

TITLE 10
ADMINISTRATION

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**TITLE 10
ADMINISTRATION**

RULE 10005

TRANSFER OF POWERS, DUTIES, AND RESPONSIBILITIES FROM THE COUNTY CLERK TO THE EXECUTIVE OFFICER

- A. Pursuant to Government Code Section 69898, subdivision 8 and (d), the court hereby transfers from the County Clerk to the Superior Court Executive Officer all of the powers, duties and responsibilities of the County Clerk which relate to, serve or impact the functions of this court. The powers, duties and responsibilities transferred pursuant to this rule shall include all of those performed by the County Clerk with respect to superior court actions, proceedings and records, including but not limited to:
1. The acceptance, processing and filing of papers in connection with any action or proceeding before the court, including but not limited to those relating to the court's original jurisdiction, appellate jurisdiction and appeals from the court; the maintenance and management of court records; the micro-filming of court records and the keeping and disposition of papers, documents, files and exhibits in accordance with law.
 2. The maintenance of indexes of all court files; the keeping of a register of actions or its alternate.
 3. The issuance of process and notice including without limitation, summons, writs of execution, and other writs; subpoenas to witnesses; probate notices; citations in probate, guardianship and other matters; the acceptance of service on parties, the entry of defaults; the transmission of transcripts on change of venue.
 4. The attendance at each session of court and upon the judge in chambers when required; the administration of oaths; the keeping of minutes and other records of the court.
 5. The entry of orders, findings, judgments and decrees; the acceptance for filing of confessions of judgment; the authentication of records; certification of abstracts of judgment, the keeping of a judgment book or its equivalent.
 6. The collection, receipt, deposit, and accounting of fees for filings, for preparing or certifying copies and for other fees; the receipt of jury fees, bonds, undertakings, fines, forfeitures and revenues; the keeping of money deposited in court including but not limited to, funds received in connection with minor's compromise; the recovery of county costs in judicial commitment proceedings.

7. The maintenance of statistical and financial records and the preparation of reports to the Judicial Council and other state and county offices as required by law or policy.
 8. The keeping of naturalization records.
 9. The preparation of the clerk's transcript on appeal and the transmission of the record and exhibits to the reviewing court.
 10. The receipt of wills of decedents.
 11. The taking of bail and related matters as provided in the Penal Code.
 12. The provision of calendar management, including the calendaring of cases and hearings and the maintenance of court calendars and schedules.
 13. The printing and sale of court forms and rules of court; the procurement of supplies.
 14. The keeping and affixing of the seal of the court to appropriate instruments.
 15. Administrative functions related to the above, including hiring, training and supervision of personnel; accounting functions; mailing activities; and ordering and storing equipment and supplies.
- B. The County Clerk is hereby relieved of any obligation imposed on him by law with respect to the above powers, duties and responsibilities. This rule does not transfer from said County Clerk to the Executive Officer those powers, duties, and responsibilities of the County Clerk which are performed by County Clerk in such capacity such as the issuance of marriage licenses, the filing of fictitious business name statements, and the keeping of naturalization records.
- C. If any part of this rule is held to be unconstitutional or invalid, the remaining parts shall not be affected thereby.

(Added 11-22-89, effective 1-1-90; Moved from Title 9 and renumbered from Rule 9.0050, 8-1-11, effective 1-1-12)

RULE 10010
PRESIDING JUDGE AND ASSISTANT PRESIDING JUDGE

- A. Pursuant to Government Code section 69508 and Rule 10.602 of the California Rules of Court, on the last Monday in June, hereafter called election date, every other year, by a majority vote in a secret ballot, the sitting judges shall elect a Presiding Judge, who will serve one two-year term beginning on January 1 following the election. The Presiding Judge shall not serve a second consecutive two-year term. A sitting judge

having served one two-year term may serve additional two-year terms, but not consecutively.

- B. Nomination forms will be distributed to all sitting judges six weeks before the election date. Completed nomination forms containing the signatures of at least five sitting judges shall be filed with the Executive Officer of the Superior Court no later than 10 court days after the forms are distributed. Each judge nominating a candidate need not sign the same nomination form, so long as at least five sitting judges sign nomination papers for a single candidate. No judge may nominate more than one individual.
- C. Three weeks before the election date, the Executive Officer shall distribute ballots to all sitting judges containing the names of all individuals who received the minimum number of nominations required and who have agreed to serve as Presiding Judge, if elected. Completed ballots must be returned to the Executive Officer no later than 4:00 p.m. on the election date. Voting cannot be by proxy.
- D. If there are less than three candidates on the ballot and no candidate receives a majority vote of the sitting judges, the nomination process will be re-opened for a period of 5 court days following the election date. If there are three or more candidates on the ballot and no candidate receives a majority vote of the sitting judges, the two who receive the largest number of votes will be the candidates and there will not be a second nomination process. Within one week after the close of the second nomination period, the Executive Officer shall distribute ballots to all sitting judges containing the names of all the individuals who received the minimum number of nominations required and who have agreed to serve as Presiding Judge, if elected. Completed ballots must be returned to the Executive Officer no later than 4:00 p.m. 10 court days thereafter.
- E. Upon being elected Presiding Judge, the successful candidate (herein, "Presiding Judge Elect"), shall forthwith meet and confer with each of the sitting judges for the purpose of selecting an Assistant Presiding Judge. Upon completion of said meet and confer process, the Presiding Judge Elect shall nominate his or her designee for the position of Assistant Presiding Judge and shall notify in writing all judges of such nomination. The name of the designee shall thereafter be placed before the sitting judges in a confirmation election. If a designee fails to receive confirmation by majority vote, the Presiding Judge Elect shall recommence the process (meet and confer; nomination; and confirmation election) until a designee is confirmed by majority vote. The Assistant Presiding Judge shall serve for a term of two (2) years, concurrent with that of the Presiding Judge. A designee who failed to receive confirmation by majority vote shall not be eligible for the position of Assistant Presiding Judge for a period of one year.
- F. The Assistant Presiding Judge shall have responsibility for such duties as are delegated to him/her by the Presiding Judge. If for any cause the Presiding Judge is unable to fulfill the duties of the office or to complete the term of office, the Assistant

Presiding Judge shall assume all the duties and responsibilities of the Presiding Judge during the remainder of his/her term of office.

- G. The restriction of serving consecutive terms set forth in section A shall not prevent an Assistant Presiding Judge who assumes the duties and responsibilities of the Presiding Judge pursuant to this rule from election to a full term as Presiding Judge consecutive to the term he/she completed.

(Added 10-17-98, effective 1-1-99; amended 9-29-01, effective 1-1-02; amended 10-22-04, effective 1-1-05; amended 10-28-06; effective 1-1-07; amended effective 7-1-07; Moved from Title 9 and renumbered from Rule 9.2000, 8-1-11, effective 1-1-12)

RULE 10015 EXECUTIVE COMMITTEE

- A. Pursuant to California Rule of Court 10.605, there shall be an Executive Committee to advise the Presiding Judge in the exercise of his/her duties as prescribed in California Rule of Court 10.603.
- B. The voting members of the Executive Committee shall consist of:
1. The Presiding Judge;
 2. The Assistant Presiding Judge;
 3. The immediate past Presiding Judge;
 4. The Countywide Supervising Judge for Civil;
 5. The Countywide Supervising Judge for Criminal;
 6. The Countywide Supervising Judge for Family Law;
 7. The Countywide Supervising Judge for Probate;
 8. The Presiding Judge for Juvenile Court; and
 9. Four judges, selected from the bench at large.
- C. The chairperson of the Commissioner Advisory Committee shall be a non-voting member of the Executive Committee.
- D. Executive Committee members shall be appointed by the Presiding Judge. The Presiding Judge shall take into consideration regional balance on the Executive Committee when selecting the at-large judges.
- E. The following rules shall apply:
1. The Executive Committee shall meet at least monthly, unless for good cause canceled. Such meetings shall be open to all sitting judges.
 2. The Presiding Judge shall serve as the Chairperson of the Executive Committee. In the absence of the Presiding Judge, the Assistant Presiding Judge shall serve as Chairperson.

3. Within five (5) court days after each meeting of the Executive Committee, the Chairperson shall cause the minutes of the meeting to be published to all judges and commissioners.
4. A quorum of the Executive Committee shall be a majority of its voting members, including the Presiding Judge who may vote in all cases.
5. There shall be no absentee or proxy voting at Executive Committee meetings.

(Added 10-17-98, effective 1-1-99; amended 9-29-01, effective 1-1-02; amended 4-30-04, effective 7-1-04; amended 4-17-09; effective 7-1-09; Moved from Title 9 and renumbered from Rule 9.2500, 8-1-11, effective 1-1-12; amended 10-19-12, effective 1-1-13)

RULE 10020
DELEGATION OF JUDICIAL ADMINISTRATIVE RESPONSIBILITIES

- A. Pursuant to California Rule of Court 10.603, the Presiding Judge has the authority to delegate judicial administrative responsibilities and shall do so by appropriate standing order.
- B. The areas in which the judges as a whole retain authority and responsibility for court governance include:
 1. Election of the Presiding Judge;
 2. Selection of the Assistant Presiding Judge as provided for in Rule 10010;
 3. Selection/removal of the Court Executive Officer (CEO);
 4. Selection of Subordinate Judicial Officers (SJO's);
 5. Items referred by the Presiding Judge to the judges as a whole for action or advice;
 6. Establishment of the long-range vision for the future of the Court by adoption of the Court's Strategic Plan; and
 7. Matters for which the judges as a whole wish to reconsider action taken by the Executive Committee based on the processes described in Local Rule 10025(B).
- C. The Presiding Judge shall appoint:
 1. Countywide Civil Law Supervising Judge;
 2. Countywide Criminal Law Supervising Judge;
 3. Countywide Family Law Supervising Judge;
 4. Countywide Probate Law Supervising Judge; and
 5. A Presiding Judge for Juvenile Court.

(Adopted 4-30-04, effective 7-1-04; Moved from Title 9 and renumbered from Rule 9.2600, 8-1-11, effective 1-1-12; amended 10-19-12, effective 1-1-13)

RULE 10025
COUNTYWIDE JUDGES MEETINGS

- A. Meetings of all the judges shall be held twice each year, which shall be designated as the “spring and autumn Countywide meetings”.
- B. Special meetings of the entire court may be called on notice by the Presiding Judge or on written request of twelve (12) sitting judges served on the Executive Officer and bench at least five days before the proposed meeting date.
- C. A quorum shall consist of a majority of the sitting judges.
- D. There shall be no proxy voting on questions before the Court, except that absentee voting shall be allowed on proposed amendments to Court Rules and the election of the Presiding Judge. In the matter of approval of amendments to these Rules, absentee ballots must be signed, placed in a sealed envelope and delivered to the Executive Officer prior to the date of the meeting in which the amendments are to be considered. A majority vote of all sitting judges shall be necessary to adopt an amendment to these Rules.
- E. Within five (5) working days after each meeting, the Presiding Judge shall cause the Minutes to be published to all judges.

(Added 10-17-98, effective 1-1-99; Moved from Title 9 and renumbered from Rule 9.3000, 8-1-11, effective 1-1-12)

RULE 10030
MEDIA INQUIRIES

A. Definitions

For purposes of this Local Rule, the following definitions apply:

- (1) The term “court” means any courtroom, courthouse, court office, or court facility in the County where the court conducts business, including but not limited to all entrances, exits, hallways, elevators, stairwells, waiting areas, security screening stations, service areas, lobbies, clerk’s offices, and adjacent court parking areas. It does not include the offices in any courthouse or court facility occupied by independent agencies, including the Offices of the District Attorney and the Public Defender.
- (2) The term “media” or “media agency” means any person or organization engaging in news gathering or reporting and includes any newspaper, radio or television station or network, news service, magazine, trade paper, in-house publication, professional journal, or other news-reporting or news-gathering agency.

- (3) The term “media coverage” means any photographing, recording or broadcasting of court proceedings by the media using television, radio, photographic, or recording equipment.

B. Media Inquiries Regarding Coverage of Courtroom Proceedings

Media coverage of court proceedings is governed by California Rules of Court, Rule 1.150.

C. Media Inquiries Regarding Use of Court Facilities

(1) Media Coverage in Court Facilities, Aside from Proceedings in Courtrooms

Media requests to film, photograph, or otherwise broadcast, aside from court proceedings in a courtroom, shall be made in writing to the court’s Public Information Office before the proposed filming or photographing is to occur. The request should include relevant details including, but not limited to: the amount of time needed to complete the assignment, the purpose, scope, proposed time and date of the filming, photographing and/or broadcast. Such written requests will be reviewed, and routed to the Presiding Judge or the Supervising/Lead Judge for the requested facility, or their designee, as appropriate for approval.

(2) Other Media Inquiries to Use Court Facilities

Other media requests for use of court facilities not relating to media coverage of court proceedings in a courtroom, and not falling within Section C(1) of this Local Rule shall be made in writing to the Public Information Office. The written request should include relevant details including, but not limited to: the amount of time requested for use of the court facility, the purpose, scope, and proposed time and date of the requested use of the court facility. Such written requests will be reviewed, and routed to the Presiding Judge or Executive Officer for consideration.

(3) Requirements for Media Regarding Court Policies and Procedures

Each media agency is responsible for ensuring that all its personnel in the court know and follow all court policies and procedures, and any instructions of court representatives.

(4) Court Authority to Revoke Permission

Permission to film, photograph, broadcast or otherwise use the court facility granted pursuant to Section C of this Local Rule may be revoked by the court at any time.

D. Media Inquiries Regarding General Information

All media inquiries as to general information, policies or other matters shall be referred to the Public Information Office. The Public Information Office will coordinate responses to the media with the Presiding Judge, Court Executive Officer, or applicable designees as appropriate.

(Adopted 10-21-05, effective 1-1-06; Moved from Title 9 and renumbered from Rule 9.5000, 8-1-11, effective 1-1-12; amended 4-24-15, effective 7-1-15)