

Court Efficiency and Access to Justice

AUG 18, 2023

Welcome



Members of the Public




Members of the Bar




Office Staff and Administration


Why have we scheduled these meetings?



We wish to promote access to justice to all people in our community



Through efficient, but thorough procedures



Administered with the highest ethical standards

Achieving this will require feedback from the community, litigants, paralegals, attorneys, your staff and court staff.

Status of trial backlog, new FL standing order (EMC)

In-Person RFO Calendars

Minor's Counsel -- \$\$\$

Requirement to provide CR's at DV hearings

Recalling Bench Warrants

Plan for today:



One minor change re
Dissomaster
language.

1 COURT PREPARED
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8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN LUIS OBISPO

10 -000-

11 SAN LUIS OBISPO COUNTY SUPERIOR COURT FAMILY LAW DIVISION
12 INITIAL STANDING ORDER

13 This case has been assigned to the Family Law calendar. Whenever a new or existing case
14 is assigned, the Court issues this Initial Standing Order ("ISO"). This Order sets out the Judge's
15 rules and expectations that all parties must follow. In addition to this ISO, parties are required to
16 follow the California Code of Civil Procedure, California Rules of Court, and the Local Rules of
17 San Luis Obispo Superior Court ("SLOSC").

18 The Court hereby ORDERS as follows effective August 1, 2023:

19 I. CIVILITY AND PROFESSIONALISM

20 Parties must be civil, respectful, and professional at all times. The Court expects the
21 parties to be familiar with and follow the California Guidelines of Civility and Professionalism,
22 available at: [http://www.calbar.ca.gov/Attorneys/Conduct-Discipline/Ethics/Attorney-Civility-](http://www.calbar.ca.gov/Attorneys/Conduct-Discipline/Ethics/Attorney-Civility-and-Professionalism)
23 [and-Professionalism](http://www.calbar.ca.gov/Attorneys/Conduct-Discipline/Ethics/Attorney-Civility-and-Professionalism), as well as the San Luis Obispo Bar Association's Civility Guidelines.
24 Uncivil or unprofessional behavior will not be tolerated and may be met with sanctions. The
25 Court expects parties to resolve all disputes regarding scheduling or time extensions without the
26 necessity of Court involvement.

27 ///

28 ///

Return of Exhibits: At the completion of your long-cause hearing or trial and barring
jection of the parties or counsel, all exhibits will be returned to the respective owners and
lered held for the appellate period of time.

1. OBJECTIONS AT HEARINGS/TRIALS

Speaking objections **are not allowed**. Proper objections should be made as follows:

1. State the word "Objection;"
2. State the legally recognized basis for the objection; and
3. Remain silent and await the Court's ruling on the objection.

The Court's ruling on an objection is not a request for further comment by counsel. If the
urt requires additional input on an objection, then the Court will request additional input.


2. OTHER ISSUES

a. Communication with the Court: Occasionally, parties and/or attorneys may
mmunicate with the courtroom clerks about non-substantive case issues or upcoming court
rings. The court is ethically barred from having any "ex parte" communications with any party
their attorney so a judge or commissioner will never speak with a party or attorney about their
e without all parties and attorneys present. However, you may wish to speak with the court
rk about a calendaring issue. If you wish to communicate with the court clerk in some way,
ase make sure you include the other attorney or other party if they are self-represented in the
ail. If you don't, the email will be deleted immediately and not read.

b. Notice of this Order: Petitioner's counsel or Petitioner (if appearing on his or her own
half) shall immediately serve this Order on all parties, including any new parties to the action.

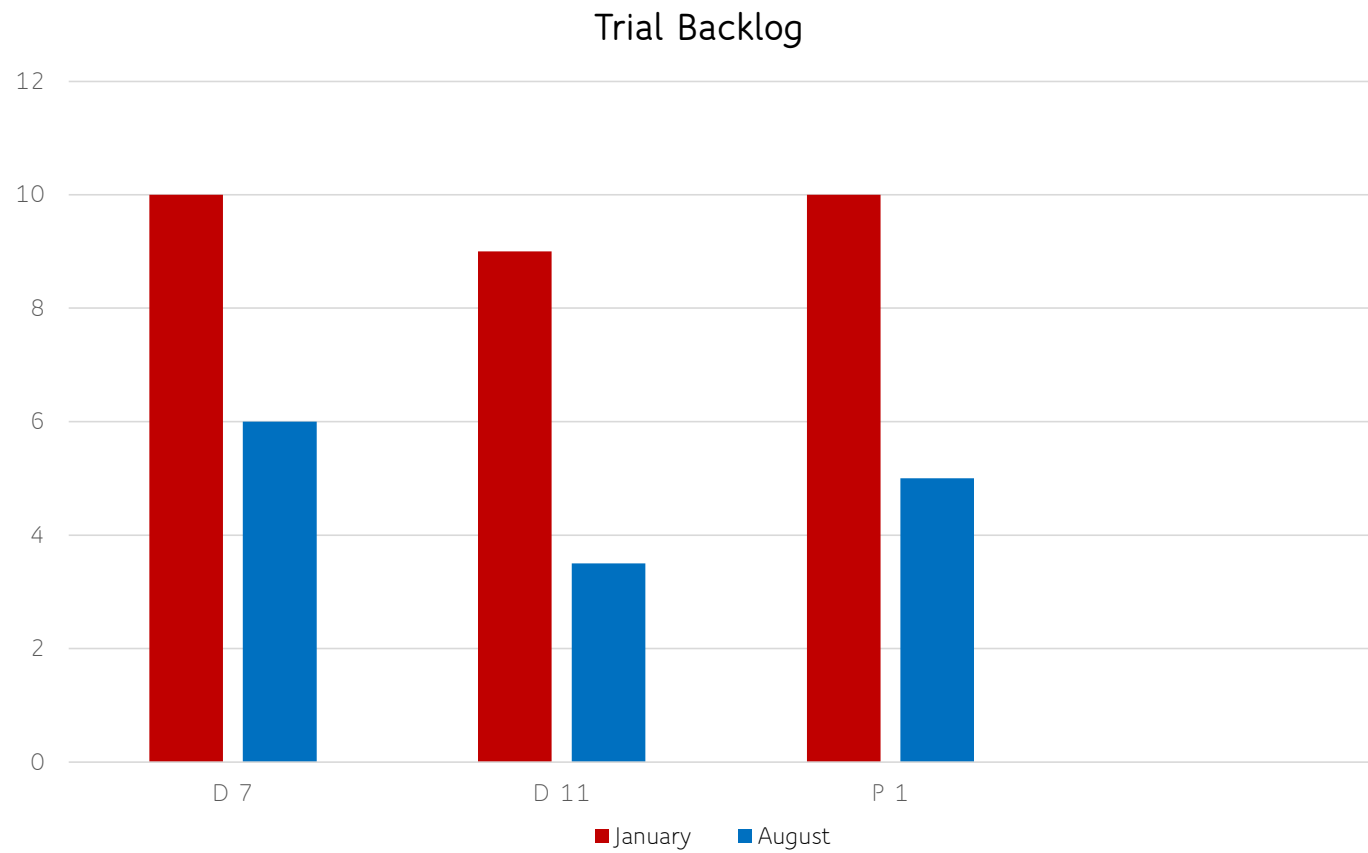
IT IS SO ORDERED:

DATED: August 11, 2023


Honorable Erin M. Childs
San Luis Obispo County Superior Court
Supervising Family Law Judge

orm is available here: <https://www.slo.courts.ca.gov/forms-filing/local-forms>
or any child support calculator certified for use per CRC rule 5.275(j)(2)

Status of trial backlog – January v. August



Our calendars are looking better every week.



It benefits us. We have a more manageable caseload and can give cases the time and attention they need.



It benefits you. Quicker access to the court, more predictable calendars. Reduction of “bumping.”



It benefits the public. Access to justice. More time with the bench officer if needed. BUT...





Despite the Standing Order, you are still required to meet and confer before your RFO is called per CRC rule 5.98 unless it is a DV.

These meet and confers really help move our cases along and get people some badly needed orders.

In-Person RFO Calendars for D 7 and D 11 starting 11.13.23 and 11.20.23 respectively

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
AM		D11 RFO	SM-4	SM-2	SM-3/P-1	SC's	RFO's
PM		D7 RFO	SM-4				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
AM		D11 RFO	TRIAL	D-11 DV's	DCSS Cal.	SC's	D 11 Trials
PM		TRIAL	TRIAL	TRIAL			

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
AM		TRIAL	TRIAL	TRIAL	TRIAL	SC's	D 7 Trials
PM		D7 RFO	TRIAL	TRIAL	TRIAL		

Zoom court appearances will generally not be granted solely because an attorney is double set in another courtroom, in trial in another county close in time to the RFO calendar, or because they are from out of town.



Wi-Fi network:

SLO-GUEST (all caps)

Password:

whyR1ess (wireless)

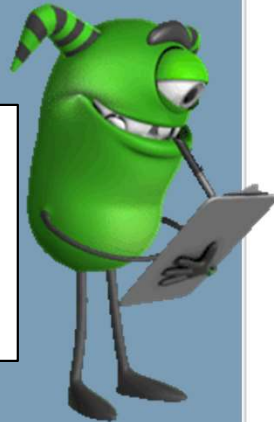


The Wi-Fi connection is HORRIBLE in the courthouse!

Minor's Counsel Billing

Remember: MC's DO NOT pay filing fees with the court.

Danielle Hernandez: SLO Court Fiscal:
danielle.hernandez@slo.courts.ca.gov



San Luis Obispo County Superior Court Family Law Department

To Whom it May Concern:

The San Luis Obispo Family Law Department would like to announce a number of changes that will be taking place as indicated herein.

1. Compensation of Court-Appointed Minor's Counsel - San Luis Obispo County Superior Court

Effective **July 1, 2023** and going forward, Minor's Counsel will be compensated for the following services at the following rates:

- **Minor's Counsel:** billed in 1/10th hour increments: **\$110.00**
- **Minor's Counsel Office Staff:** billed in 1/10th hour increments: **\$50.00**
- **Discretionary hard costs:** These costs must be requested and authorized in advance by the supervising Family Law judge. Parking, most photocopying and fax fees will generally not be compensated. Please note, there are no court filing fees for Minor's Counsel.
- **Travel time:** Travel time will not be compensated.
- **90-Day Submission Requirements:** Minor's Counsel bills must be submitted no later than 90 days after the date of service. Bills submitted after 90 days of the date of service will not be considered.

****Private-pay Minor's Counsel** will be compensated for their time, and their staff's time at their private-pay rates unless otherwise agreed to at the time of appointment.

2. Change of Clerks—Commencing July 24, 2023, Dani Klein and Amy Santana will be assigned to Department 7 with Judge Childs and Anna Zanellato and Victoria Miller will be assigned to Department 11 with Commissioner McDaniel. In order to avoid any missed emails due to clerk mobility, starting on July 24th, please email to these new courtroom-specific email addresses:

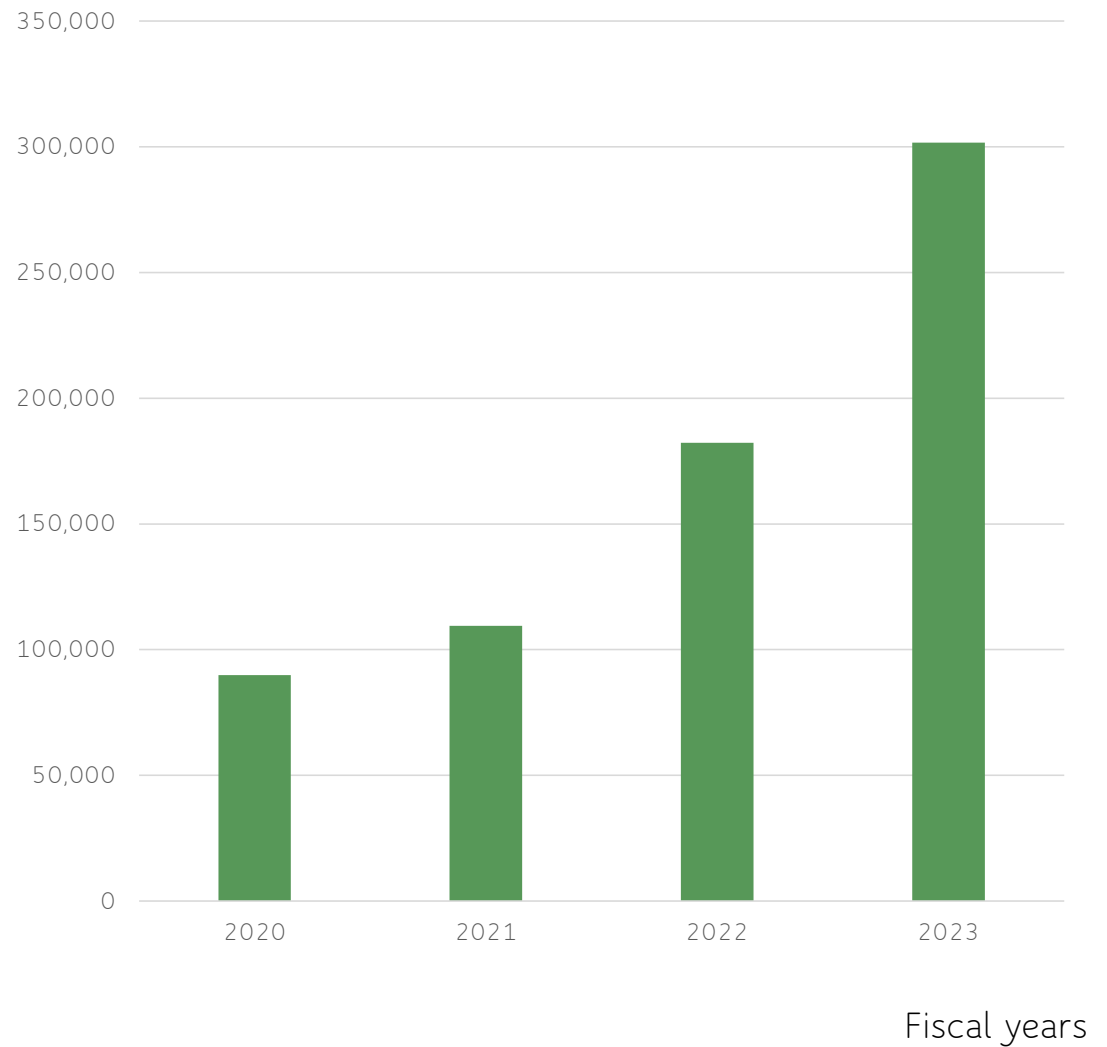
- a. **Department 7:** department7@slo.courts.ca.gov
- b. **Department 11:** department11@slo.courts.ca.gov

Whoever is clerking in that courtroom that day will have the ability to monitor, send and receive emails from that email address so no emails pertinent to that courtroom will be missed.

3. New Family Law Division Initial Standing Order – Commencing August 1, 2023, the attached Initial Standing Order will be issued for all new Family Law cases. Petitioners will be required to serve this document with their initial paperwork. Further instructions will be disseminated as August 1st approaches.

History of Minor's Counsel Billing – Court Pay

Going forward, each bench officer will more thoroughly consider the parties' ability to pay for MC if they request appointment of one as well as review bills submitted by MC.



NO Requirement to provide Court Reporters to all parties at DV hearings

- Per CRC rule 2.956
- Jameson v. Desta (2018) 5 Cal.5th 594
- California Government Code section 68086
- Unless a party has qualified for a fee waiver AND they have requested a court reporter 7 days in advance. (That is not possible if they have been served 5 days in advance. So, each bench officer will exercise discretion. Get them in ASAP.)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN LUIS OBISPO <input type="checkbox"/> 1035 Palm Street, San Luis Obispo, CA 93408 <input type="checkbox"/> 901 Park Street, Paso Robles, CA 93446		<i>For Court Use Only</i>
Plaintiff/Petitioner:		
Defendant/Respondent:		
NOTICE & REQUEST FOR COURT REPORTER		Case Number:

NOTICE

The Court will provide an Official Court Reporter to in forma pauperis litigants in civil and family law matters upon request for the following types of hearings: family law trials, family support hearings, family law requests for order, hearings on requests for civil or family law restraining orders, unlimited jurisdiction civil trials, civil law and motion, probate, conservatorships, guardianships, and mental health proceedings.

In order to be eligible for a court reporter, the litigant must have an order granting a fee waiver on file in the case. In matters that do not require a filing fee, such as requests for civil or family law restraining orders, a party who is eligible for a waiver of fees must file a Request to Waive Court Fees (Judicial Council Form FW-001).

The party requesting a court reporter must file and serve the request no later than seven (7) days prior to the scheduled hearing, with notice to all parties. A failure to file a timely request may be considered a waiver of a court reporter for the scheduled hearing.

REQUEST FOR COURT REPORTER

1. Name of Party requesting court reporter: _____
☐ Petitioner/Plaintiff ☐ Defendant/Respondent ☐ Other Party _____
2. The Order granting a fee waiver (Form FW-003) was filed on: _____.
3. The next hearing is scheduled on _____.

Date:

Printed Name

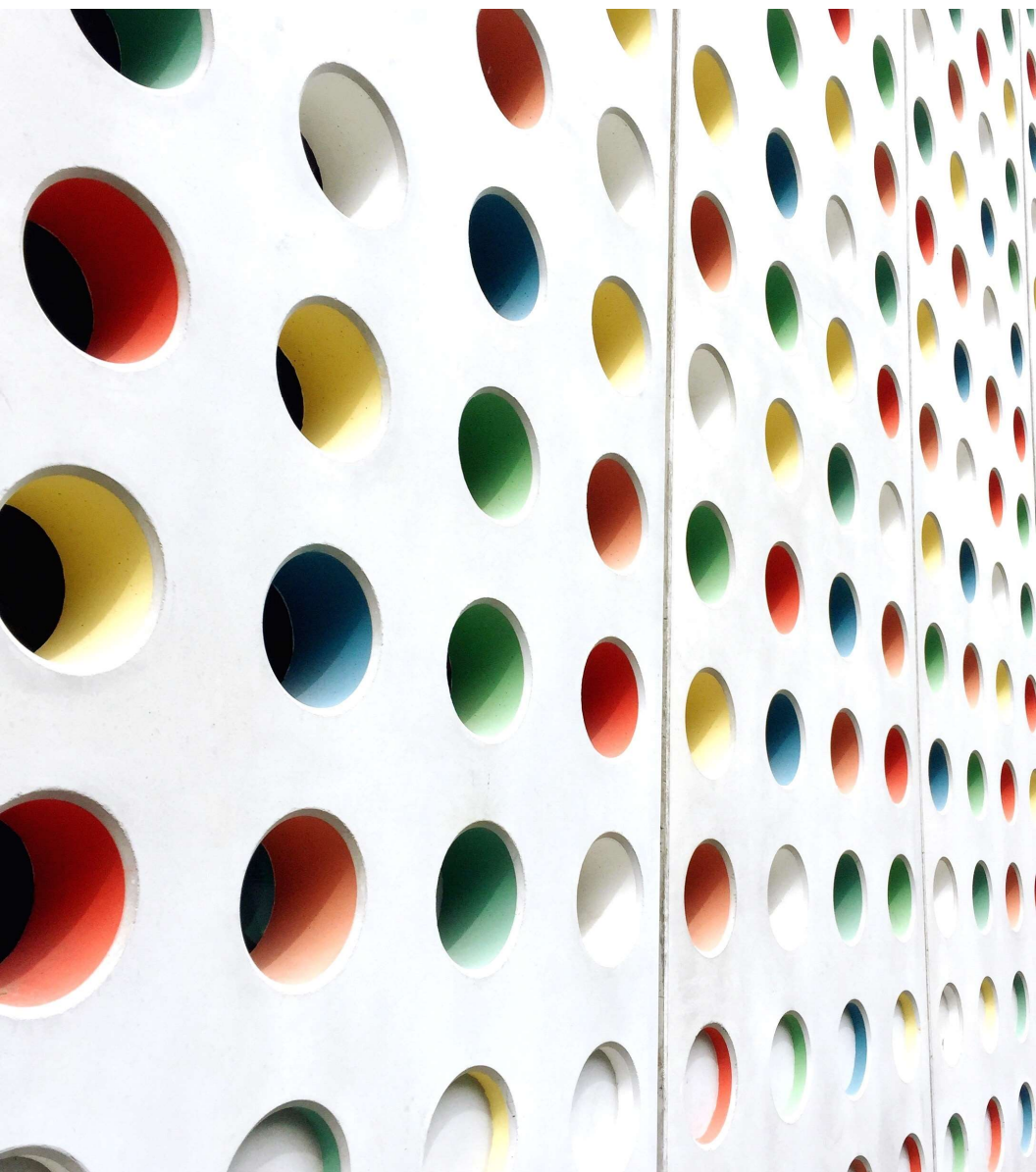
Signature

What is the procedure for getting a Family Law bench warrant recalled and party on calendar?

1. Party surrenders him/herself at Sheriff's Civil window.

2. Sheriff will put party on calendar in appropriate court room right then and there.

3. Case information will reflect a "Surrender on Warrant" court appearance. No outstanding warrant.



Q & A: Judge Guerrero moderating

*PLEASE NO CASE-SPECIFIC
QUESTIONS.*

Thank you for being here today!



Now go forth and be awesome.