

**1. CIVIL RULES ..... 1**

**GENERAL PROVISIONS**

1.1	CITATION .....	1	7/1/15
1.2	APPLICATION OF RULES.....	1	7/1/15

**ADMINISTRATION OF CIVIL LITIGATION**

1.3	FORMS TO BE ISSUED BY CLERK UPON FILING OF COMPLAINT .....	1	7/1/15
1.4	CASE MANAGEMENT CONFERENCES.....	1	7/1/15
1.5	SERVICE OF SUMMONS AND COMPLAINT .....	2	7/1/15
	A. Forms With Summons and Complaint and Return of Proof of Service		
	B. Sanctions		
	C. New Parties in Cross-Complaint		
1.6	RESPONSIVE PLEADING.....	2	7/1/15
	A. Service		
	B. Entry of Default		

**LAW AND MOTION MATTERS**

1.7	FORM AND FORMAT OF PAPERS PRESENTED FOR FILING .....	3	7/1/15
	A. Documents Presented for Filing		
	B. Discovery Motions		
1.8	MISCELLANEOUS GENERAL PROVISIONS.....	3	7/1/15
	A. Copies for Filing		
	B. Conformed Copies		
	C. Attachment of Previously Filed Documents		
	D. Filing Documents on Shortened Time		
	E. Court's Research Staff		
1.9	HEARINGS .....	3	7/1/15
	A. Hearing Dates		
	B. Continuances		
	C. Removing Matters From Calendar		
1.10	TENTATIVE RULINGS.....	4	7/1/15
	A. Obtaining Rulings		
	B. Oral Argument		
	C. Length of Hearings		
	D. Sanction Requests		
1.11	ORDERS.....	4	7/1/15
1.12	APPLICATIONS FOR EX PARTE ORDERS, PROVISIONAL REMEDIES AND ORDERS SHORTENING TIME .....	4	7/1/15
1.13	DISCOVERY FACILITATOR PROGRAM .....	5	7/1/16
	A. Policy of the Marin County Superior Court		
	B. Participation in the Program		
	C. Discovery Facilitator Panel		
	D. Selection of a Discovery Facilitator		
	E. Facilitator Process		

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

ADOPTED/  
PAGE AMENDED

1.13 DISCOVERY FACILITATOR PROGRAM cont'd ..... 5 7/1/16  
F. Compensation  
G. Resolution  
H. Declaration of Non-Resolution

**SETTLEMENT AND ISSUE CONFERENCES**

1.14 SETTLEMENT CONFERENCE..... 7 7/1/15  
A. Mandatory Settlement Conference  
B. Settlement Conference Statement  
C. Required Attendance  
D. Sanctions  
1.15 ISSUE CONFERENCE..... 7 7/1/15  
A. Attendance  
B. Documents to be Filed for Issue Conference  
C. Issue Conference Statements

**RULES FOR CERTAIN CIVIL CASE TYPES**

1.16 APPROVAL OF COMPROMISE OF MINOR'S CLAIM ..... 8 7/1/15  
A. Application  
B. Attorney's Fees  
C. Forms to Deposit Money  
D. Hearing Assignment  
1.17 UNLAWFUL DETAINERS..... 9 7/1/15  
A. Settlement Conferences  
B. Orders  
1.18 UNINSURED MOTORIST CASES ..... 9 7/1/15  
A. Required Declaration  
B. Court Designation  
1.19 SMALL CLAIMS CONTINUANCES ..... 9 7/1/15  
1.20 SANCTIONS ..... 10 7/1/15  
1.21 TELEPHONE APPEARANCES ..... 10 7/1/15  
1.22 DOCUMENTS NOT FILED OR ADMITTED AT HEARING OR TRIAL..... 10 7/1/15  
1.23 PROCEDURES FOR HANDLING MEDIATOR COMPLAINTS ..... 10 7/1/15

**APPELLATE DIVISION**

1.24 COPIES..... 10 7/1/15  
1.25 RECORD ON APPEAL ..... 11 7/1/15  
A. Record on Appeal  
B. Settled Statement on Appeal

**2. FELONY AND MISDEMEANOR RULES ..... 13**

2.1 CITATION ..... 13 1/1/13

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>2.2 ASSIGNMENT OF CRIMINAL MATTERS .....</b>	<b>13</b>	<b>1/1/16</b>
A. New Out of Custody Misdemeanor Complaints		
B. New Felony Complaints - no other criminal matters pending		
C. New In-Custody Misdemeanor Complaints - no other criminal matters pending		
D. Post Release Community Supervision Petitions		
E. Petitions to Revoke or Modify Probation or Terminate Diversion		
F. New Criminal Complaints - other felony matters pending		
G. New Criminal Complaints With Multiple Defendants - other felony matters pending		
H. Assignment of Cases from Department M		
<b>2.3 SETTING OF ARRAIGNMENT DATES AND FILING OF CRIMINAL COMPLAINTS .....</b>	<b>14</b>	<b>1/1/16</b>
A. Misdemeanor and Felony Out-of-Custody Arraignment Dates		
B. Misdemeanor In-Custody Complaints		
C. Felony In-Custody Complaints		
D. Out-of-Custody Criminal Complaints		
E. Search Warrants		
<b>2.4 BENCH WARRANTS .....</b>	<b>15</b>	<b>1/1/17</b>
<b>2.5 LETTER PLEAS IN MISDEMEANOR CASES .....</b>	<b>16</b>	<b>1/1/17</b>
<b>2.6 MOTIONS .....</b>	<b>16</b>	<b>7/1/15</b>
<b>2.7 MOTIONS TO DISMISS PURSUANT TO PENAL CODE §995.....</b>	<b>16</b>	<b>5/1/98</b>
<b>2.8 MOTIONS FOR CONSOLIDATION .....</b>	<b>16</b>	<b>1/1/13</b>
<b>2.9 APPLICATION OF OVERPAYMENTS .....</b>	<b>16</b>	<b>1/1/13</b>
<b>2.10 TRIAL READINESS CONFERENCE .....</b>	<b>16</b>	<b>1/1/16</b>
A. Felonies		
B. Misdemeanors		
C. Requests to Continue Felony or Misdemeanor Trials		
D. Time for Submission		
E. Form		
<b>2.11 ADDING CASES TO CALENDAR.....</b>	<b>17</b>	<b>7/1/15</b>
<b>2.12 GUARDIANS AD LITEM .....</b>	<b>17</b>	<b>1/1/13</b>
<b>2.13 PETITIONS FOR DISMISSAL OF CRIMINAL CONVICTION (PENAL CODE §§ 17, 1203.4, 1203.4a).....</b>	<b>18</b>	<b>7/1/13</b>
<b>2.14 CRIMINAL PROTECTIVE ORDERS INVOLVING CHILD CUSTODY OR VISITATION .....</b>	<b>18</b>	<b>7/1/08</b>
A. Inquiry by the Court		
B. Court’s Consideration		
C. Database Review		
D. Modification		
E. Copy of Order to Family Law Department		
<b>2.15 ENHANCED COURT COLLECTIONS PROGRAM.....</b>	<b>18</b>	<b>1/1/13</b>
<b>2.16 CLERK’S OFFICE – FINANCIAL SCREENING AND COMMUNITY SERVICE WORK UNIT.....</b>	<b>19</b>	<b>1/1/14</b>
A. Authority for Clerk’s Office to Establish Payment Terms for Court Ordered Fines, Fees, Penalty Assessments and Surcharges		
B. Requests to Perform Community Service Work		
C. Requests for Installment Payment Plan		

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>2.17 MODIFICATION OF TERMS AND CONDITIONS OF MISDEMEANOR PROBATION .....</b>	<b>20</b>	<b>1/1/14</b>
A. Authority of Clerk’s Office to Modify Terms and Conditions of Misdemeanor Probation		
B. Requests for Modifications That Must Be Submitted to the Clerk’s Office		
C. Requests for Modifications That Must Be Submitted to the Judicial Officer Who Pronounced Judgment		
<b>2.18 APPEALS .....</b>	<b>22</b>	<b>1/1/16</b>
 <b>3. INFRACTION RULES .....</b>	 <b>23</b>	
<b>3.1 CITATION .....</b>	<b>23</b>	<b>1/1/12</b>
<b>3.2 FILINGS .....</b>	<b>23</b>	<b>1/1/12</b>
<b>3.3 COURT SESSIONS .....</b>	<b>23</b>	<b>1/1/12</b>
<b>3.4 ARRAIGNMENTS .....</b>	<b>23</b>	<b>1/1/14</b>
<b>3.5 CONTINUANCES .....</b>	<b>23</b>	<b>1/1/12</b>
<b>3.6 TRIAL CONTINUANCES .....</b>	<b>23</b>	<b>1/1/12</b>
<b>3.7 ALTERNATE PROCEDURES FOR JUDICIAL REVIEW OF INFRACTION MATTERS.....</b>	<b>23</b>	<b>1/1/17</b>
A. Ex Parte Judicial Review by Written Declaration or Request		
B. Monthly Calendar for Personal Appearance		
C. Appearance at Contested Court Trial		
<b>3.8 ADJUDICATION OF MISCELLANEOUS INFRACTION MATTERS .....</b>	<b>25</b>	<b>1/1/17</b>
A. Clerks’ Authority in Infraction Cases Not Transferred to Court Collections		
B. Requests Neither the Court nor Clerks Will Grant		
<b>3.9 APPEALS .....</b>	<b>27</b>	<b>1/1/13</b>
<b>3.10 ENHANCED COURT COLLECTIONS PROGRAM.....</b>	<b>27</b>	<b>1/1/12</b>
<b>3.11 APPLICATION OF OVERPAYMENTS .....</b>	<b>28</b>	<b>1/1/13</b>
 <b>4. JUVENILE DEPENDENCY COURT RULES.....</b>	 <b>29</b>	
<b>4.1 CITATION .....</b>	<b>29</b>	<b>1/1/15</b>
<b>4.2 GENERAL COMPETENCY REQUIREMENT .....</b>	<b>29</b>	<b>7/1/07</b>
A. Right to Competent Counsel		
B. Minimum Standards Applicable to All Counsel		
<b>4.3 SCREENING FOR COMPETENCY.....</b>	<b>29</b>	<b>1/1/15</b>
A. Requirements for Court Appointments for Dependency Representation		
B. Admission for Private Counsel to Practice Before the Juvenile Court		
C. Court's Discretion		
D. Out of County Attorneys		
<b>4.4 MINIMUM STANDARDS OF EDUCATION AND TRAINING .....</b>	<b>30</b>	<b>1/1/15</b>
A. Minimum Requirements		
B. Renewal of Certification – Continuing Education		

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>4.5 STANDARDS OF REPRESENTATION.....</b>	<b>30</b>	<b>1/1/15</b>
A. Investigation		
B. Interests of Client		
C. Advising the Client		
D. Cooperation		
E. Duty to Continue Representation Unless Relieved by the Court		
F. Procedures for Reviewing and Resolving Complaints Concerning Attorneys		
G. Informing the Court of a Dependent Child’s Interest in Another Proceeding, Court or Forum		
<b>4.6 GENERAL RULES FOR DEPENDENCY CASES (W&amp;I §300 ET SEQ.).....</b>	<b>32</b>	<b>1/1/15</b>
A. Calendars and Case Assignments		
B. Availability for Contested Hearing		
C. Adding Matters to Calendar		
D. Interpreters		
E. In-Custody Parents		
F. Confidentiality		
G. Psychological and Psychiatric Evaluations		
H. Authorization to Administer Psychotropic Medication		
I. CASA Report Procedure		
<b>4.7 DISCOVERY .....</b>	<b>35</b>	<b>1/1/15</b>
<b>4.8 PERIODIC JUVENILE DEPENDENCY MEETINGS .....</b>	<b>35</b>	<b>1/1/15</b>
A. Juvenile Dependency Team Meetings		
B. Juvenile Dependency Court Inter-Agency Meetings		
<b>4.9 TRIAL.....</b>	<b>36</b>	<b>1/1/04</b>
A. Attendance of Assigned Social Workers		
B. Elective Trial by Declaration		
C. Trials Other Than by Declaration – Witness Testimony		
 <b>5. PROBATE RULES.....</b>	 <b>37</b>	
 <b>ORGANIZATION - ADMINISTRATION - PROCEDURE</b>		
<b>5.1 CITATION .....</b>	<b>37</b>	<b>5/1/98</b>
<b>5.2 CASE ASSIGNMENT FOR ALL PURPOSES.....</b>	<b>37</b>	<b>7/1/15</b>
<b>5.3 COURT HEARING PROCEDURE GENERALLY AND ORDERS .....</b>	<b>37</b>	<b>7/1/15</b>
A. "Ready" and "Not Ready" Matters		
B. Order of Calendar Call and Witnesses		
C. Oral Objection		
D. Orders		
E. File Review Prior to Hearing; Telephone for Probate Recording		
F. Appearance Not Required		
G. Appearance Required		
H. Telephone Appearances		
<b>5.4 CONTINUANCES.....</b>	<b>38</b>	<b>7/1/08</b>
A. Renotice Requirements on Continuances and Off-Calendar Matters		
B. Continuance Requested by Counsel		

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>5.5 EX PARTE MATTERS.....</b>	<b>39</b>	<b>7/1/15</b>
A. Contents of Petition		
B. Notice Allegation		
C. Presentation of Petition		
D. Separate Order Must Accompany Petition		
<b>5.6 QUESTIONS OF PROCEDURE .....</b>	<b>39</b>	<b>7/1/08</b>
<b>5.7 SETTLEMENT CONFERENCES.....</b>	<b>39</b>	<b>1/1/17</b>
A. Mandatory Settlement Conference		
B. Settlement Conference Statement		
C. Required Attendance		
D. Sanctions		

**PLEADINGS, ORDERS AND NOTICE**

<b>5.8 CONFORMED COPIES.....</b>	<b>40</b>	<b>1/1/10</b>
<b>5.9 FORMS APPROVED BY JUDICIAL COUNCIL .....</b>	<b>40</b>	<b>7/1/08</b>
<b>5.10 DECLARATIONS .....</b>	<b>41</b>	<b>1/1/04</b>
<b>5.11 CONTENT OF PROBATE ORDERS .....</b>	<b>41</b>	<b>7/1/15</b>
<b>5.12 ORDERS FOR CONTINUING PAYMENTS MUST HAVE TIME LIMITS.....</b>	<b>41</b>	<b>5/1/98</b>
<b>5.13 NOTICES (SEE ALSO CRC 7.51).....</b>	<b>41</b>	<b>1/1/14</b>
A. Generally		
B. Notices to Minors		
C. Direct Notice Required		
D. Notice to Guardians, Conservators, Conservatees		
E. Notice to Heirs and Devisees Without Known Addresses		
F. Notice to Trust Beneficiaries		
G. Notice on Termination of Guardianships and Conservatorships		
H. Notice to Heirs and/or Beneficiaries of a Deceased Beneficiary		
I. Posted Notice		

**SPOUSAL PROPERTY PETITION AND ELECTION**

<b>5.14 FILING AND CONTENTS OF SPOUSAL PROPERTY PETITION .....</b>	<b>43</b>	<b>1/1/04</b>
<b>5.15 REQUIRED ALLEGATIONS.....</b>	<b>43</b>	<b>7/1/00</b>
A. Source of Property		
B. Claims Based on Documents		
<b>5.16 ELECTION OF SURVIVING SPOUSE TO ADMINISTER.....</b>	<b>43</b>	<b>5/1/98</b>

**APPOINTMENT OF EXECUTORS AND ADMINISTRATORS:  
PROOF OF WILLS**

<b>5.17 SPECIAL LETTERS OF ADMINISTRATION.....</b>	<b>44</b>	<b>1/1/14</b>
<b>5.18 PETITION FOR PROBATE OF WILL AND LETTERS OF ADMINISTRATION .....</b>	<b>44</b>	<b>7/1/13</b>
A. Holographic Will and Foreign Language Will		
B. Attachments		
C. Listing Devisees and Heirs		
D. Value of Estate		

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>5.19 NOTICE REQUIREMENTS OBTAINING LETTERS IN DECEDENT'S ESTATES .....</b>	<b>45</b>	<b>7/1/15</b>
A. Letters Testamentary and Letters of Administration		
B. Methods of Giving Various Notices		
C. Requirement of Publication of Notice to Administer Estate		
D. Defective Notice		
<b>5.20 PROOF OF WILLS.....</b>	<b>45</b>	<b>5/1/98</b>
<b>5.21 LOST OR DESTROYED WILLS.....</b>	<b>46</b>	<b>1/1/04</b>
<b>5.22 WILL WITH DELETIONS OR INTERLINEATIONS .....</b>	<b>46</b>	<b>5/1/98</b>
 <b>BOND</b>		
<b>5.23 APPLICATION OF BOND SECTION .....</b>	<b>46</b>	<b>5/1/98</b>
<b>5.24 REQUIREMENT OF BOND/WAIVER OF BOND (SEE CRC 7.201).....</b>	<b>46</b>	<b>1/1/04</b>
A. Personal Representatives in Probate Estate		
B. Conservatorships/Guardianships		
<b>5.25 REDUCING BOND THROUGH USE OF DEPOSITORY FOR BLOCKED ACCOUNT .....</b>	<b>47</b>	<b>5/1/98</b>
A. Before Issuance of Letters		
B. After Appointment		
C. Direct Transmittal to Depository		
D. Withdrawals or Releases From Depository		
E. Letters		
<b>5.26 BOND MODIFICATION.....</b>	<b>47</b>	<b>5/1/98</b>
A. Duty and Application		
B. Bond Increase		
C. Bond Decrease		
<b>5.27 NONRESIDENT EXECUTORS .....</b>	<b>47</b>	<b>7/1/08</b>
<b>5.28 BOND OF SPECIAL ADMINISTRATORS .....</b>	<b>48</b>	<b>5/1/98</b>
 <b>INVENTORY AND APPRAISAL</b>		
<b>5.29 PREPARING INVENTORY AND APPRAISAL.....</b>	<b>48</b>	<b>1/1/04</b>
A. Preparation		
B. Due Date		
<b>5.30 APPOINTMENT OF REFEREE .....</b>	<b>48</b>	<b>5/1/98</b>
A. Procedure for Request		
B. Request for Particular Referee		
C. Waiver of Appointment of Referee		
<b>5.31 SUFFICIENCY OF BOND .....</b>	<b>48</b>	<b>5/1/98</b>
<b>5.32 OBJECTION TO APPRAISED VALUE OF ASSETS .....</b>	<b>48</b>	<b>7/1/10</b>
 <b>CLAIMS</b>		
<b>5.33 CLAIMS PROCEDURES.....</b>	<b>49</b>	<b>5/1/98</b>
<b>5.34 NOTICE TO CREDITORS .....</b>	<b>49</b>	<b>5/1/98</b>

**SALES OF ESTATE PROPERTY**

5.35 GENERAL INFORMATION ..... 49 7/1/08  
 A. Judicial Approval  
 B. Notice  
 C. Exclusive Listings for Sale of Property  
 D. Purchase of Estate Property by Personal Representative  
 5.36 SALES OF PERSONAL PROPERTY ..... 49 7/1/08  
 A. Tangible Personal Property  
 B. Securities  
 C. Condominiums, Community or Cooperative Apartments  
 5.37 RETURN OF SALE OF REAL PROPERTY ..... 50 5/1/98  
 A. Publication of Notice of Intention to Sell Real Property  
 B. Contents of Notice and Purpose of Notice  
 C. Effect of Notice  
 5.38 RETURN OF PRIVATE SALE FOR COURT CONFIRMATION ..... 51 7/1/08  
 A. Appraisal and Reappraisal  
 B. Market Exposure of Property  
 C. Second Deeds of Trust  
 D. Hearing on Return of Sale and Overbids  
 E. Earnest Money Deposit by Overbidder  
 F. Bond  
 G. Absence of Attorney for Estate at Confirmation Hearing  
 H. Partial Interest  
 5.39 BROKER'S COMMISSIONS..... 52 7/1/09  
 A. Improved Real Property  
 B. Unimproved Real Property  
 C. Commission Rates at Real Property Situs Will Apply  
 D. Broker Bidding for Own Account Not Entitled to a Commission  
 E. Broker's Commissions in Overbid Situations  
 F. Order Must Allocate Commission

**ACCOUNTS**

5.40 IN GENERAL ..... 53 7/1/10  
 5.41 BONDS..... 53 5/1/98  
 5.42 TRUSTEE'S FIRST ACCOUNT..... 53 5/1/98  
 5.43 WAIVER OF ACCOUNT ..... 53 5/1/98  
 A. By All Interested Parties  
 B. Effect of Waiver  
 C. Waiver by Trustee

**DISTRIBUTION OF PROBATE ESTATE**

5.44 NOTICE REQUIREMENTS ON PETITIONS FOR DISTRIBUTION ..... 54 5/1/98  
 A. Basic Notice Requirements  
 B. Notice to Prior Representative and Attorney  
 C. Proof of Notice  
 D. Additional Notices



MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>5.45 PRELIMINARY DISTRIBUTION</b> .....	<b>55</b>	<b>5/1/98</b>
A. Preliminary Distribution Under Probate Code §11620		
B. Ex Parte Petition for Preliminary Distribution		
<b>5.46 FINAL DISTRIBUTION IN GENERAL</b> .....	<b>55</b>	<b>5/1/98</b>
A. List of Assets and Description of Property Required		
B. Specific Statement How Estate to be Distributed		
C. Non-Prorata Distribution		
D. Decree of Distribution		
E. Preliminary Distribution Receipts		
<b>5.47 ADDITIONAL REQUIREMENTS RE: PETITION FOR FINAL DISTRIBUTION</b> .....	<b>56</b>	<b>7/1/15</b>
A. Allegations Relating to Creditor's Claims		
B. Allegations Relating to Independent Acts		
C. Allegations Relating to Character of Property		
D. Community and Quasi Community Property Elections		
E. Change of Ownership		
F. Payment of Taxes		
G. Retention of a Reserve		
<b>5.48 AGREEMENTS FOR DISTRIBUTION; ASSIGNMENTS; DISCLAIMERS</b> .....	<b>56</b>	<b>5/1/98</b>
A. Agreements		
B. Assignments		
C. Disclaimers		
<b>5.49 DISTRIBUTION TO PERSONS UNDER CONSERVATORSHIP OR GUARDIANSHIP</b> .....	<b>57</b>	<b>5/1/98</b>
<b>5.50 DISTRIBUTION TO MINORS</b> .....	<b>57</b>	<b>5/1/98</b>
A. Delivery to Parent		
B. Depository		
<b>5.51 DISTRIBUTIONS TO TRUSTEES</b> .....	<b>57</b>	<b>5/1/98</b>
<b>5.52 DISTRIBUTION TO REPRESENTATIVE OF DECEASED HEIR OR BENEFICIARY</b> .....	<b>57</b>	<b>5/1/98</b>
<b>5.53 DISTRIBUTION TO INTESTATE HEIRS</b> .....	<b>57</b>	<b>5/1/98</b>
<b>5.54 DISTRIBUTION TO "MISSING" HEIR</b> .....	<b>58</b>	<b>1/1/04</b>
<b>5.55 INTEREST ON GENERAL PECUNIARY LEGACIES</b> .....	<b>58</b>	<b>5/1/98</b>

**MISCELLANEOUS PETITIONS AND ORDERS**

<b>5.56 FAMILY ALLOWANCE</b> .....	<b>58</b>	<b>7/1/08</b>
A. Necessary Allegations of Petition		
B. Duration of Family Allowance		
C. Before Inventory Filed		
D. After Inventory Filed		
<b>5.57 STATUS REPORTS</b> .....	<b>59</b>	<b>7/1/15</b>
<b>5.58 OBTAINING FINAL DISCHARGE</b> .....	<b>59</b>	<b>7/1/15</b>
<b>5.59 PROCEEDINGS TO ESTABLISH FACT OF DEATH</b> .....	<b>59</b>	<b>5/1/98</b>
A. Filing Under Decedent's Name		
B. Separate Petition Preferred		
C. Property Description		

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>5.59 PROCEEDINGS TO ESTABLISH FACT OF DEATH cont'd .....</b>	<b>59</b>	<b>5/1/98</b>
D. Death Certificate		
E. Attorneys' Fees		
<b>5.60 PETITION TO ESTABLISH IDENTITY OF HEIRS.....</b>	<b>60</b>	<b>5/1/98</b>
<b>5.61 TRANSFER OF ESTATE PLANNING DOCUMENTS TO CLERK.....</b>	<b>60</b>	<b>1/1/14</b>

**GUARDIANSHIPS AND CONSERVATORSHIPS**

<b>5.62 TEMPORARY GUARDIANSHIPS AND CONSERVATORSHIPS.....</b>	<b>60</b>	<b>7/1/09</b>
A. Good Cause Required		
B. Presenting Petition		
C. Bond		
D. Notice		
E. Powers of Temporary Guardians and Conservators		
F. Special Powers		
G. Length of Appointment		
<b>5.63 GUARDIANSHIPS.....</b>	<b>61</b>	<b>7/1/15</b>
A. Notice of Petition for Appointment of Guardian		
B. Proposed Ward's Appearance at Hearing for Appointment of Guardian		
C. Investigative Reports		
D. Required Documents		
E. Inventory and Appraisal		
F. Accounts and Reports		
G. Guardianship Status Report		
H. Discharges		
I. Copies		
J. Current Address		
K. Use of Minor's Assets for Support		
<b>5.64 ORDERS FOR WITHDRAWALS OF FUNDS IN BLOCKED ACCOUNTS .....</b>	<b>64</b>	<b>1/1/10</b>
<b>5.65 DISPOSITION OF MINOR'S FUNDS (PROBATE CODE §3410).....</b>	<b>64</b>	<b>5/1/98</b>
A. Contents of Petition		
B. Notice		
C. Order		
<b>5.66 CONSERVATORSHIPS.....</b>	<b>65</b>	<b>7/1/15</b>
A. Special Requirements		
B. Appointment of Conservator		
C. Additional Powers of Conservator		
D. No Attorneys' Fees in Order Appointing Conservator		
E. Doctor's Declaration		
F. Professional Conservators		
G. Limited Conservatorships		
H. Petition for Substituted Judgment		
I. General Plan and Determination of Conservatee's Appropriate Level of Care		
<b>5.67 NOTICE IN CONSERVATORSHIP PROCEEDINGS.....</b>	<b>66</b>	<b>5/1/98</b>
A. On Petition for Appointment of Conservator		
B. Power of Attorney		
C. On Final Accounts		
D. Exclusive Broker Listings		

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>5.68 MEDICAL AUTHORIZATION FOR CONSERVATORS.....</b>	<b>67</b>	<b>1/1/06</b>
A. Medical Consent Authority		
B. Exclusive Medical Consent Authority		
<b>5.69 ACCOUNTS AND REPORTS IN CONSERVATORSHIP PROCEEDINGS.....</b>	<b>67</b>	<b>7/1/13</b>
A. Inventory and Appraisal		
B. Account and Report		
C. Waivers of Account		
D. Assessment Fees of Court Investigator		
<b>5.70 SALE OF RESIDENCE BY CONSERVATOR.....</b>	<b>68</b>	<b>5/1/98</b>
<b>5.71 TERMINATION OF CONSERVATOR .....</b>	<b>68</b>	<b>5/1/98</b>
A. Resignation of Conservator		
B. Petitions for Appointment of Successor Conservator		
C. Distribution of Assets		
<b>5.72 COURT APPOINTED ATTORNEYS FOR (PROPOSED) CONSERVATEE.....</b>	<b>68</b>	<b>1/1/14</b>
 <b>TRUSTS</b>		
<b>5.73 FILING OF ACTIONS CONCERNING TRUSTS .....</b>	<b>69</b>	<b>5/1/98</b>
A. Filed in Probate Court		
B. Filed as a Civil Action		
<b>5.74 NOTICE REQUIREMENTS CONCERNING TRUSTS.....</b>	<b>70</b>	<b>5/1/98</b>
A. Notice Generally		
B. Notice to Trust Beneficiaries		
<b>5.75 PETITIONS FOR TRANSFER OF PROPERTY TO TRUST</b> <b>(“HEGGSTAD PETITIONS”) .....</b>	<b>70</b>	<b>7/1/10</b>
A. Jurisdiction		
B. Notice Requirements		
C. Proof of Ownership		
<b>5.76 WAIVER OF ACCOUNT BY TRUSTEE.....</b>	<b>70</b>	<b>5/1/98</b>
<b>5.77 TRUSTEE'S FIRST ACCOUNT.....</b>	<b>71</b>	<b>5/1/98</b>
<b>5.78 DISTRIBUTIONS TO TRUSTEE .....</b>	<b>71</b>	<b>5/1/98</b>
<b>5.79 SUBSTITUTED JUDGMENT.....</b>	<b>71</b>	<b>5/1/98</b>
 <b>COMPENSATION</b>		
<b>5.80 STATUTORY COMPENSATION IN DECEDENT'S ESTATE.....</b>	<b>71</b>	<b>1/1/14</b>
A. Calculation Must be Shown		
B. Basis for Computing Statutory Compensation on Waiver of Accounting		
C. Expenses of Tax Related Services, Accounting and Bookkeeping		
D. Executor/Attorney Compensation on Sale of Real Property		
E. Reimbursement of Costs		
<b>5.81 EXTRAORDINARY COMPENSATION IN DECEDENT'S ESTATES.....</b>	<b>72</b>	<b>1/1/14</b>
A. Factors		
B. Declaration		
C. Paralegal Services		
D. Examples of Services		
E. Litigation Connected With Estate		
F. Proposed Order for Extraordinary Compensation in Decedent’s Estates		

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>5.82 PARTIAL ALLOWANCE OF COMPENSATION .....</b>	<b>73</b>	<b>5/1/98</b>
A. Statutory Compensation		
B. Apportionment		
C. Extraordinary Compensation		
<b>5.83 COMPENSATION FOR TRUSTEES AND THEIR ATTORNEYS.....</b>	<b>74</b>	<b>1/1/14</b>
A. Criteria		
B. Compensation of Trustees		
C. When Will or Trust Instrument Sets Trustee’s Fees		
D. Attorneys’ Compensation		
<b>5.84 COMPENSATION TO CONSERVATORS AND GUARDIANS AND THEIR ATTORNEYS.....</b>	<b>75</b>	<b>1/1/17</b>
A. Criteria		
B. Expenses That May Not Be Reimbursed		
C. Professional Licensed Fiduciary		
D. Corporate Conservator/Guardian – Percentage Guideline		
E. Non-Professional Conservators/Guardians		
F. Attorneys’ Compensation		
G. Compensation of Conservator or Conservator’s Attorney From Trust or Other Source		
<b>5.85 PROCEDURE FOR OBTAINING COMPENSATION .....</b>	<b>76</b>	<b>1/1/17</b>
A. Form of Application for Compensation		
B. Notice		
C. Notice to Prior Representative or Attorney		
 <b>LANTERMAN-PETRIS-SHORT (LPS) CONSERVATORSHIPS</b>		
<b>5.86 NOTICE OF EX PARTE APPLICATION FOR TEMPORARY CONSERVATORSHIP .....</b>	<b>76</b>	<b>1/1/13</b>
 <b>6. FAMILY LAW RULES .....</b>		
 <b>ADMINISTRATION OF FAMILY LAW LITIGATION</b>		
<b>6.1 CITATION .....</b>	<b>77</b>	<b>7/1/15</b>
<b>6.2 APPLICATION OF RULES.....</b>	<b>77</b>	<b>7/1/15</b>
<b>6.3 ASSIGNMENT TO JUDICIAL OFFICER.....</b>	<b>77</b>	<b>7/1/15</b>
<b>6.4 CONFORMED COPIES OF FILINGS .....</b>	<b>77</b>	<b>7/1/15</b>
<b>6.5 FAMILY CENTERED CASE RESOLUTION.....</b>	<b>78</b>	<b>7/1/15</b>
A. Policy and Effective Date		
B. Forms to be Issued by Clerk Upon Filing of Petition		
C. Service of Summons and Petition – Forms to be Served on Other Party		
D. Case Progress Conferences		
<b>6.6 EX PARTE MATTERS AND ORDERS .....</b>	<b>79</b>	<b>7/1/15</b>
A. Ex Parte Applications		
B. Conditions for Issuance of Ex Parte Orders		
C. Orders Shortening Time		

<b>6.7</b>	<b>SPECIAL PROCEDURES FOR RESTRAINING ORDERS AND INJUNCTIVE RELIEF PERTAINING TO DOMESTIC VIOLENCE (FAMILY CODE §§ 6200-6389).....</b>	<b>80</b>	<b>7/1/15</b>
------------	--	-----------	---------------

**LAW AND MOTION AND REQUEST FOR ORDER PROCEEDINGS**

<b>6.8</b>	<b>FORMAT OF SUPPORTING DOCUMENTS AND EXHIBITS .....</b>	<b>80</b>	<b>7/1/15</b>
	A. Minimize Number of Attachments		
	B. Discovery Motions		
	C. Discovery Exhibits		
	D. Prior Court Order		
	E. Attachment of Previously Filed Documents		
	F. Address Verification in Post-Judgment Proceedings		
<b>6.9</b>	<b>HEARING DATES .....</b>	<b>81</b>	<b>7/1/15</b>
<b>6.10</b>	<b>CONTINUANCES .....</b>	<b>81</b>	<b>7/1/15</b>
<b>6.11</b>	<b>REMOVING MATTERS FROM CALENDAR .....</b>	<b>81</b>	<b>7/1/15</b>
<b>6.12</b>	<b>HEARINGS .....</b>	<b>81</b>	<b>7/1/15</b>
	A. Tentative Rulings		
	B. Obtaining Tentative Rulings		
	C. Oral Argument		
	D. Length of Hearings		
<b>6.13</b>	<b>FINANCIAL INFORMATION TO BE PROVIDED TO THE COURT .....</b>	<b>82</b>	<b>7/1/15</b>
	A. Income and Expense Declaration With Supporting Documentation		
	B. Full Financial Disclosure		
	C. Required Supplemental Documentation		
	D. Support Calculations		
<b>6.14</b>	<b>CHILD AND SPOUSAL SUPPORT PROCEEDINGS .....</b>	<b>83</b>	<b>1/1/17</b>
	A. Computer Software Use		
	B. Temporary Spousal Support		
	C. Calculation of Time-Share With Children		
	D. Modification		

**DISCOVERY MATTERS**

<b>6.15</b>	<b>GENERAL DISCOVERY PROVISIONS .....</b>	<b>85</b>	<b>7/1/15</b>
	A. Policy Regarding One Deposition Rule		
<b>6.16</b>	<b>DISCOVERY FACILITATOR PROGRAM .....</b>	<b>85</b>	<b>7/1/15</b>
	A. Participation in the Discovery Facilitator Program		
	B. Discovery Facilitator Panel		
	C. Selection of a Discovery Facilitator		
	D. Facilitator Process		
	E. Compensation		
	F. Resolution		
	G. Declaration of Non-Resolution		

**CHILD CUSTODY/VISITATION**

**6.17 PROCEDURES..... 87 1/1/17**

- A. Initial Child Custody Recommending Counseling
- B. Existence of Criminal Protective Order
- C. Documents Provided to the Child Custody Recommending Counselor
- D. Contact With Family Court Services
- E. Statement of Agreement/Disagreement with FCS Recommendations
- F. Settlement Conferences
- G. Intake Sheet Required
- H. Interview of Child and Child in Court
- I. Child Endangerment
- J. Child Custody Recommending Counselor Recommendations and Testimony
- K. Child Custody Recommending Counselor Complaint Procedure

**6.18 COUNSEL FOR CHILD..... 89 1/1/13**

- A. Appointment of Attorney for Child
- B. Complaint Procedure for Minor’s Counsel

**6.19 CHILD CUSTODY EVALUATIONS..... 89 7/1/15**

- A. Child Custody Evaluators
- B. Appointment
- C. Contact With Evaluator
- D. Raw Data of Evaluator
- E. Report of Evaluator
- F. Prohibition of Dissemination of Report
- G. Peremptory Challenge to Evaluator
- H. Withdrawal by Evaluator
- I. Evaluator Complaint Procedure
- J. Fees
- K. Evaluator Domestic Violence Training
- L. Submission of Child to Evaluation

**6.20 SUPERVISED VISITATION ..... 91 1/1/14**

**6.21 PARENTING COORDINATOR..... 91 7/1/15**

**TRIAL SETTING/READINESS AND BENCH/BAR SETTLEMENT CONFERENCES**

**6.22 TRIAL READINESS CONFERENCE ..... 91 7/1/15**

- A. At-Issue Memorandum
- B. Mandatory Trial Readiness Conference

**6.23 SETTLEMENT CONFERENCE AND TRIAL SETTING ..... 92 7/1/15**

- A. Panel
- B. Attendance
- C. Trial Setting Conference
- D. Continuances

**6.24 BENCH/BAR SETTLEMENT CONFERENCE STATEMENT GENERALLY ..... 92 1/1/17**

- A. Issues and Contentions
- B. Filing
- C. Updated Preliminary Declarations of Disclosure

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

ADOPTED/  
PAGE AMENDED

<b>6.25</b>	<b>FORM AND CONTENTS OF BENCH/BAR CONFERENCE STATEMENT.....</b>	<b>93</b>	<b>7/1/15</b>
	A. Form		
	B. Contents: Statement of Issues, Property, and Income and Expense Data		

**JUDGMENTS**

<b>6.26</b>	<b>DEFAULT OR UNCONTESTED JUDGMENT BY AFFIDAVIT OR DECLARATION .....</b>	<b>95</b>	<b>1/1/13</b>
<b>6.27</b>	<b>DEFAULT OR UNCONTESTED JUDGMENTS GENERALLY .....</b>	<b>96</b>	<b>7/1/13</b>
	A. Support and/or Fee Awards		
	B. Child Support		
	C. Spousal Support		
	D. Child Custody and Visitation		
	E. Community and/or Separate Property		
<b>6.28</b>	<b>DEFAULT JUDGMENT WITH WRITTEN AGREEMENT OF THE PARTIES .....</b>	<b>97</b>	<b>1/1/13</b>

**FAMILY LAW FACILITATOR**

<b>6.29</b>	<b>GENERAL.....</b>	<b>97</b>	<b>7/1/15</b>
<b>6.30</b>	<b>PROTOCOL FOR DISQUALIFICATIONS .....</b>	<b>97</b>	<b>1/1/17</b>
<b>6.31</b>	<b>GRIEVANCE PROCEDURE.....</b>	<b>98</b>	<b>1/1/17</b>

**MISCELLANEOUS FAMILY LAW RULES**

<b>6.32</b>	<b>TELEPHONIC APPEARANCES .....</b>	<b>98</b>	<b>7/1/15</b>
	A. Telephonic Appearance Scheduling		
	B. Child Support Hearings Involving DCSS		
	C. Requirements for Parties Appearing Telephonically		
<b>6.33</b>	<b>DOCUMENTS NOT FILED OR ADMITTED AT HEARING OR TRIAL.....</b>	<b>98</b>	<b>7/1/15</b>
<b>6.34</b>	<b>COURT REPORTERS.....</b>	<b>98</b>	<b>7/1/15</b>
<b>6.35</b>	<b>SERVICE OF SUMMONS BY PUBLICATION OR POSTING.....</b>	<b>99</b>	<b>1/1/16</b>

**7. MISCELLANEOUS RULES..... 101**

<b>7.1</b>	<b>CITATION .....</b>	<b>101</b>	<b>1/1/10</b>
<b>7.2</b>	<b>CONDUCT OF ATTORNEYS.....</b>	<b>101</b>	<b>5/1/98</b>
<b>7.3</b>	<b>COURTROOM DRESS .....</b>	<b>101</b>	<b>5/1/98</b>
<b>7.4</b>	<b>LATE APPEARANCES.....</b>	<b>101</b>	<b>5/1/98</b>
<b>7.5</b>	<b>COURT INTERPRETERS .....</b>	<b>101</b>	<b>7/1/09</b>
<b>7.6</b>	<b>MEDIA COVERAGE.....</b>	<b>101</b>	<b>7/1/09</b>
<b>7.7</b>	<b>USE OF LAPTOPS OR OTHER ELECTRONIC DEVICES.....</b>	<b>102</b>	<b>7/1/09</b>
<b>7.8</b>	<b>COURT FILE RETRIEVALS AND VIEWING.....</b>	<b>102</b>	<b>1/1/10</b>
	A. Public Index Search		
	B. Court Files Located at the Courthouse		
	C. Court Files Located at an Offsite Records Storage Facility		
	D. Confidential Court Files Not Listed in the Public Index		
<b>7.9</b>	<b>COURT RECORDS RESEARCH .....</b>	<b>103</b>	<b>1/1/14</b>
	A. Research Requests		
	B. Clerk’s Declarations on Record Searches		

MARIN COUNTY SUPERIOR COURT - UNIFORM LOCAL RULES

	PAGE	ADOPTED/ AMENDED
<b>7.10 COPIES OF COURT RECORDS .....</b>	<b>103</b>	<b>1/1/10</b>
A. Copies of Court Files		
B. Copies of Court Dockets, Registers of Actions and Minute Orders		
C. Copies of Court Orders, Filed Documents, or Other Court Records for Governmental Agencies		
<b>7.11 ATTORNEYS FEES FOR COURT-APPOINTED COUNSEL.....</b>	<b>104</b>	<b>7/1/15</b>
<b>7.12 CHECK CASHING .....</b>	<b>104</b>	<b>7/1/14</b>
A. Acceptance		
B. Post-Dated Checks		
C. Refusal		
D. Checks Tendered With Insufficient Funds		
E. Overpayments		
<b>7.13 PAYMENT IN COINS .....</b>	<b>105</b>	<b>7/1/15</b>
<b>7.14 ORDERS TO DISBURSE FUNDS.....</b>	<b>105</b>	<b>5/1/98</b>
<b>7.15 DIGITAL SIGNATURES .....</b>	<b>105</b>	<b>7/1/99</b>
<b>7.16 JUDICIAL FAIRNESS COMMITTEE.....</b>	<b>105</b>	<b>7/1/99</b>
<b>7.17 JUROR QUALIFICATION AND SELECTION.....</b>	<b>105</b>	<b>7/1/15</b>
A. Jury Commissioner		
B. Source Lists		
C. Qualification and Summoning		
D. Disqualification, Exemption, Excuse and Postponement Policy		
E. Term of Service		
<b>7.18 COURT REPORTERS.....</b>	<b>108</b>	<b>7/1/15</b>
A. General Provisions		
B. Use of Electronic Recording		
C. Court Reporting Services Requested by Parties in Civil Trials and Hearings		
D. Reporting Notes of Certified Reporters Hired to Serve as Official Pro Tempore Reporters		
<b>7.19 PUBLIC ACCESS TO JUDICIAL ADMINISTRATIVE RECORDS .....</b>	<b>109</b>	<b>7/1/11</b>
<b>APPENDIX .....</b>	<b>111</b>	