

*Butte County Superior Court Local Rules
Proposed Rule Changes
Effective January 1, 2027*

1.10 REMOTE APPEARANCES *(Effective 7/1/02, as amended 7/1/08, as amended 4/2/20, as amended 4/23/20, as amended 5/18/20, as amended 7/21/20, as amended 10/26/20, as amended 7/8/21, as amended 7/1/22, as amended 1/1/24, as amended 7/1/25, as amended 7/1/26, as amended 1/1/27)*

A. Definition and Authorization

1. “Remote appearances” refer to appearances for a court hearing made by remote technology by a party, as defined by California Rules of Court, Rule 3.672(c).
2. Remote appearances are generally authorized for civil and juvenile dependency matters pursuant to Code of Civil Procedure § 367.75 and California Rule of Court, Rule 3.670 and 3.672, probate and mental health matters pursuant to Code of Civil Procedure §367.76, juvenile justice matters pursuant to Welfare and Institutions Code §679.5. Remote appearances may be authorized for criminal matters in select circumstances and proceedings pursuant to Penal Code §§ 977, 977.2, and 977.3.

B. Notice to parties must be provided for each hearing unless a notice for remote appearances for the duration of a case or a waiver of notice by stipulation has been made, pursuant to California Rule of Court, Rule §3.672(f).

C. General Rules

1. By choosing to voluntarily appear remotely for any case type, all parties and attorneys acknowledge and agree to the following general Rules regarding a remote appearance.
 - a. All Rules of courtroom civility and decorum apply to a remote appearance. A remote appearance is the equivalent of an in-person appearance and any actions that occur in the hearing are subject to all applicable rules, statutes, and laws and are enforceable in the same manner as if the person was in the courtroom.
 - b. It is the sole responsibility of the person appearing remotely, either by audio or video, to ensure they have sufficient internet speed and/or connectivity as well as an appropriate indoor location with no background noise or disruptions. By voluntarily appearing remotely, the person appearing remotely agrees to appear from an indoor location free from distraction or other noise. The Court retains the discretion, in the interest of justice, to terminate the remote appearance if there is a disruption, noise, misconduct, a communication problem, a technical problem, or other issues which interfere with the proper hearing of a matter.
 - c. If the person making the remote appearance is not connected at the time the Court calls the case, or if the person has insufficient video or audio quality during the hearing, the Court shall have the following options:
 - 1) The Court may consider alternative communication with the person who is not connected or whose connection is problematic.
 - 2) The Court may consider continuing the hearing and/or requiring in-person appearances.
 - 3) In the interest of justice, the Court may proceed with the hearing and/or make rulings in the absence of an appearance.

- d. Remote participants shall not have any scheduling conflicts when making their appearance and shall be available to participate in the hearing when the case is called by the Court.
 - e. Remote participants shall not be engaged in any other distracting activity while participating in the scheduled hearing.
 - f. Remote participants shall not use profile images, screen names, virtual backgrounds, or other displayed materials that contain inappropriate, offensive, disruptive, or otherwise distracting content. The Court may require removal of such materials or terminate the remote appearance if necessary to maintain decorum.
 - g. Recording or photographing a remote proceeding is prohibited, pursuant to California Rules of Court, Rule 1.150.
 - h. The Court's remote appearance platform is provided solely for case party participation in an active and officially scheduled hearing. Once a remote participant's hearing has concluded, the participant must disconnect from the platform. Use of the platform for browsing, monitoring other hearings, observing court business, or any purpose unrelated to attending a hearing which the participant is specifically approved to attend remotely is prohibited without explicit authorization of the Court. The Court may remove remote participants who are in attendance in violation of this rule.
- D. For all matters in which a remote appearance is authorized, connection information will be provided through the Court's approved remote appearance platform as indicated on the Court's website. Parties and attorneys must self-register for remote appearances, if approved, through that platform. In certain circumstances, the Court may schedule the remote appearance on behalf of agencies or non-parties. However, the connection link and all reminder emails will be sent directly from the platform.
- E. The Court provides for remote appearances as listed below. Current provider information and participation instructions are available on the Court's website at <https://www.buttecourts.ca.gov> in the "Online Services > Remote Appearances" section.
- 1. In Civil matters, including Family and Probate.
 - a. The Court authorizes telephonic appearances (but not video appearances, unless otherwise approved by the Court) for parties and attorneys in all non-evidentiary Civil, Probate and Family Law matters including Case Management Conferences, and Law & Motion matters. A *Notice of Remote Appearance* (RA-010) form is not required. In-person appearance is required for Jury Trials, Court Trials, and Evidentiary Hearings unless a remote appearance has been approved by the Court.
 - b. To request a remote appearance via video, parties must file and serve a *Notice of Remote Appearance* (RA-010) form at least ten (10) court days before the hearing for an evidentiary hearing or small claims trial, or five (5) court days before the hearing for all other hearings.
 - c. Parties must also file a proposed *Order Regarding Remote Appearance* (RA-020) form with the Court along with (RA-010).
 - d. In response to a notice of a remote appearance by video for an evidentiary hearing or small claims trial. A party may file and serve an *Opposition to*

Remote Proceeding at Evidentiary Hearing or Trial (RA-015) form at least five (5) court days before the proceeding.

2. In Criminal matters, including Traffic:
 - a. The Court may authorize remote appearances in select circumstances and proceedings pursuant to Penal Code § 977.3. Parties must submit a written request using the Court's Request for Remote Appearances and Order (GR-060) form at least five (5) calendar days before the hearing.
3. In Juvenile Dependency matters:
 - a. The Court may authorize remote appearances. Parties must file and serve the Request to Appear Remotely - Juvenile Dependency (RA-025) form prior to the start of the hearing.
 - b. Parties must also file a proposed *Order Regarding Remote Appearance* (RA-020) along with the (RA-025).
 - c. In response to a request for remote appearance by video, a party may file and serve a *Request to Compel Physical Presence-Juvenile Dependency* (RA-030) form two (2) court days before the proceeding.
4. In Juvenile Justice Matters:
 - a. The Court may authorize remote appearances. Parties must submit a written request using the Court's *Request for Remote Appearance and Order* (GR-060) form at least five (5) calendar days before the hearing. *(Effective 7/1/02, as amended 7/1/08, as amended 4/2/20, as amended 4/23/20, as amended 5/18/20, as amended 7/21/20, as amended 10/26/20, as amended 7/8/21, as amended 7/1/22, as amended 1/1/24, as amended 7/1/25, as amended 7/1/26, as amended 1/1/27)*

1.12 ELISORS *(Effective 1/1/19, as amended 1/1/27)*

- A. Where one of the parties fails to execute a document necessary to carry out a Court order, the Clerk of the Superior Court or the Clerk's authorized representative or designee may be appointed as an elisor to sign the document.
- B. When applying for the appointment of an elisor, the application and proposed order must designate "The Clerk of the Superior Court, County of Butte [Name of Clerk of the Court] or the Clerk's Designee" as the elisor.
- C. An application for appointment of an elisor shall be made by filing an application and proposed order. The Application for Appointment of Elisor shall have as an attachment a sample copy of the document(s) to be signed by the elisor. The sample copy shall be highlighted in the location(s) where the elisor is to sign **their his/her** name. ~~Beneath the signature line(s) on the sample copy the moving party shall print the language being requested to identify the elisor's signature.~~
- D. The declaration supporting the application must include specific facts establishing the necessity for the appointment of an elisor.
- E. The proposed order shall clearly identify the document(s). A deed must state the type of deed (i.e. grant deed, interspousal transfer deed, etc.) Escrow documents must be listed separately (i.e. Escrow Instruction Dated..., Disclosure Regarding Real Estate Agency Relationship, Hazards Report, etc.). The order shall describe

the exact location(s) in the document(s) where the elisor is to sign and identify the name of the party for whom the elisor is signing.

- F. If the Court grants the application for appointment of an elisor, the Clerk's Office will arrange for a time for the actual signing of the **original** documents. The appointed elisor has up to three (3) Court days to complete the actual signing of the documents. Any exceptions to the three-day period shall be addressed on a case-by-case basis by the Court.
- G. **Beneath the signature line(s) on the document(s), the Court will place a stamp to identify the elisor's signature as authorized pursuant to the court order in the case.**
- H. If the elisor is signing documents requiring notarization, the applicant must arrange for a notary to be present when the elisor signs the **original** document(s). ~~in the event one is not available at the Court.~~ *(Effective 1/1/19, as amended 1/1/27)*

1.14 JURY SELECTION – HARDSHIPS *(Effective 7/10/20, as amended 1/1/23, as amended 7/1/25, as amended 1/1/27)*

- A. Scope of Rule: This Rule applies to all Jurors summoned to appear at either the Butte County Courthouse in Oroville or the North Butte County Courthouse in Chico and shall remain in effect until repealed or modified by the Court.
- ~~B. All prospective Jurors shall be provided the Hardship Request form in the Jury Assembly Room(s) when they appear for service. Prospective jurors shall be afforded the ability to initiate a hardship request upon appearance for service. This process may occur in the Jury Assembly Room or in the courtroom and may consist of completing the Hardship Request form or presenting the request directly before the Judicial Officer.~~
- C. Written ~~R~~requests for ~~H~~hardships will only be considered if signed under penalty of perjury, preferably on the **Hardship Request Form** provided to the **J**juror by the Jury Commissioner.
- D. In general, ~~W~~written ~~R~~requests for ~~H~~hardships may be granted by the Jury Commissioner if the requirements for ~~H~~hardship excusal under California Rules of Court, Rule 2.1008 are met. Hardship requests requiring a qualitative assessment (e.g. Financial Hardship) may be made by the Jury Commissioner only if they meet the guidelines established by the Court. Other qualitative requests shall be referred to a Judicial Officer for review.
- E. Prior to denying any written ~~H~~hardship ~~R~~request, **except those listed under California Rules of Court, Rule 2.1008,** the Jury Commissioner shall obtain secondary review by a Judicial Officer.
- F. Written ~~R~~requests for ~~H~~hardship must be submitted to the Jury Commissioner via the **J**juror portal by visiting <https://jury.buttecourt.ca.gov/login>, by mail, or in person by submitting a written statement under penalty of perjury at least five (5) Court days prior to the **J**juror's scheduled ~~S~~service ~~D~~date in order to allow sufficient time for review and response. All ~~R~~requests received less than five (5) Court days prior to the ~~S~~service date shall be addressed when the **J**juror appears for service.

- G. Written ~~R~~requests for ~~H~~hardship, whether granted or denied, shall be kept in the Jury Commissioner's files for the statutory time periods required for all other Juror records. *(Effective 7/10/20, as amended 1/1/23, as amended 7/1/25, as amended 1/1/27)*

2.6 REPORTING OF PROCEEDINGS *(Effective 7/1/04, as amended 1/1/07, as amended 7/1/12, as amended 1/1/19, as amended 1/1/26, as amended 1/1/27)*

- A. Pursuant to California Rules of Court, Rule 3.1310, notice is hereby given that the Court does not regularly provide for reporting or electronic recording of hearings on motions. Reporters are provided in these matters only by written request in accordance with Butte County Superior Court Local Rules, Rule 1.8(c). Parties may, in the alternative, provide a Reporter that they have privately retained.
- B. To obtain a transcript, parties shall submit a Transcript Request Form, found in the ~~miscellaneous~~ forms section of the Court's public website. The form may be submitted via email to the email address on the form, or by mail to:

Butte County Superior Court
Attn: Support Services Division
1 Court Street
Oroville, CA 95965

(Effective 7/1/04, as amended 1/1/07, as amended 7/1/12, as amended 1/1/19, as amended 1/1/26, as amended 1/1/27)

12.11 GUARDIANSHIPS *(Effective date 7/1/09, as amended 7/1/24, as amended 7/1/26, as amended 1/1/27)*

- A. RESERVED
- B. RESERVED
- C. RESERVED
- D. RESERVED
- E. RESERVED
- F. RESERVED
- G. RESERVED

H. CONTESTED HEARINGS

1. The parties shall keep Butte County Family Court Services informed of the dates of any contested hearing at which ~~the~~ testimony from a Probate Court Investigator may be required. Notice must be provided at least seven (7) Court days prior to the hearing. Probate Court Investigators are not to be subpoenaed. ~~Instead, the requesting party must provide notice by submitting a-A confirming letter is required for notice; counsel are required to submit the letter~~ via eFile. If the contested hearing is vacated or continued, the party who requested the ~~testimony of the~~ Probate Court Investigator ~~to testify~~ must promptly notify Family Court Services of the change.

I. ACCOUNTINGS

1. The guardian or successor guardian may either arrange to pick up the original lodged confidential supporting documents or provide a self-addressed stamped envelope for their return upon final determination and approval of the guardian's account by the Court.
2. Requests to waive interim accountings under Probate Code §2628 may be made on an ex parte basis. All such requests must be submitted on the Mandatory Butte County Local Form PR.040. All final accountings, including estates qualifying under Probate Code §2628, shall be set for hearing. In all cases in which the ~~guardian conservator~~ seeks an order dispensing with a formal accounting pursuant to Probate Code §2628, the beginning and ending dates of the accounting period sought to be waived must be specified. An order dispensing with the filing of a formal accounting does not relieve the ~~guardian conservator~~ from the duty of filing subsequent Probate Code §2628 petitions or, where the estate no longer qualifies, a formal accounting pursuant to Probate Code §2620. If, after payment of Court approved ~~guardian conservator's~~ and attorneys' fees, ~~if any,~~ it appears to the satisfaction of the Court that the estate will continue to meet the requirement of Probate Code § 2628, the Court may dispense with future accountings. *(Effective 7/1/09, as amended 7/1/24, as amended 7/1/26, as amended 1/1/27)*

14.2 ATTORNEY FEE REIMBURSEMENT EXCEPT IN CAPITAL CRIMINAL CASES *(Effective 7/1/09, as amended 7/1/12, as amended 7/1/13, as amended 7/1/19, as amended 7/1/26, as amended 1/1/27)*

- A. For reasonably necessary out-of-Court work, such as consultation, research, discovery and general preparation, and reasonably necessary Court appearances before trial, the Court will authorize reimbursement at a rate of \$85.00 per hour.
- B. The Court will authorize reimbursement for trial at a rate of \$85.00 per hour.
- C. The Court will authorize reimbursement for post-trial work at a rate of \$85.00 per hour.
- D. Fees are not payable for "waiting time", including deliberations, which can be utilized for library work on other matters. The Court will not authorize reimbursement for travel time to and from Court.
- E. The fee reimbursements specified above exclude attorneys under contract with the county or the Court to provide such services and representations unless approved by the Court in advance and upon a showing of good cause.
- F. In Probate and Guardianship matters, if the estate has the funds available to pay for the attorney appointed by the Court, then those funds shall first be used. The Court will pay only if the private funds are exhausted.
- G. Appointed attorneys in Family Law matters (i.e., Minor's Counsel) and appointed attorneys in Probate and Guardianships matters shall submit billing in six(6)-minute increments. Fifteen(15)-minute increments will not be permitted and may be returned for correction.

- H. Reimbursement for deposition-related fees shall only be authorized when prior approval has been ordered by a Judicial Officer. Any deposition-related work performed without such pre-approval shall be at counsel's own expense. *(Effective 7/1/09, as amended 7/1/12, as amended 7/1/13, as amended 7/1/19, as amended 7/1/26, as amended 1/1/27)*

14.3 ATTORNEY COST REIMBURSEMENT EXCEPT IN JUVENILE DEPENDENCY, FAMILY CODE §3150 APPOINTMENTS AND CAPITAL CRIMINAL CASES *(Effective 7/1/09, as amended 1/1/15, as amended 7/1/19, as amended 7/1/23, as amended 1/1/25, as amended 1/1/27)*

- A. Unless an order of the Court is obtained authorizing the expenses referenced above, including **deposition-related fee**, investigative services and/or expert witness fees, counsel incur any and all expenses at their own risk. Expenses that depart from the current Butte County or Butte County Superior Court protocol and guidelines except for extraordinary circumstances shown will not be authorized.
- B. Expenses reasonably and necessarily incurred by counsel, including costs for investigative services and/ or expert witness(es) are eligible to be reimbursed. Prior authorization of the Court and proper documentation that costs were incurred are required prior to reimbursement.
1. Claims for work, time, or expenses, for investigative or expert services incurred either after the case has concluded in any fashion (including a no contest or guilty plea, a verdict of guilty or not guilty, a dismissal by the Court or prosecution), or after counsel who sought the order for funds is no longer counsel of record, will not be authorized by the Court for reimbursement. Counsel seeking Court ordered expense funding are obligated, by the Court's order approving the funding, to notify the investigator and/or expert that the case has concluded, or that counsel is no longer counsel of record, and to cease work at public expense.
- C. For copies of Court documents, the attorney is eligible to be reimbursed at the same rate the Clerk of the Court's office charges to make copies.
- D. For any other copies, the attorney is eligible to be reimbursed at a rate of 10 cents per page. Attorney time to make the copies is not reimbursable.
- E. Reimbursement for items such as parking fees, mileage from offices to the Courthouse, local telephone calls or pro rata office expenses will not be allowed.
- F. Prior to incurring investigative, or other expert fees and/or other costs, the form of order presented for authorization must be accompanied by an Income and Expense Declaration form (FL-150) in family matters, or a Financial Information form (GR.050) for all other matters, and a declaration in support thereof, and shall contain the following language:
1. "The cost(s) and expense(s) of such service(s) or examination(s) shall not exceed _____ (which is the dollar amount indicated by the Court on each Ex Parte Appointment Order). The Court finds that the cost(s) for expert service(s) is/are a legitimate expense of the County of Butte and will be paid by the County of Butte upon written certification by the Butte County Superior Court that the expenses have been incurred."

2. **PRESENTATION OF CLAIMS**

- a. A request for reimbursement shall be paid upon presentation of an itemized billing attached to or listed on a completed Butte County Claim for Professional Services, with attached receipts for expenses, and a copy of the Court order that previously authorized the expenditure(s). The Claim must specify the case number, an hourly rate, the number of hours billed, and shall not to exceed the total amount previously authorized by the Court. The attorney shall then present the claim to the County's Administrative Office for processing for payment.
- b. WITNESSES. Other than in privately retained counsel cases, it is the obligation of the attorney subpoenaing a witness to obtain and prepare a Butte County Claim Form and have the witness sign the claim. The attorney shall then present the claim to the County's Administrative Office for processing for payment. *(Effective 7/1/09, as amended 1/1/15, as amended 7/1/19, as amended 7/1/23, as amended 1/1/25, as amended 1/1/27)*

14.4 ~~RESERVED PRESENTATION OF CLAIMS~~ *(Effective date 7/1/09, as amended 1/1/27)*

- ~~A. A request for reimbursement shall be paid upon presentation of an itemized billing attached to or listed on a completed Butte County Claim for Professional Services, with attached receipts for expenses, and a copy of the Court order that previously authorized the expenditure(s). The Claim must specify the case number, an hourly rate, the number of hours billed, and shall not to exceed the total amount previously authorized by the Court. The attorney shall then present the claim to the County's Administrative Office for processing for payment.~~
- ~~B. WITNESSES. Other than in privately retained counsel cases, it is the obligation of the attorney subpoenaing a witness to obtain and prepare a Butte County Claim Form and have the witness sign the claim. The attorney shall then present the claim to the County's Administrative Office for processing for payment. *(Effective 7/1/09)*~~

14.6 JUVENILE DEPENDENCY AND FAMILY CODE §3150 APPOINTMENTS CASES *(Effective 7/1/09, as amended 1/1/14, as amended 1/1/15, as amended 1/1/25, as amended 1/1/26, as amended 1/1/27)*

- A. For Juvenile Dependency conflict counsel, and Family Code §3150 appointments, reimbursement for attorney fees shall be authorized in accordance with Butte County Superior Court Local Rules, Rule 14.2. Other reasonably necessary expenses shall be authorized in accordance with Butte County Superior Court Local Rules, Rule 14.3(A) through Butte County Superior Court Local Rules, Rule 14.3(E).
 1. Attorneys must submit any claims to the Court for attorney fees and other reasonably necessary expenses within sixty (60) days of services being rendered for services rendered in and between the months of July and May. Services are considered rendered irrespective of whether a case and services pursuant thereto remain ongoing.

2. For purposes of fiscal year-end accounting, attorneys are urged to submit any claims for services rendered within the month of June, as soon as possible, and must submit any such claims within thirty (30) days after the end of the fiscal year on June 30th.
3. Claims submitted after the deadline listed in subsections A(1) and A(2) of this rule may not be paid by the Court. Any such late claims must be accompanied by a letter explaining the reason(s) for the delay, which the Court will take into consideration when determining if payment will occur. Late claims without a letter will not be paid.
4. Claims must provide specificity to confirm whom the services were provided to (i.e. either the Parent/guardian or minor), along with a brief description of the services (e.g. phone call with minor, meeting with parent).
 - a. If insufficient information is provided in a claim, it will be returned to the attorney to supply the requested detail within the remaining time allowed under Butte County Superior Court Local Rules, Rule 14.6(A)(1) or Butte County Superior Court Local Rules, Rule 14.6(A)(2), or seven (7) business days, whichever is greater. Claims that are resubmitted after this time period, regardless of if sufficient detail is provided, will not be considered for payment.
5. If an attorney is appointed on more than one case for the same party:
 - a. Claims referencing multiple case numbers should note the specific amount related to each case referenced. If the cases were heard together and it's appropriate to split the charges evenly between cases, a note should be included to "split charges evenly between cases". Alternatively, a separate claim per case may be submitted.
- B. Prior to incurring investigative, or other expert fees and/or other costs, the form of order presented for authorization must be accompanied by a declaration in support thereof.
- C. The declaration in support of investigative and/or expert witness fees and costs will be (1) authored by the expert or investigator attesting to the nature of work to be done, the number of hours expected, anticipated costs, hourly rate(s) depending on the nature of the work and (2) have a resume or curriculum vitae attached along with (3) a statement by the attorney detailing they have made the inquiry as detailed in the declaration and describing the relevance of the information or services sought.
- D. For purposes of this Local Rule: "investigator" includes an individual or company providing services in support of the relevant needs of the attorney on behalf of their client; "expert" includes an individual the attorney intends to proffer in Court as an expert in a particular subject.
- E. Authorization of reimbursement for costs as detailed in this Local Rule does not amount to a finding by the Court that testimony or evidence of the investigator or expert will be admitted in Court, nor constitute a finding that an individual qualifies as an expert under the law.

- F. The declaration shall contain the following language: “The cost(s) and expense(s) of such service(s) or examination(s) shall not exceed \$_____ (the dollar amount the attorney is requesting the Court authorize on each Ex Parte Appointment Order).”
- G. The request for reimbursement must be submitted by the attorney and include a proposed form of order that includes the following language: “The Court finds that the cost(s) for expert or investigative service(s), as detailed in the declaration, is/are a legitimate expense of the Superior Court of California, County of Butte and such costs will be reimbursed to the attorney by the Court upon written certification of the attorney that the expenses have been incurred.”
- H. A request for reimbursement of costs incurred shall be paid to the attorney upon the attorney’s presentation of an itemized billing attached to or listed on a completed Butte County Superior Court Claim for Professional Services, with attached receipts for expenses and a copy of the Court order that previously authorized the expenditure. The claim must specify the case number, an hourly rate consistent with that expressed in the declaration or ordered by the Court, whichever is less, the number of hours billed, and shall not exceed the total amount previously authorized by the Court. The attorney shall then present the claim to the Court's Administrative Office for processing for payment within thirty (30) days of services rendered or as ordered by the Court. *(Effective 7/1/09, as amended 1/1/14, as amended 1/1/15, as amended 1/1/25, as amended 1/1/26, as amended 1/1/27)*

16.19 MINOR’S COUNSEL *(Effective 7/1/04, as amended 7/1/08, as amended 1/1/10, as amended 1/1/11, as amended 1/1/12, as amended 1/1/25, as amended 7/1/25, as amended 1/1/26, as amended 1/1/27)*

- A. Appointment of Minor's Counsel, see California Rules of Court, Rule 5.240. **Appointment shall be for a period of one (1) year unless extended by written order.**
- B. Compensation of Minor's Counsel, see California Rules of Court, Rule 5.241.
- C. Qualifications of Minor's Counsel, see California Rules of Court, Rule 5.242. **The Presiding Judge or Supervising Judge of the Family Law Division may grant an exception to the experience requirement when appropriate as authorized by California Rules of Court, Rule 5.242(g).**
- D. Rights and Responsibilities of Minor's Counsel, see California Rules of Court, Rule 5.242(i)-(k).
- E. Minor’s Counsel Costs and Submission of Claims
 - 1. The Court authorizes minor’s counsel costs to be reimbursed at the rate set for the in Butte County Superior Court Local Rules, Rule 14.2 to be paid initially by the Court. Claims submitted by counsel must comply with Butte County Superior Court Local Rules, Rule 14.6(A).
- F. Recovery of Minor's Counsel Costs
 - 1. DETERMINATION. The Court reserves the right to hold an Ability to Pay hearing when Minor’s Counsel leaves the case, or annually after one year from the date of appointment, to determine whether either parent has any

ability to repay all, some, or none of the cost of Minor's Counsel. Both parents are required to file an *Income and Expense Declaration* (FL-150) upon entering the case. Within thirty (30) days of the Court's order relieving Minor's Counsel, or on order of the Court subsequent to an annual review both parents are required to file a current *Income and Expense Declaration* (FL-150). Service of these documents on the other party is not required. The Court will review the parties' financial information to determine whether either parent or both has the ability to repay the Court for Minor's Counsel services.

- a. Failure to timely file the required documents can result in a finding of contempt of Court and can result in an order to perform community service, pay a fine, and serve jail time (Code of Civil Procedure §§1209, 1208).
 - b. The Court may consider the failure to timely file the documents ordered by the Court as a waiver by that party of any objection to the Court's findings and order on the cost of Minor's Counsel and ability of that party to pay.
 - c. The Court may rely on the case history and relevant documents in the case file in addition to any documents ordered to be filed for the Court's determination on ability to pay.
1. ORDER. The Court will issue a written decision. Parties may file an objection to the ability to pay determination and submit further evidence by filing Local form *Request for Review of Ability to Pay Determination; and Order Addressing Request* (FL.130) within thirty (30) days of the Court's order.
 2. PAYMENT. Parties are to remit payment within sixty (60) days of a Court order.

G. Minor's Counsel Complaint Process

1. Complaints concerning Minor's Counsel shall be dealt with as follows:
 - a. Parents, parties and/or attorneys desiring to file a complaint regarding the performance of Minor's Counsel may submit a written complaint to the Supervising Judge of the Family Division, utilizing the Family Court – Minor's Counsel Complaint Form. **If the complaint relates to a case assigned to the Supervising Judge of the Family Division, it shall be reviewed by the Presiding Judge.** The form is available in the Clerk's Office.
 - b. Written complaints or forms can be returned to:
Court Administration
Superior Court of California, County of Butte
1775 Concord Avenue
Chico, CA 95928

- c. Written acknowledgement that the Court has received the complaint will be sent to the complainant. If further action is needed, the investigation process shall be completed within ninety (90) days. If warranted, the attorney named in the complaint will be given notice of the complaint and an opportunity to respond. At the conclusion of the investigation a written notice of the final action shall be sent to the complainant. *(Effective 7/1/04, as amended 7/1/08, as amended 1/1/10, as amended 1/1/11, as amended 1/1/12, as amended 1/1/25, as amended 7/1/25, as amended 1-1-26, as amended 1/1/27)*

20.4 ~~RESERVED MOTIONS FOR RELEASE OF AN IN-CUSTODY DEFENDANT CHARGED WITH OR SENTENCED ON A MISDEMEANOR OFFENSE~~ *(Effective 4/2/20, as amended 1/1/27)*

- ~~A. Any Amicus brief filed by the Sheriff addressing jail operations, housing, or coronavirus, shall immediately be posted on the Court's website by the Court and is thereafter subject to meaning of the Evidence Code section 452;~~
- ~~B. If requested by a Superior Court judge, a memorandum by the Sheriff addressing jail operations, housing, or coronavirus, shall immediately be posted on the Court's website by the Court and is thereafter subject to Judicial Notice by the Court within the meaning of Evidence Code section 452;~~
- ~~C. Any misdemeanor in-custody motions for release on bail or own recognizance will be heard only on Friday at 1:30 p.m. with the defendant attending through video appearance. If the defendant is released from custody prior to the hearing, the motion will go off calendar and the case will be continued by the Court to a date after May 18, 2020.~~
- ~~D. This Rule is only in effect during the declaration of emergency by a state or local authority addressing coronavirus and COVID-19. *(Effective 4/2/20)*~~

20.5 ~~PROPER NOTICE REQUIRED PRIOR TO WITHDRAWAL OF TIME WAIVER IN MISDEMEANOR CASE~~ *(Effective 1/1/27)*

- ~~A. In misdemeanor cases where a defendant has previously entered a general time waiver of their speedy trial rights, each defendant and their attorney(s) shall provide two (2) days' written notice to all parties of their intent to withdraw the general time waiver, prior to doing so in open court. The two (2) days' written notice specified herein shall be deemed "proper notice" under Penal Code §1382(a)(3)(A). *(Effective 1/1/27)*~~

20.6 ~~PAYMENT FOR INVESTIGATIVE SERVICES FOR PRO PER INDIGENT DEFENDANTS~~ *(Effective 1/1/27)*

- ~~A. Investigative services expenses reasonable and necessarily incurred by pro per indigent defendants are eligible to be reimbursed. Prior authorization of the Court and proper documentation that costs were incurred are required prior to reimbursement.~~

- B. Prior express written approval of the Court is required for all investigative services and expenditures. Cost of services performed and expenses incurred prior to the order of the Court, and costs not included in the Court Order, will be denied.
- C. The Presiding Judge will establish a uniform payment rate for investigative services for pro per indigent defendants in criminal cases via Standing Order.
- D. A copy of the Standing Order re: Payment of Investigative Services for Pro Per Indigent Defendants may be obtained on the Court's public website or from Court Administration. *(Effective 1/1/27)*

New Form (see attached):

New Form - DR.020 Request to Add Calendar

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE: FAX NO. (Optional): ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF BUTTE ☐ Butte County Courthouse One Court Street, Oroville, CA 95965 (530) 532-7009	FOR COURT USE ONLY
☐ North Butte County Courthouse 1775 Concord Avenue, Chico, CA 95928 (530) 532-7009	
Petitioner/Plaintiff: Respondent/Defendant:	
Request to Add on Calendar: Mediated Civil Harassment or Small Claims	CASE NUMBER:

1. Protected Person/Plaintiff/Petitioner

a. Full Name: _____

2. Restrained Person/Respondent/Defendant

a. Full Name: _____

3. Request to Add On Calendar

I ask the court to add the *Civil Harassment Restraining Order Case* or *Small Claims Case* on calendar. A copy of the mediated agreement must be attached.

a. The mediated agreement was entered into on (date): _____

b. ☐ This is my first request to add the matter on calendar.

☐ This case had been added on calendar _____ times.

c. I want to add the matter on calendar for: ☐ alleged violations; ☐ modification;

☐ other (specify): _____

d. I ask the court to add the case on calendar because (explain below):

☐ Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 3d—Reasons to Add Case on Calendar" for a title. You may use form MC-025, Attachment.

4. Notice of Hearing

The Court will schedule a hearing for this request at least three weeks from now, on the proper calendar and day. A court hearing is scheduled on the request of the party in this matter:

Name and address of court if different from above

Hearing Date	Date: _____	Time: _____
	Dept: _____	Room: _____

5. **Service:** Notice shall be given pursuant to the timelines set forth in *Code of Civil Procedure* Section 1005(b), and a Proof of Service must be filed with the Court. You may use form POS-040, *Proof of Service - Civil*."

6. Requesting Party:

Who is requesting this matter be added on calendar?

- a. Person(s) in (1): ☐
b. Person(s) in (2): ☐

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

Date: _____

Type of print your name

Sign your name

Your Next Steps

- After you complete this form, file it with the Court and obtain a filed copy. You will need the filed copy to serve on the other party.
- After the court returns your completed form, you must have it served on the other party by an adult who is not you, not anyone protected by the restraining order, and not any named litigant. You may request that the sheriff's office personally serve the documents; however, fees may apply.
- After the other side has been served, the person who served your papers must fill out a proof of service form. Once it's completed, the form must be filed with the court. You may use form POS-040, *Proof of Service - Civil*.
- If you have questions, please contact the Court's self-help office (SHARP) for assistance. Phone number: (530)-532-7015