

Butte County Superior Court Local Rules  
Proposed Rule Changes  
Effective July 1, 2026

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)*

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. ~~All persons and appearances under the guidelines of this Rule are subject to California Rule of Court, Rule 1.150. Persons and appearances made under this Rule are representing familiarity and compliance with California Rule of Court, Rule 1.150.~~
  - 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 ~~R~~rules, statutes, and laws and are enforceable in the same manner as if the ~~attendee~~ person was in the courtroom.
  - b. It is the sole responsibility of the ~~party~~ 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 **party person** making the remote appearance is not connected at the time the Court calls the case, or if the **party 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 **party 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. **Parties Remote participants** shall not have any scheduling conflicts when making ~~a remote~~ their appearance and shall be available to participate in the hearing when the case is called by the Court.
  - e. **Parties 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 material that contain inappropriate, offensive, disruptive, or otherwise distracting content. The Court may require removal of such material or terminate the remote appearance if necessary to maintain decorum.
  - g. ~~Any recording of a remote appearance is prohibited~~ Recording or photographing a remote proceeding is prohibited, pursuant to California Rules of Court, Rule 1.150.
- 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 ~~telephonic~~ remote appearances as listed below. Current provider information and participation instructions are available ~~and instructions can be found~~ on the Court’s website at <https://www.butte.courts.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. ~~There is no need to file a A Notice of Remote Appearance (RA-010) form is not required. Counsel and litigants shall appear.~~ In-person appearance is required for at the Jury Trials, Court Trials and Evidentiary Hearings unless a telephonic remote appearance has been preapproved 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 telephonic 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 telephonic 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) with the court 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 telephonic 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.

~~A. The Court provides for video appearances as listed below. Current provider and instructions can be found on the Court's website at <https://www.butte.courts.ca.gov> in the "Online Services" section.~~

~~F. — In Civil matters:~~

- ~~1) 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 all other hearings.~~
- ~~2) Parties must also file a proposed Order Regarding Remote Appearance (RA-020) form with the court along with the (RA-010).~~
- ~~3) 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 Proceedings at Evidentiary Hearing or Trial (RA-015) form at least five (5) court days before the proceeding.~~

~~G. — In Criminal matters:~~

- ~~1) The Court may authorize appearance by video in select circumstances and proceedings pursuant to Penal Code § 977.3. Parties must submit a written request using the court's Request for Remote Appearance and Order (GR.060) at least five (5) court days before the hearing.~~

~~H. — In Juvenile Dependency matters:~~

- ~~1) Parties must file and serve a Request to Appear Remotely Juvenile Dependency (RA-025) form prior to the start of the hearing.~~
- ~~2) Parties must also file a proposed Order Regarding Remote Appearance (RS-020) form with the court along with the (RA-025).~~
- ~~3) 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:~~
- ~~5) The Court may authorize video appearances. 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.~~
- ~~6) For all matters, if a video appearance is authorized, the Court will schedule the video conference and provide connection information to involved parties and/or attorneys. (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)~~

9.6 EVALUATION UNDER FAMILY CODE §3111 *(effective date 7/1/90, as amended 1/1/04, as amended 7/1/04, as amended 1/1/07, as amended 7/1/08, as amended 1/1/11, as amended 7/1/12, as amended 7/1/14, as amended 1/1/18, as amended 7/1/19, as amended 7/1/25, as amended 7/1/26)*

- A. The Butte County Superior Court has the discretion to appoint a child custody evaluator to conduct an evaluation in all child custody and visitation matters. The provision set forth in Rule 5.220 of the California Rules of Court and related Rules shall be followed.

- B. Any case in which custody or visitation remains in dispute after the completion of mediation and after recommendation may be referred to an agreed upon private evaluator, subject to a Court determination that the appointment of a Family Code §3111 evaluator would be in the child(ren)'s best interest. The evaluation shall be conducted according to the standards set forth in California Rules of Court. Rule 5.220. All child custody evaluators must meet the qualifications, training and continuing education requirements specified in Family Code §§1815, 1816 and 3111 as well as California Rules of Court, Rules 5.225 and 5.230. Said referral shall be made by stipulation of the parties, upon noticed motion, upon recommendation of the Child Custody Recommending Counselor or on the Court's own motion.
1. In all matters referred for a child custody evaluation, pursuant to this Rule, such evaluation shall be completed by a different individual than the one who has conducted a mediation and/or recommendation between the parties.
  2. The appointment of a Family Code §3111 evaluator must be pursuant to a written order of appointment using Judicial Council Form FL-327 with Additional Orders Attachment (Child Custody Evaluator) (Form CV.010) as an attachment the parties will be ordered, if requested, to pay for any evaluative services consistent with their ability to pay.
- C. All written reports pursuant to Family Code §3111 shall be confidential in nature, and accessible only to the parties, their attorneys and the Court. The report shall be kept confidential in the case file and neither the child(ren) nor any individual(s) not a party to the action shall be permitted to read such report or receive copies thereof without an express Order of the Court.
- D. Written reports pursuant to Family Code §3111 shall not be utilized by any person for any purpose other than as set forth in statute, without the express written consent of all parties to the action. This Rule does not, however, prohibit its dissemination pursuant to the Special Matter Order pursuant to *T.N.G. vs. Superior Court*, adopted by this Court and filed March 24, 1994, nor to any party filing a mandated Suspected Child Abuse report concerning the involved minor(s) pursuant to Penal Code §11166.
1. The following Rules shall apply to all custody evaluations undertaken pursuant to Family Code §3111:
- E. Subject to Penal Code §11166, confidentiality of any communications between the involved child(ren) and the evaluator shall be maintained, unless such is knowingly and intelligently waived by the child(ren), subject to the approval of both the evaluator and counsel representing the child(ren), if any.
- F. Any child(ren) seen with one parent must also be seen with the other, unless that parent makes him or herself unavailable.
- G. All involved children shall be interviewed separately by the evaluator, unless otherwise determined by the evaluator.
- H. No evaluation shall be based upon an interview with only one party.

- I. If an evaluation is ordered by the Court, neither parent shall subject the child(ren) to further examination or evaluation by an expert without the approval of the Court or the consent of the other party(ies) to the action and approval of counsel for the child(ren), if any. This does not preclude any counsel for the child(ren) from seeking an independent evaluation of the child(ren) without consent of the other party(ies) to the action, subject to Court approval first obtained.
- J. It is the policy of the Court to resolve disputed custody and visitation issues as soon as possible after an evaluation has been rendered by a private evaluator.
- K. Prior to preparation of the written custody evaluation and recommendation, the evaluator may schedule a conference with the parties (these shall be separate conferences if Family Code §3113 is applicable), at which time the proposed recommendation and the reasons therefore will be discussed. In the event the parties can agree at that time, a written agreement will be prepared and, if approved by the parties and counsel (if represented), such will be executed and filed with the Court.
- L. All written evaluations private evaluators made pursuant to Family Code §3111 shall be served with proof of service upon the parties or their attorneys, pursuant to Family Code §3111(a). The evaluations shall include a Recommended Order and notice of the procedures contained in (e) below.
- M. In the event either party objects to the evaluation and recommended order, [s]he shall file with the Court within twenty (20) calendar days of service of the report on the party or attorney for the party [(D) above], a written Notice of Objections, providing endorsed, filed copies to the public agency or private individual preparing same, and the opposing party's attorney of record or the party if unrepresented. The written notice shall state: [1] the specific paragraph(s) and language in the Recommended Order objected to by the party; [2] the reason(s) for the objection(s); and [3] the proposed modification to the Recommended Order.
- N. The Court shall, upon receipt of objections, set the matter on a Tuesday or Wednesday RFO calendar for a pretrial conference. The parties and their attorneys, if represented, shall attend the conference. The following items shall be addressed at the pretrial conference:
  - 1. The identification of the custody and visitation issues to be tried;
  - 2. The viability of a judicially supervised settlement conference involving the parties, the attorneys, and the evaluator;
  - 3. The determination of the amount of time necessary for trial, and
  - 4. The setting of the custody and visitation issues on the Tuesday or Wednesday Request for Order (RFO) calendar, with priority, for setting of a judicially supervised settlement conference and/or trial.
- O. No motion for bifurcation of a custody or visitation issue shall be necessary.
- P. In the event no objections to the proposed order are filed within twenty (20) days, as set forth in Paragraph (M) above, the recommended order previously submitted may be signed and filed as an order of the Court if upon review, the Court finds the

Recommended Order to be appropriate and in the best interests of the child(ren) involved.

- Q. Trial Setting: If custody and/or visitation issues remain unresolved after the settlement conference, the settlement conference judicial officer shall set the matter on a Tuesday or Wednesday RFO calendar for trial setting and the matter will proceed to trial on those issues.
- R. The custody evaluators report is a confidential document and its dissemination shall be limited to the parties, their attorneys and to any custody experts retained by the parties. No other persons, including mental health providers, shall receive a copy absent Court order. No party shall discuss the report with the child(ren) except minor's counsel may discuss the report with his/her client.
- S. Peremptory challenges: Peremptory challenges to any evaluator (private evaluator, or mental health professional) shall be made at the time the evaluator is appointed. Each party shall be entitled to no more than one peremptory challenge [California Rules of Court, Rule 5.220(d)(1)(A)(ii)]
- T. Complaint Procedure: If a party alleges that an unprofessional or inappropriate act has occurred on the part of the evaluator during the course of the evaluation, they should bring that to the attention of the Court by writing a letter to the Court, submitting a Family Court Services Client Complaint Form, or filing a motion.
1. Written complaints or forms can be returned to:  
Court Administration  
Superior Court of California, County of Butte  
1775 Concord Avenue  
Chico, CA 95928
  2. The Court, in assessing the complaint, will ask the Operations Manager to evaluate the complaint. Upon receipt of the complaint, the Operations Manager shall send copies of the complaint to each party. The Operations Manager shall report back to the Court in writing, with copies to the parties, within ninety (90) Court days of the formal complaint.
  3. The evaluator is considered the Court's witness and functions at the request and under the guidance of the Court. The Court will determine whether a new evaluator is appointed and may consult with other professionals in the course of evaluating the evaluator [California Rules of Court. Rule 5.220(d)(1)(A)(iv)]
- U. Ex-Parte Communications: The Rules addressing this subject are in Family Code §216, California Rules of Court, Rules 5.235 and California Rules of Court, Rule 5.220(d)(1)(A)(v).
- V. Withdrawal of Child Custody Evaluator: The Child Custody Evaluator may request to be allowed to withdraw from an evaluation at any stage of the process for the following reasons:
1. Conflict;

2. Nonpayment of fees;
  3. Lack of cooperation by a party;
  4. Any other significant reason which prevents the Child Custody Evaluator from completing the evaluation.
- W. If the Child Custody Evaluator wishes to be removed from the case, the Child Custody Evaluator shall forward a letter to the Operations Manager specifically stating the reasons for the request. The Operations Manager shall review the letter and forward copies of the request to each party and to the Court. The parties shall have twenty (20) days to file a motion challenging the request. If no motion is filed, the Court may grant or deny the request for withdrawal and Family Court Services shall notify the Child Custody Evaluator and the parties of the Court's decision. FAXED LETTERS WILL NOT BE ACCEPTED. [California Rules of Court, Rule 5.220(d)(1)(A)(iii)].
- X. The Court will not receive the Family Code §3111 (custody investigation) report in evidence unless the evaluator is available for cross-examination or upon stipulation of the parties. *(Effective 7/1/90, as amended 1/1/04, as amended 7/1/04, as amended 1/1/07, as amended 7/1/08, as amended 1/1/11, as amended 7/1/12, as amended 7/1/14, as amended 1/1/18, 7/1/19, as amended 7/1/25, as amended 7/1/26)*

9.9 ~~RESERVED~~ DOMESTIC VIOLENCE AND CHILD CUSTODY FC§ 3044 *(Effective 7/1/90, as amended 1/1/01, as amended 7/1/26)*

- A. When a parent subject to the Family Code § 3044 presumption against custody would like the court to find the presumption has been rebutted, the following procedure applies:
1. The party seeking to prove the presumption against custody has been rebutted must file a noticed request for order (RFO), alerting the court and opposing party, and minor's counsel, if any, of the request.
  2. The RFO should detail the facts on which the requesting party intends to rely, along with copies of any relevant certificates or letters of completion of necessary services or programs.
  3. On the noticed date for the first hearing, evidence will not be taken. Other parties or counsel in the case will have the opportunity to file a response.
  4. The matter will be set for an evidentiary hearing. *(Effective 7/1/90, as amended 1/1/01, as amended 7/1/26)*

9.11 MISCELLANEOUS *(Effective 7/1/90, as amended 1/1/04, as amended 7/1/04, as amended 7/1/08, as amended 7/1/14, as amended and retitled 1/1/15, as amended 7/1/19, as amended 1/1/21, as amended 1/1/24, as amended 7/1/26)*

- A. UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT CASES.
1. Cases involving the UCCJEA (Family Code §3400 et seq.) generally appear initially on the Family Law Request for Order calendar.

2. Counsel should provide written points and authorities and declarations or affidavits in support of their jurisdictional contentions at the time of hearing. These declarations or affidavits shall contain a history of any other state's involvement with the case. The parties shall provide to the Court properly certified copies of any foreign decrees. Each party shall file a *Declaration under the Uniform Child Custody and Jurisdiction Act*, Judicial Council Form FL-105/GC-120.

B. HEARINGS.

1. The parties shall keep Butte County Family Court Services staff informed as to dates of any contested hearing that may require the child custody recommending counselor to testify so that they may plan their schedules accordingly. **Notice must be provided at least seven (7) court days prior to the hearing.** A confirming letter is required for notice; counsel are required to submit the letter via eFile. **If the trial is vacated or continued, notice of the change must be provided promptly to Family Court Services by the party who requested the Child Custody Recommending Counselor to testify.** Child Custody Recommending Counselors should not be subpoenaed, but will be available to testify at 8:30 am trials upon the request of ~~the parties,~~ **counsel a party** or the Court.
2. A child's wish to address the Court regarding custody and/or visitation shall be approached pursuant to Family Code §3042 and California Rule of Court, Rule 5.250.

C. APPOINTMENT OF COUNSEL FOR CHILD(REN).

1. In any proceeding covered by these Rules, the Court, if it would be in the best interests of the minor child(ren), may appoint private counsel to represent the interests of the child(ren) pursuant to Family Code §3150 et seq.
2. Nothing shall prohibit the child custody recommending counselor from recommending that minor's counsel be appointed for the child(ren).

D. PARTIAL AGREEMENTS.

1. The child custody recommending counselor is authorized to make a full or partial recommendation if a full agreement is not reached during the mediation conference.

E. CHILD CUSTODY RECOMMENDING COUNSELOR'S DISCRETION

1. The child custody recommending counselor may, at his or her sole discretion, and without either consent of the parties or order of the Court, recommend that an investigation be ordered pursuant to Family Code §3111, or that other action be taken to assist the parties to effect a resolution of the controversy prior to any hearing on the issues. The child custody recommending counselor may, in appropriate cases, recommend that restraining orders be issued and/or that counsel be appointed to represent the involved child(ren).  
*(Effective 7/1/90, as amended 1/1/04, as amended 7/1/04, as amended 7/1/08, as amended 7/1/14, as*

*amended and retitled 1/1/15, as amended 7/1/19, as amended 1/1/21, as emended 1/1/24, as amended 7/1/26)*

12.10 CONSERVATORSHIPS *(Effective date 7/1/98, as amended 1-1-03, as amended 7/1/09, as amended 1/1/11, as amended 7/1/12, as amended 7/1/13, as amended 1/1/14, as amended 7/1/17, as amended 7/1/19, as amended 7/1/24, as amended 7/1/26)*

A. RESERVED

B. COURT INVESTIGATOR

1. In all cases, the petitioner or his or her attorney must submit a completed Court Investigator Information Sheet to the Clerk's Office at the time of the filing of the petition for appointment of a conservator.
2. The provisions of the Probate Code concerning the duties of the Court Investigator apply whether or not the proposed conservatee is the petitioner [contrary to Probate Code §1826(d).]
3. The Court Investigator must be informed immediately of any change of address for the conservatee, the conservator or any attorney of record. This may be accomplished by submitting a new Court Investigator Information Sheet.
4. Assessment for the cost of the Court Investigator's investigation shall be paid as ordered by the Court. Probate Code §1851.5 permits the Court to waive, defer, or order paid in part such fee in case of hardship. Assessments will be billed to the estate or, where applicable, to a trust where the conservatee is a beneficiary. Conservator shall provide the Court with the current address of the trustee of any such trust.
5. Assessments shall be paid to Butte County Superior Court.
6. An original of each of the following are required at the time of filing for review by the Court Investigator: Petition for Appointment, Confidential Supplemental Information, Confidential Screening, Court Investigator's Information Sheet, doctor reports and accountings.
7. In cases in which the matter is scheduled for a Review Hearing, the conservator is required to submit a proposed Order Continuing Conservatorship (Form PR.030) at the time of the filing of the Court Investigator Information Sheet.
8. Additional fees and/or mileage costs may apply for any time the Court investigator must travel out of county to perform an investigation due to the other county not performing Courtesy investigations.
9. **The parties shall keep Butte County Family Court Services informed of the dates of any contested hearing at which testimony from the 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 confirming letter via eFile. If the contested hearing is vacated or**

continued, the party who requested the Probate Court Investigator to testify must promptly notify Family Court Services of the change.

C. TEMPORARY CONSERVATORSHIP

1. Ordinarily, no petition for appointment of a temporary conservator will be considered by the Court prior to the filing of a petition for appointment of a permanent conservator. The bond must be filed with the Court within five (5) Court days of appointment as temporary conservator. Failure to do so will result in removal as the temporary conservator.
2. The petition for appointment of a temporary conservator may be brought ex parte, provided that the provisions for notice to proposed conservatee required by law are satisfied, either by giving notice to the proposed conservatee or by submission of a declaration showing facts sufficient to allow the Court to determine that good cause exists to eliminate or alter the notice requirements and provided that the following information is submitted:
  - a. The original and copy of the petition and proposed order;
  - b. A detailed statement of facts in the petition establishing the necessity for the temporary conservatorship; and
  - c. An endorsed, filed copy of the petition for appointment of the permanent conservator.
  - d. If the attorney is informed that the petition for appointment of a permanent conservator will be contested, all known potential objectors shall be notified at least forty-eight (48) hours in advance of the time and place the petition for appointment of the temporary conservator will be presented. However, if facts are found which make it clear that the notice required by this section would tend to adversely affect the conservatee or the conservatee's estate, notice to potential objectors may be waived upon a showing of exigent circumstances.
3. Ordinarily, the Court will require a bond for temporary conservators of the estate.
4. Letters of temporary conservatorship expire on the date of the hearing on the appointment of the permanent conservator or thirty (30) days after appointment of the temporary conservator, whichever is earlier, unless the Court extends the termination date pursuant to Probate Code §2257.

D. INDEPENDENT EXERCISE OF POWERS. No powers specified in Probate Code §2591 will be granted in the absence of a clear and convincing factual showing that the grant of each power requested is needed to administer the estate, and that the grant of such power is for the advantage, benefit and best interests of the estate.

E. CONDITIONS FOR APPOINTMENT OF INDIVIDUAL CONSERVATORS

1. BOND OF CONSERVATOR. Bond for an individual conservator of the estate shall not be waived. Under special circumstances, the Court in its discretion may order a reduced bond where the conservatee, having sufficient capacity to do so, has waived or requested bond amount. Bond of the conservator may be reduced by deposit of assets into block accounts. The bond must be filed with the Court within ten (10) calendar days of appointment as conservator. Failure to do so will result in removal as conservator.
  2. HANDBOOK. Prior to the hearing for appointment of conservator, the proposed conservator shall obtain the “Handbook for Conservators” by accessing it at <https://courts.ca.gov/probate-law-conservatorship>.
  3. DUTIES OF CONSERVATOR. A completed form “Duties of Conservator” and “Confidential Conservator Screening Form” (JC Form GC-348 and GC-314) shall be filed simultaneously with the petition for appointment.
- F. ALLOWANCE OF FEES IN CONSERVATORSHIP PROCEEDINGS.
1. No fees will be ordered paid in conservatorship proceedings until the filing of the inventory, but in no event until the expiration of ninety (90) days from the issuance of letters, pursuant to Probate Code §§2640-2642.
  2. Conservators of persons or estates or both and attorneys may petition the Court for just and reasonable compensation earned to the date of filing the petition. The petition for compensation shall set forth the hours spent and services performed by the conservator, the attorney and any paralegal. At the time of filing the first accounting, the conservator and attorney (and the attorney on behalf of the paralegal) may petition the Court for compensation, or additional compensation earned from the date of a prior award, by setting forth the hours spent and the services performed.
  3. Ordinarily, reasonable compensation for conservators shall not exceed seventy-five dollars (\$75) per hour.
  4. Fees for services which could ordinarily be provided by someone of less skill than the conservator (such as running errands, shopping and the like) will be compensated at a rate which one might expect for the performance of such duties rather than at a rate which might be appropriately paid to the Conservator for services which require the skill, training and expertise of a conservator.
    - a. In the event the attorney for a conservator performs some of the administrative and bookkeeping functions normally performed by the conservator, the attorney may be awarded a larger amount of the combined fees and the conservator allowed a smaller portion thereof so that the total compensation awarded is no larger than that provided for under the guidelines set forth above.
  5. Where all or a portion of the fee awarded exceeds cash on hand in the estate, the Court may, in appropriate circumstances, issue its order imposing a lien for fees on any or all of the assets in the estate. Ordinarily, enforcement of

the lien will be deferred until the assets of the estate subject to the lien have been liquidated for reasons other than the satisfaction of the unpaid fee.

6. To be valid, contingent fee contracts with an attorney require prior Court approval. It is advisable for the attorney to petition the Court for its approval prior to rendering services.
7. The title of the petition embodying an application for the payment of fees and of the notice of hearing of such petition shall include a reference to the request.
8. Compensation to an attorney representing a conservatee may be ordered at the conclusion of the hearing on the appointment of the conservator.

G. PRIVATE PROFESSIONAL CONSERVATORS.

1. REGISTRATION. All parties who fit the definition of a Private Professional Conservator as described in Probate Code §2340, Business and Professions Code §§6500, et seq., must register with the Clerk's Office. Contact the Clerk's Office for the current fee. One set of fingerprint cards and a Certificate of Registration of Private Professional Conservator are required when registering.

H. APPOINTMENT OF LEGAL COUNSEL. Appointment of legal counsel pursuant to Probate Code §§1470 and 1471 is made in the following manner:

1. If the conservatee or proposed conservatee is developmentally disabled or indigent, the Butte County Public Defender is appointed;
2. If the conservatee or proposed conservatee is not indigent, an attorney's name is obtained through the Court's list of attorneys available for appointment. The attorney will be paid up to his or her usual hourly rate from the conservatee's estate.
3. If a conservatee or proposed conservatee has retained legal counsel independently, the representation is subject to approval by the Court.

I. ACCOUNTINGS

1. The conservator or successor conservator 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 conservator's account by the Court. If the conservator or successor conservator is picking up lodged documents in person, they must sign a receipt pursuant to California Rules of Court, Rule §10.610(c)(8) and Code of Civil Procedure §1952.2. Any documents so lodged, which are not accompanied by a self-addressed stamped envelope or in the alternative not picked up and a receipt signed, may be destroyed by the Clerk forty-five (45) days after the hearing.
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 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 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 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.

J. TERMINATION OF CONSERVATORSHIP OF THE PERSON

1. The conservator shall file Judicial Council Form GC-399, and attach thereto a copy of the conservatee's death certificate with the conservatee's social security number redacted, prior to termination of a conservatorship of the person. *(Effective date 7/1/98, as amended 1-1-03, as amended 7/1/09, as amended 1/1/11, as amended 7/1/12, as amended 7/1/13, as amended 1/1/14, as amended 7/1/17, as amended 7/1/19, as amended 7/1/24, as amended 7/1/26)*

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

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

H. ~~RESERVED~~ CONTESTED HEARINGS

1. The parties shall keep Butte County Family Court Services informed of the dates of any contested hearing at which 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 confirming letter via eFile. If the contested hearing is vacated or continued, The party who requested 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 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 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 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)*

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)*

- 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 Guardianship matters shall submit billing in six(6)-minute increments. Fifteen(15)-minute increments will not be permitted and may be returned for correction.** *(Effective 7/1/09, as amended 7/1/12, as amended 7/1/13, as amended 7/1/19, as amended 7/1/26)*

16.13 STIPULATIONS *(Effective date 7/1/90, as amended 7-1-93, renumbered 1/1/04, as amended 1/1/26, as amended 7/1/26)*

- A. All stipulations, whether reached before or during the hearing, shall be in writing and submitted to the Court. If a stipulation is reached during a hearing, it must be submitted in writing prior to the conclusion of the hearing. **The parties may use using** local form *Written Stipulation and Agreement* (FL.070) **for this purpose.**

- B. The Court may, in its discretion, accept brief oral stipulations placed on the record during the hearing. Such stipulations are generally limited to routine matters such as continuances, temporary scheduling agreements, or other procedural issues. Any stipulations affecting significant rights such as custody, visitation, support, or property division, or any other stipulation that is complex in nature, must be reduced to writing and submitted in accordance with section A. *(Effective date 7/1/90, as amended 7-1-93, renumbered 1/1/04, as amended 1/1/26, as amended 7/1/26)*

**New and updated Forms (see attached):**

**FL.130 – Form Updated**

**JV.030 – Form Updated**

**GR.060 – Form Update**



**ORDER**

The Court, having read and considered the request by party to review ability to pay determination hereby makes the following order:

- The Court grants your request for a hearing on your ability to pay determination. Please **appear at your court hearing** on the date below. You may bring information about your financial situation to the hearing.

<b>Hearing Date</b>	Date: _____
	Time: _____

- The Court has reviewed your written statement and additional supporting facts. The court confirms the prior Findings and Order on Minor’s Counsel Fees and Ability to Pay ordered on \_\_\_\_\_. **No changes** have been made to your order and it remains in effect.

- ~~The Court has reviewed your written statement and additional supporting facts. The court will amend the prior Findings and Order on Minor’s Counsel Fees and Ability to Pay within thirty (30) days and mail it to the address on file.~~

- The Court has reviewed your written statement and additional supporting facts and finds as follows:**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SO ORDERED.**

DATE: \_\_\_\_\_

\_\_\_\_\_  
 JUDICIAL OFFICER  
 SUPERIOR COURT OF CALIFORNIA

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  TELEPHONE:  FAX NO. (Optional):  ATTORNEY FOR (Name):	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF BUTTE</b>  <input type="checkbox"/> Butte County Courthouse One Court Street, Oroville, CA 95965 (530) 532-7002 <input type="checkbox"/> North Butte County Courthouse 1775 Concord Avenue, Chico, CA 95928 (530) 532-7002	
IN RE:	
<b>Declaration in Support of Request to Inspect and/or Copy Juvenile Court Records Without a Court Order (W&amp;I 827)</b>	CASE NUMBER:

**Confidentiality Requirements/Warning:**

**No person or entity may copy or inspect confidential psychological, medical, or education information absent an order from the Judge of the Juvenile Court.**

**NOTE: A Request for Release of Juvenile Court File (JV-570) must be submitted to the Judge of the Juvenile Court for review if copies of sealed records are being requested by individuals or entities listed below.**

**For Records you inspect or are provided today, all records, reports or information obtained from Juvenile Court shall not be further released or disseminated to persons or agencies not otherwise entitled pursuant to Welfare and Institutions Code sections 827 or 362.5. Said information shall not be attached to any document without prior approval of the Judge of the Juvenile Court unless they are used in connection with adult criminal or juvenile court proceedings to declare a minor a dependent or ward of the court.**

**Declaration Regarding Your Role: (Please check all applicable boxes under section 1 and/or 2).**

**1. I am one of the following individuals or work for one of the following entities that may inspect and receive copies of the Juvenile Case without an order of the Juvenile Court pursuant to Welfare and Institutions Code sections 827 or 362.5.**

- District Attorney, authorized to prosecute criminal or juvenile cases under state law.
- The child or nonminor dependent who is the subject of the proceeding.
- The child's parent(s) or guardian for a child who is less than 17 years and 6 months of age and my parental rights have NOT been terminated. IF the subject is older than 17 years and 6 months of age, I am currently receiving reunification services from the Social Services Agency.
- An attorney for a party in the juvenile court proceeding in the above-captioned case or related appellate proceeding.
- A probation office, or law enforcement officer who is actively participating in criminal or juvenile proceedings involving the child or nonminor defendant, including the district attorney if the nonminor is also a ward of the Juvenile Court.
- County Counsel, City Attorney, or any other attorney representing the ~~petitioning agency~~ county child welfare agency in a dependency ~~action~~ proceedings.

The county counsel or city attorney representing the child welfare agency or probation department in connection with the administration or review of child welfare or probation services provided by the agency or department to the subject of the case file or that person's sibling, parent or legal guardian.

A member of a child protective agency as defined in Penal Code Section 11165.9

An assigned social worker or probation officer charged with review of court records for the purpose of making a written recommendation to the court in a social study report pursuant to Welfare and Institution code 241.1 for determination of dual status suitability of a current dependent or ward of the court.

A Court Appointed Special Advocate (CASA)

The California Department of Social Services in order to carry out its duty to oversee and monitor county child welfare agencies, children in foster care or receiving foster-care assistance, and out-of-state placements, or authorized legal staff or special investigators who are peace officers employed by, or who are authorized representatives of the State Department of Social Services, as necessary for the performance of their duties to inspect, license, and investigate community care facilities, to ensure that the standards of care and service provided in those facilities are adequate and appropriate, and to ascertain compliance with the rules and regulation to which the facilities are subject.

The Department of Justice, to carry out its duties pursuant to Penal Code sections 290.008 and 290.08 as the repository of sex offender registration and notification in California.

The Juvenile Justice Commission.

An Indian child's tribe that has intervened in the child's case.

An Indian child's tribe that has not intervened in the child's case.

The Department of Justice for the purpose of determining if the person is suitable to purchase, own, or possess a firearm consistent with Penal Code section 29820 and Welfare and Institutions Code section 786(g)(1)(J).

An individual other than a person described in Welfare and Institution Code section 827(a)(1)(A) to (a)(1)(P) who files a notice of appeal or writ petition challenging a juvenile court order, or who is a respondent or real party in interest in that appeal or writ proceeding, seeking to inspect or copy, for purposes of that appeal or writ proceeding, any records in a juvenile case file to which the individual was previously granted access by the juvenile court pursuant to Welfare and Institutions Code Section 827(a)(1)(Q), including any records or portions thereof that are made a part of the appellate record.

An attorney in an administrative hearing involving the minor or nonminor only as necessary to meet the requirements of Welfare and Institutions Code section 10952 and 10952.5. The attorney acknowledges that the confidential information shall remain confidential for purposes of the administrative proceedings and be available only to the judge or hearing officer and parties to the case. The confidential information shall be sealed after the conclusion of the administrative hearing and shall not subsequently be released except in accordance with this subdivision.

The California Department of Social Services, for the purpose of completing the required duties pursuant to an order setting aside an adoption, which includes vacating or setting aside a customary tribal adoption, filing a full report with the court within sixty (60) days after the notice of a petition to set aside the adoption, and for representing the child to determine if an order of adoption is to be set aside. (Welfare and Institutions Code sections 366.26 and 827).

An attorney representing a party in a civil proceedings filed by, or on behalf of, the person who is the subject of the juvenile case file, in which the defendant is either the child welfare agency, or probation department, or an employee of one of those entities for use in the civil proceedings as provided in Welfare and Institutions Code Sections 827(a)(1)(W)(ii) through Welfare and Institutions Code Sections 827(a)(1)(W)(vii).

**2. I am or represent one of the following individuals and entities that may inspect a juvenile case file without a court order. I understand I am not authorized to receive copies of the juvenile case file without a court order.**

- A member of the child’s multidisciplinary team, person or agency providing treatment or supervision of the child.
- A statutorily authorized or court-appointed investigator who is investigating pursuant to Family Code section 7663, 7851, or 9001, or who is actively participating in a guardianship case involving a minor pursuant to Probate Code Section 1500, et seq. and acting within the scope of the investigator’s duties in that active case.
- A local child support agency for the purpose of establishing paternity and establishing and enforcing child support orders.
- A court-appointed mediator or evaluator conducting a court-connected child custody evaluation, investigation, or assessment pursuant to Family Code 3150.
- A child welfare agency of a county responsible for the supervision and placement of a minor or nonminor dependent for the purpose of determining an appropriate placement or service that has been order for the minor or nonminor dependent by the court pursuant to Welfare and Intuition code section 786(g)(1)(H).
- A probation officer who is preparing a report pursuant to Welfare and Intuitions section 1178 on behalf of a person who has petitioned the Board of Juvenile Hearings for an honorable discharge.
- An attorney representing a person who is, or was, subject to juvenile proceedings under Welfare and Institutions Code sections 300, 601 and 602.

**3. INSPECTION OF RECORDS: I have read and agree to the following terms:**

- a. Any information contained in the records shall not be disclosed or disseminated to any person, unless otherwise ordered by the Juvenile Court.
- b. Records contained in the juvenile case file shall not be altered, deleted, transmitted, copies or photographed by any means.
- c. Records placed in confidential or sealed envelopes shall NOT be opened or viewed without a court order.
- d. The Court may monitor the inspection of the records for compliance with the court’s order.

**4. COPY OF RECORDS: I have read and agree to the following terms:**

- a. Any information contained in the records shall not be disclosed or disseminated to ~~any~~ any person, unless otherwise ordered by the Juvenile Court.
- b. Records placed in a confidential file or sealed envelope shall NOT be opened without a court order.

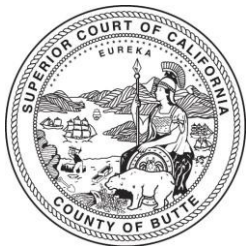
**5. I understand the above warning regarding dissemination of juvenile court records. I will abide by the terms and conditions set forth for inspection and record of copies of the juvenile court records.**

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
Type or print your name

\_\_\_\_\_  
Signature



# SUPERIOR COURT OF CALIFORNIA COUNTY OF BUTTE

Butte County Courthouse

One Court Street

Oroville, CA 95965

(530) 532-7002

North Butte County Courthouse

1775 Concord Avenue

Chico, CA 95928

(530) 532-7002

I am an individual or work for an entity that may inspect and receive copies of the Juvenile Court without an order of the Juvenile Court and request copies of the below documents.

Fees for services are as follows:

- Copies of documents \$.50 per page
- Certification of any document, \$40.00 per Certification

If you are paying by check, please obtain a copy count from the Court - please do not send blank checks).

**\*\*Checks should be made payable to "Butte County Superior Court" & must have a case number\*\***

Copy work requests are processing in the order received, typically within one week of receipt.

<b>Your name/Agency:</b>	
<b>Case#:</b>	
<b>Document(s) requested:</b>	
<input type="checkbox"/> <b>Certified Copies Requested (\$40 per Certification, plus \$.50 per page copy work charge.</b>	
<b>Additional Information:</b>	

SUPERIOR COURT OF CALIFORNIA, COUNTY OF BUTTE RULES

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):  TELEPHONE: EMAIL ADDRESS ( <i>Required</i> ): FAX NO. ( <i>Optional</i> ): ATTORNEY FOR (Name):	FOR COURT USE ONLY		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF BUTTE</b>  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                             Butte County Courthouse                              One Court Street, Oroville, CA 95965                              (530) 532-7002                         </td> <td style="width: 50%; border: none;">                             North Butte County Courthouse                              1775 Concord Avenue, Chico, CA 95928                              (530) 532-7002                         </td> </tr> </table>		Butte County Courthouse One Court Street, Oroville, CA 95965 (530) 532-7002	North Butte County Courthouse 1775 Concord Avenue, Chico, CA 95928 (530) 532-7002
Butte County Courthouse One Court Street, Oroville, CA 95965 (530) 532-7002		North Butte County Courthouse 1775 Concord Avenue, Chico, CA 95928 (530) 532-7002	
IN RE:			
<b>Request for Remote Appearance and Order</b>	CASE NUMBER:		

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**Instructions**

Individuals may request to participate in a court hearing remotely using this request form and order. This form must be served on all other parties to provide notice that you intend to appear remotely and filed with Butte County Superior Court for judicial review and order. This request must be filed at least 5 days before the hearing date to ensure proper handling and setup of a remote appearance (Local Rule 1.10).

A written request must be submitted to arrange for a witness to appear remotely. The attorney representing the party who wishes to call the witness can initiate this request by completing and filing the request with the court on the witness's behalf.

**A person appearing remotely should conduct themselves as though appearing in court in person.**

1. The person that intends to appear remotely is (*check and complete all that apply*)
  - Plaintiff/Petitioner (*name*):
  - Attorney for Plaintiff/Petitioner (*name*):
  - Defendant/Respondent (*name*):
  - Other (*name and role in case*):
2. The person(s) in 1 intend(s) to appear remotely (*check one*):
  - Throughout the case. **I understand that if this is approved, I am still responsible for contacting the court or other self-scheduling all of my remote appearances using the court's current remote appearance platform provider to obtain or reserve the remote appearance meeting information online (<https://www.butte.courts.ca.gov/online-services/remote-appearances>), as indicated on the court's website.**
  - At the proceeding described below (*describe*):  
 Type of proceeding:  
 Set on (date):  
 Before (*name of judicial officer, if known*):
3.  The person intends to appear by (*check the court's website for the method that may be used*):
  - Videoconference       Audio only (including telephone)

4. Reason for the request to appear remotely:

3.  Agree to keep the proceeding confidential, as required, to the same extent as required if I were appearing in person.

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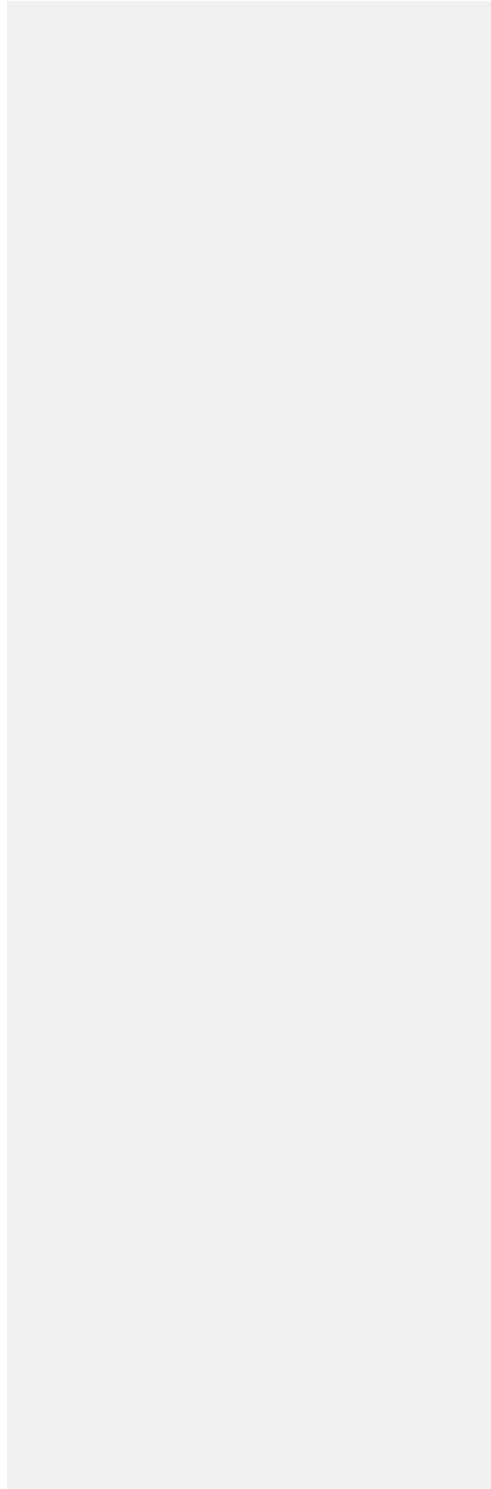
Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

(GR.060)  
Mandatory

Page 1 of 2  
**Request for Remote Appearance and Order**

(E.D. 7-1-265)



**ORDER REGARDING REMOTE APPEARANCE**

**THE COURT MAKES THE FOLLOWING ORDERS:**

- The request to appear remotely is **denied**.
- The request to appear remotely is **approved** for party(ies), as requested,  throughout the case, or  for the hearing set on \_\_\_\_\_ (date), by the following remote technology:
  - Videoconference only
  - Audio only (telephone)
  - Videoconference or audio
- The request to appear remote is **approved** with the following conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Hon.  
Judicial Officer,  
Superior Court of California, County of Butte