.

[Rule 6.26 adopted effective 5/1/98; amended and renumbered effective 1/1/22; amended 7/1/24, amended 7/1/25, amended 1/1/26, [amended 1/1/27](#)]

7.27 DEFAULT OR UNCONTESTED JUDGMENTS GENERALLY

A. Support and/or Fee Awards. No award of child support, spousal support or attorney's fees will be granted unless there is either an attached written agreement between the parties settling those issues, or there is sufficient information on which the Court may base an order, including a fully completed and executed Income and Expense Declaration (FL-150) (with information on both parties where available).

B. Child Support. The amount of child support must either be specified in the order or reserved. Beginning, ending and due dates must be provided. A wage assignment must be ordered or an alternative authorized by law provided. All agreements for child support shall be accompanied by ~~the Judicial Council form "Stipulation to Establish or Modify Child Support (FL-350)"~~ or must contain language consistent with that form. If either party is receiving public assistance, the signature of an attorney in the DCSS consenting to the child support provision must be affixed to the judgment. The Judgment shall contain a provision for health insurance pursuant to Family Code §§ 3750-3753.

C. Spousal Support. Spousal support for each party must be addressed. A support amount may be requested, support may be terminated, or the issue may be reserved. Spousal support provisions must state beginning, ending and due dates. A marriage of 10 years or longer is presumptively a long-term marriage. In such cases, absent a written agreement to the contrary, the Court will reserve jurisdiction to award spousal support to both parties.

D. Child Custody and Visitation. All judgments must contain provision for legal and physical custody. Where the judgment is taken by default, and either supervised visitation or denial of visitation is requested, unless a written agreement of the parties concerning custody and visitation is submitted with the Judgment, a factual declaration under penalty of perjury shall be submitted with the judgment which shall include the following:

1. *Where a party is seeking to deny visitation between a child and the defaulting party:* The specific reasons visitation should be denied; the date upon which the last visitation between the child and the defaulting party occurred; and a statement either that the whereabouts of the defaulting party is unknown, or, if known, the defaulting party's address.

2. *Where a party is seeking supervised visitation between a child and the defaulting party:* The reasons such visitation should be supervised; when and where supervised visitation should occur; the name and address of the person or agency who/which will perform the supervision; and the method by which the supervisor is to be compensated.

3. *Other information.* The date upon which the parties separated, the identity of the primary caretaker of the child(ren) during the last six months and the extent of contact between the child and the non-caretaker parent during that time.

The Declaration shall be mailed to the defaulting party with the Request to Enter Default (FL-165).

E. Community and/or Separate Property. No division of community property (assets or debts) or confirmation of separate property will be ordered, unless there is either an attached written agreement between the parties settling those issues, or there is a completed Property Declaration (FL-160) attached to and served with the Request to Enter Default (FL-165).

[Rule 6.27 adopted effective 5/1/98; amended 1/1/20; renumbered as Rule 7.27 effective 1/1/22; amended 7/1/24; amended 1/1/27]

7.33 COURT REPORTERS

Court reporting services may also be provided at the request of the Court or the parties for certain types of family law proceedings. These services, however, will be subject to the availability of a court reporter and the cost of court reporting services will typically be borne by

the parties. ~~Use of electronic recording in lieu of using a court reporter is not permitted by law in any family law proceeding.~~ For information on how to request the services of a court reporter, please see Local Rule 1.18.

In addition, and in accordance with Family Violence Appellate Project v. Superior Court of Contra Costa County 2026 WL 2291541, and under the Court's inherent power and obligation to facilitate meaningful access to justice for indigent litigants, if no official court reporter is available and a party cannot afford to pay for a private court reporter, at the request of such party, the court will provide an official verbatim record of proceedings by means of electronic recording.

[Rule 6.33 adopted effective 7/1/15; amended 7/1/18; renumbered as Rule 7.33 effective 1/1/22; amended 11/27]

7.34 SERVICE OF SUMMONS BY PUBLICATION OR POSTING ~~SERVICE OF SUMMONS BY PUBLICATION OR POSTING~~

If the ~~r~~Respondent cannot be found to be served a ~~s~~Summons, the ~~p~~Petitioner may ~~request an order for service of the summons by publication or posting~~ file an Application for Service by Publication or Posting (FL-980) and a proposed Order for Service by Publication or Posting (FL-982). Posting may be ordered only if the court finds that the ~~P~~petitioner is eligible for an Order on Court Fee Waiver ~~waiver of court fees and costs~~. To ~~request service of summons by publication or posting, the petitioner must complete and submit to the court an original and one copy of an Application for Order for Publication or Posting (Judicial Council Form FL-980) and Order for Publication or Posting (Judicial Council Form FL-982) with a self-addressed stamped envelope.~~ If Petitioner seeks an order for Posting, the petitioner must also submit a blank Proof of Service by Posting (~~Judicial Council Form~~ FL-985) which will be completed by the Court Clerk who posts the documents.

[Rule 6.34 adopted effective 1/1/16; renumbered as Rule 7.34 effective 1/1/22; amended 1/1/26; amended 1/1/27]

7.35 APPOINTMENT OF ELISOR

A. Request for Order. A court order for the appointment of an Elisor must be made by a ~~R~~request for Oorder (FL-300). The ~~R~~request for Oorder (FL-300) must include at least one supporting declaration with a list of the exact documents the Elisor is being asked to sign. The request must be accompanied by a proposed order.

B. Mandatory Information in Supporting Declaration(s). The supporting declaration(s) must include all of the following:

1. The title, date, page(s) and line(s) of the court order upon which the request to appoint an Elisor is based.
2. A description of the good faith efforts to meet and confer to resolve the issue informally.
3. Specific facts establishing the necessity of the appointment of an Elisor, including the reason, by a person with personal knowledge, why each document requires the Elisor's signature.

C. Mandatory Language in Proposed Order. The proposed order must include all of the following:

1. Designate "The Clerk of the Court or Clerk's Designee" as the Elisor. ~~The order~~ The order cannot state a name or title of a specific court employee.

2. State the party's name for whom the Elisor is being appointed; the exact title or a sufficient description that accurately identifies each document to be signed; and the capacity in which the Elisor will be signing each document.

D. Mandatory Additional Requirements.

1. Copies of all documents to be signed must be attached to the proposed order.
2. The original documents presented to the Elisor for signing must be identical to the copies of the documents attached to the proposed order.

E. Order Granted.

1. If the court grants the order, the party must contact the administrative office (Room 116) to schedule an appointment for the actual signing of the documents.
2. If the Elisor is signing documents requiring notarization, the party must arrange for a notary public to be present when the Elisor signs the documents.

[Rule 7.35 adopted effective 1/1/25;amended 1/1/27]