

SUPERIOR COURT OF CALIFORNIA  
County of Marin



NOTICE

**Revision of the Uniform Local Rules of Court  
for July 2025**

(California Rule of Court 10.613)

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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](mailto:administration@marin.courts.ca.gov)

Written comments or proposed changes should be submitted to the above no later than **Tuesday, May 12, 2025 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](mailto:administration@marin.courts.ca.gov).

March 28, 2025

**MARIN COUNTY SUPERIOR COURT**

**LOCAL RULE REVISION TABLE  
FOR JULY 2025**

**NEW / DELETED / REVISED / RENUMBERED / RENAMED**

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7.26			DEFAULT OR UNCONTESTED JUDGMENT BY AFFIDAVIT OR DECLARATION	

★ = DELETED

## GENERAL ADMINISTRATIVE RULES

### **1.20 ~~TELEPHONIC REMOTE~~ APPEARANCES – CIVIL, FAMILY, PROBATE, AND APPELLATE DIVISIONS**

~~**A. — Telephonic Appearances.** Parties shall schedule their telephonic appearance through vCourt, a Court run telephonic appearance system two (2) court days prior to a hearing. To register for a telephonic appearance, go to the Court’s website and click on vCourt system to sign up. You cannot register for a telephonic appearance over the phone. There shall be a charge for each telephonic appearance, pursuant to California Rules of Court, Rule 3.670. There may be an additional charge for appearances scheduled less than two (2) court days prior to the scheduled hearing.~~

A party making a **telephonic-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.

~~**B. — Child Support Hearings Involving DCSS.** For telephonic appearances in cases involving DCSS, the requesting party must submit to the Court a Request for Telephone Appearance form (FL 679) at least twelve (12) court days prior to the hearing pursuant to CRC 5.324. The Court will provide the requesting party with the telephone number and conference call passcode if the request is approved.~~

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

### **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 for All Cases, Including Criminal.**

**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, ~~all misdemeanor and felony criminal cases, and all juvenile 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) The following documents must be presented to the Clerk of the Court in paper form for issuance: Writs, Abstracts and Out of State Commissions, Sister State Judgments, Subpoenas for Out of State Actions, Certificate of Facts re: Unsatisfied Judgments, Letters issued by the Probate Court, Citations issued by the Probate Court, and Payee Data Record Form.

(c) 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.

(d) 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.

(e) 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 Court. 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 Court 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 Court’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](http://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 Court's E-filing system, parties that do not have computer systems that are integrated with the Court's case management system 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.

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

### **1.53 REMOTE APPEARANCE – INTERPRETER NOTIFICATION**

Parties appearing remotely and requiring an interpreter must file the Court's local form INT001 at least five (5) court days prior to scheduled hearing.

## CIVIL RULES

### **2.8 MISCELLANEOUS GENERAL PROVISIONS**

**A. Copies for Filing.** The following applies to those who have been excused by the Court from E-filing. A filing must include an original and one copy of each motion, petition for writ of mandate, attachment or possession, preliminary injunction, demurrer, and all other papers filed in support or opposition. The copy should be identified as such on the upper right-hand corner of the document and should contain the same items as the original with regard to tabs, etc., including any highlighting.

**B. Conformed Copies.** The following applies to those who have been excused by the Court from E-filing. If a conformed copy is desired, an additional copy must be submitted. The Court will conform a maximum of two copies of any pleading at the time of filing. Parties requesting that the Court mail them conformed copies of their filings must provide a self-addressed stamped envelope of proper size and with sufficient postage. 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.

#### **C. Attachment of Previously Filed Documents.**

1. Parties shall not attach previously filed documents, other than certain motions as specified in MCR Civ 2.8C2, to a filed pleading.

2. For demurrers, motions to strike, motions for judgment on the pleadings, and motions for summary judgment / summary adjudication, parties shall attach the operative pleading as an exhibit. All referenced exhibits must be bookmarked.



**D. Filing Documents on Shortened Time.** All motions or other pleadings filed on an order shortening time shall state on the caption page that the matter was brought on an order shortening time, with the file date of the order.

**E. Court's Research Staff.** Parties shall not initiate communications with the Court's research attorneys.

**F. Documents Filed or Conditionally Filed Under Seal.** For parties filing documents under seal or conditionally under seal, all redacted portions of the public filings shall be highlighted on the documents filed or conditionally filed under seal for the Court's ease of reference.

**G. Unopposed Motions and Untimely Oppositions.**

1. A failure to file an opposition to a motion may be deemed consent to the granting of such motion, with the exception that a motion for summary judgment and/or adjudication pursuant to Code of Civil Procedure section 437c may not be granted solely based on the failure to file an opposition. (See, e.g., CRC 8.54(c) ["A failure to oppose a motion may be deemed a consent to the granting of the motion"]; see also *Herzberg v. County of Plumas* (2005) 133 Cal. App.4th 1, 20 [failure to oppose a demurrer may be construed as having abandoned the claims].)

2. The Court may decline to consider any memorandum or other document not filed within the deadline set by the applicable statute. The failure to file any required document, or the failure to file it within the deadline, may be deemed consent to the granting of the motion, but for motions for summary judgment and/or adjudication pursuant to Code of Civil Procedure section 437c.

*[Rule 1.8 adopted effective 5/1/98; amended and renumbered as Rule 2.8 effective 1/1/22]*

**2.20 SMALL CLAIMS EXHIBITS**

**Plaintiffs:**

Small Claims plaintiffs are encouraged to attach their evidence (documents and/or photographs) to their *Plaintiff's Claim and ORDER to Go to Small Claims Court* (Form SC-100). The evidence will then be served at the same time as the SC-100.

A plaintiff can also use *Small Claims Evidence Cover Sheet* (Local Form SC015) and follow the service and filing instructions included on the form.

**Defendants:**

Small Claims defendants are encouraged to attach their evidence (documents and/or photographs) to their *Defendant's Claim and ORDER to Go to Small Claims Court* (Form SC-120). The evidence will then be served at the same time as the SC-120.

If the defendant does not have a claim, a defendant can use *Small Claims Evidence Cover Sheet* (Local Form SC015) and follow the service and filing instructions included on the form.

All Small Claims customers can file their documents (including evidence) either in person in Room 113 or via eFile.

### **2.202.21 SANCTIONS**

If the Court finds that any counsel, a party represented by counsel, or a self-represented party has failed to comply with these local rules, the Court on motion of a party or on its own motion may strike out all or any part of any pleading of that party, or, dismiss the action or proceeding or any part of it, or enter a judgment by default against a party, or impose other penalties of a lesser nature as otherwise provided by Law. The Court also may order a party or a party's counsel to pay the moving party's reasonable expenses in making the motion for sanctions, including reasonable attorney fees.

*[Rule 1.20 adopted effective 5/1/98; amended 7/1/15; renumbered as Rule 2.20 effective 1/1/22]*

### **2.212.22 DOCUMENTS NOT FILED OR ADMITTED AT HEARING OR TRIAL**

Documents not filed or admitted at a hearing or trial and left at the courthouse will be discarded immediately following the hearing or trial without notice to the parties. This includes binders and boxes containing the documents.

*[Rule 1.21 adopted effective 1/1/15; amended 7/1/15; renumbered as Rule 2.21 effective 1/1/22]*

### **2.222.23 PROCEDURES FOR HANDLING MEDIATOR COMPLAINTS**

A complaint about conduct of a mediator on the mediation panel will be directed to the presiding judge. The Court will maintain a file of each complaint and its disposition. The presiding judge or a judge or judges designated by the presiding judge will review each complaint promptly. Each complainant will be notified promptly in writing of the disposition of the complaint.

*[Rule 1.22 adopted effective 1/1/04; amended 7/1/15; renumbered as Rule 2.22 effective 1/1/22]*

## FELONY RULES

### **3.13 PETITIONS FOR DISMISSAL OF CRIMINAL CONVICTION (PENAL CODE §§ 17, 1203.4, 1203.4a)**

A petition may be submitted on or in conjunction with Judicial Council form CR-180. When the petition is filed, Judicial Council form CR-181 or an Order, must be submitted. The petitioner shall serve a filed copy of the petition to the District Attorney's Office and file proof of service with the Court. If the District Attorney objects to the petition, opposition to the petition shall be filed within ~~sixty (60)~~ forty-five (45) court days, and the matter shall be set for hearing within thirty (30) court days. The hearing shall be set in the department of the Judicial Officer who is currently assigned to the department in which the matter was previously heard, or

at the direction of the Supervising Judicial Officer of the Criminal Division. If the District Attorney does not object to the petition, it will be submitted to an assigned Judicial Officer for approval.

*[Rule 2.13 adopted effective 7/1/07; amended and renumbered as Rule 3.13 effective 1/1/22; amended 7/1/24]*

### **3.14 PETITIONS TO SEAL ARREST AND RELATED RECORDS (PENAL CODE § 851.91) AND MOTION TO VACATE CONVICTION OR SENTENCE (PENAL CODE §§ 1016.5, 1473.7)**

A petition to Seal Arrest and Related Records (Penal Code § 851.92) may be submitted on or in conjunction with form CR-409. A Motion to Vacate Conviction or Sentence (Penal Code §§ 1016.5, 1473.7) may be submitted on or in conjunction with Judicial Council form CR-187 and Order on Motion to Vacate Conviction or Sentence form CR-188. The petitioner shall serve a filed copy of the motion or petition to the District Attorney's Office and file proof of service with the Court. If the District Attorney objects to the motion or petition, an opposition shall be filed within ~~sixty (60)~~ forty-five (45) court days, and the matter shall thereafter be set for hearing within thirty (30) court days. The hearing shall be set in the department of the Supervising Judicial Officer of the Criminal Division or the Judicial Officer who is currently assigned to the department in which the matter was previously heard. If the District Attorney does not object to the motion or the petition, it will be submitted to an assigned Judicial Officer for approval.

*[Rule 2.14 adopted effective 1/1/19; renumbered as rule 3.14 effective 1/1/22; amended 7/1/24]*

### **3.19 MENTAL HEALTH DIVERSION PETITIONS**

Any doctor's report that would be submitted as an attachment to the petition, must be submitted as a separate confidential document. The attachment shall indicate CONFIDENTIAL ATTACHMENT TO MENTAL HEALTH DIVERSION PETITION, and include the case name, case number, and scheduled court event.

## **FAMILY LAW RULES**

### **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), , and blank Restraining Order After Hearing (DV-130) and (if counsel) file it electronically or (if a self-represented litigant who does not wish to file electronically) give it to the clerk in room 113 before ~~10:00~~ 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 applicant may pick up the temporary restraining order documents at the Clerk's Office after 3:00 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 Court's website at: [www.marin.courts.ca.gov](http://www.marin.courts.ca.gov).

**B. Termination or Modification of a Domestic Violence Restraining 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 on 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]

## 7.14 CHILD AND SPOUSAL SUPPORT PROCEEDINGS

**A. Computer Software Use.** All family law departments except DCSS use ~~the DissoMaster~~ **Xspouse or Family Law Software** program to calculate guideline child support and temporary spousal support. DCSS uses the [California Guideline Child Support Calculator](#) to calculate guideline child support and temporary spousal support. DCSS also uses ~~the~~

DissoMaster Xspouse or Family Law Software program to prepare bonus support schedules when needed.

## 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)~~ **forty-five (45)** 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 [no later than ~~ten (10)~~ **thirty (30)** court days before the BBSC]. The BBSC statements will be forwarded by the court to the Judge Pro Tem and panelists.

If **one party or** neither party submits timely BBSC Statements, an Order to Show Cause (OSC) will be set **fifteen (15)** days prior to the BBSC. Following the OSC, ~~the BBSC will~~ may be taken off calendar and sanctions may be imposed. ~~; 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 his/her 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 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]*

## 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 (Judicial Council Form FL-170).

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

3. Judgment (Judicial Council Form FL-180) with any attachments: ~~original and copies if hard copies are requested.~~

4. Notice of Entry of Judgment (Judicial Council Form FL-190): ~~original and two (2) copies with two (2) envelopes addressed to the parties (or the attorneys of record) of sufficient size and with proper postage for the return of a copy of the Judgment and any attachments. The return address should be that of the Court Clerk.~~

5. Copies of the judgment 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]*