



PUBLIC NOTICE

Release Date: September 28, 2021

SUPERIOR COURT OF
CALIFORNIA
COUNTY OF SAN BERNARDINO
247 West Third Street, 11th Floor
San Bernardino, Ca 92415-0302
www.sb-court.org

909-708-8747

Michael A. Sachs
Presiding Judge

Nancy CS Eberhardt
Court Executive Officer

NEW AND AMENDED LOCAL RULES EFFECTIVE JANUARY 1, 2022

SAN BERNARDINO, CA—San Bernardino Superior Court (SBSC) proposes to amend local rules 220, 411.1, 420, and add local rules 221 and 1695 et seq. (attached) effective January 1, 2022.

The public comment period concerning tentative rulings may be made to SBSC's Communications & Public Affairs Officer, Julie Van Hook, at courts-pio@sb-court.org. If you do not have internet access, comments may be mailed to: Superior Court of California, County of San Bernardino, Attention: Julie Van Hook, Communications & Public Affairs Officer, 247 West Third Street, San Bernardino, CA 92415-0210. All comments must be received before November 15, 2021.

This notice has been posted on the court's website at www.sb-court.org. For media inquiries, please contact the Communications and Public Affairs division (909) 708-8779 or courts-pio@sb-court.org.

RULE 220

An annual meeting of the Judges of the Superior Court shall be held on a date, and at such time and place, as designated by the Presiding Judge. Agendas for the annual meeting shall be distributed to all Judges three (3) days before the meeting. Minutes shall be distributed to all Judges within ten (10) court days of the meeting. (Eff. July 1, 1998. Amended January 1, 1999 and July 1, 2012. Amended, eff. January 1, 2022.)

RULE 221

A full bench meeting of the Judges of the Superior Court shall be held annually on a date in June, and at such time and place, as designated by the Presiding Judge. Agendas for the annual meeting shall be distributed to all Judges three (3) days before the meeting. Minutes shall be distributed to all Judges within ten (10) court days of the meeting. (Eff. January 1, 2022.)

Rule 411.1 Trial Setting Conference

An initial trial setting conference shall be held in all unlimited and limited civil cases in lieu of a case management conference. The initial trial setting conference shall be held without the appearance of the parties, except where good cause is shown or if the case is at issue. Where an appearance is required, any party may appear at the hearing remotely, unless the court orders an in person appearance, or otherwise one is required by law.

The date of the trial setting conference shall be set by the clerk at the time of the filing of the initial complaint. The date fixed will be a court date on or before the twenty-sixth (26th) week from the filing of the complaint.

The purpose of this conference is to review the case and consider the factors in Rule of Court 3.727.

The parties shall file and serve, no later than 10 days prior to the Initial Trial Setting Conference an Initial Trial Setting Conference Statement (local form #13-09001-360). Following the court's review, the court will issue and serve a Minute Order and set further court dates.

Prior to the date of the initial trial setting conference, the court may entertain a written stipulation by all appearing parties to continue the initial trial setting conference if filed at least 30 days prior to the conference

The court may set further trial setting conferences following the initial trial setting conference. In that event, an At Issue Memorandum shall be filed and served no later than 15 days prior to the trial setting conference.

Complex cases shall be governed by Local Rule 412. (Eff. May 6, 2013. Amended, eff. January 1, 2014 and January 1, 2017. As amended, eff. January 1, 2022.)

RULE 420 CASES REMOVED TO OTHER COURTS

Upon the filing of a Notice of Removal, the Court will set a non-appearance status conference for a date, not earlier than 90 days from the date of removal or transfer. At the OSC hearing, the Court will determine the status of the case. If it is determined that the case remains pending in federal court, no further status conference or other hearing in this Court will be set.

If a case is remanded from federal court, the plaintiff shall notify the Court of the remand or return and request a case management conference date. The plaintiff shall notify the Court of any action by the federal court that resolves the case or of any pertinent orders or rulings entered in the federal action.

If a case is removed to bankruptcy court, the Court will continue the status conference for 90 to 180 days at the Court's discretion. The plaintiff shall notify the Court of any action by the bankruptcy court that resolves the case. Any request for a stay must comply with California Rules of Court, Rule 3.650. This rule does not apply to unlawful detainer cases filed under Code of Civil Procedure, section 1159 et seq. (Eff., July 1, 2003. Amended, eff. January 1, 2012. Amended, eff. January 1, 2017. As amended, eff. January 1, 2022.)

RULE 1695 SIGNATURES ON DOCUMENTS FILED IN JUVENILE COURT

Rule 1695.1 Photocopied Signatures

Except as provided in Rule 1695.4, San Bernardino County Probation Department, San Bernardino County Children and Family Services, Inland Regional Center, the Child Advocacy Program Court Appointed Special Advocate (CASA), the attorney of record for a party to a Juvenile Court case, and the minor or non-minor who is the subject of the proceedings in a juvenile court case may file documents containing photocopied signatures.

Parties that are not identified in the preceding paragraph may only file the following documents containing photocopied signatures:

- (a) Request to Change Court Order (form JV-180)
- (b) Relative Information (form JV-285)
- (c) Caregiver Information Form (form JV-290)
- (d) Local Educational Agency Response to JV-535—Appointment of Surrogate Parent (form JV-536)

- (e) Petition for Access to Juvenile Case File (form JV-570), Notice of Petition for Access to Juvenile Case File (form JV-571), and Objection to Release of Juvenile Case File (form JV-572) and Proof of Service—Petition for Access to Juvenile Case File (form JV-569)

All other documents filed in the Juvenile Court must contain an original signature.

Notwithstanding any provision of law to the contrary, a document filed under this rule is deemed to be an original. (Eff. January 1, 2022.)

Rule 1695.2 Possession of Original Document

A party who files a document containing a photocopied signature under this rule represents that the original signed document is in the party's possession or control.

At any time after filing or service of a document containing a photocopied signature, any other party may serve a demand for production of the original physically signed document. The demand must be served on all other parties but not filed with the court. If a demand for production of the original signed document is made, the parties must arrange a meeting at which the original signed document can be examined. (Eff. January 1, 2022.)

Rule 1695.3 Electronic Signatures

Except as provided in Rule 1695.4, San Bernardino County Probation Department, San Bernardino County Children and Family Services, Inland Regional Center, the Child Advocacy Program Court Appointed Special Advocate (CASA), and the attorney of record for a party to a Juvenile Court case, may file documents containing electronic signatures in accordance with California Rules of Court, Rule 2.257.

At any time after filing or service of a document containing an electronic signature, any other party may serve a demand for production of authenticity of an electronically signed document. The demand must be served on all other parties but not filed with the court. If a demand for production of authenticity of an electronically signed document is made, within five days of service of the demand the party on whom the demand is made must provide proof of authenticity to the requesting party.

Notwithstanding any provision of law to the contrary, a document filed under this rule is deemed to be an original. (Eff. January 1, 2022.)

Rule 1695.4 Exclusions

This rule does not apply to the following documents:

- (a) Request for Restraining Order - Juvenile (form JV-245), Answer to Request for Restraining Order - Juvenile (form JV-247), Notice of Hearing and Temporary Restraining Order - Juvenile (form JV-250), Request and Order to Continue

Hearing (form JV-251), Proof of Firearms Turned In, Sold, or Stored (form JV-252), Restraining Order – Juvenile, Order After Hearing (form JV-255), Change to Restraining Order After Hearing (form JV-257), and proof of service for any restraining order document

(b) *Letters of Guardianship (Juvenile)* (form JV-330)

(c) Warrants of apprehension

(d) Warrants of protective custody, except that any warrant submitted through the court's electronic warrant process may be signed electronically

(e) Documents pertaining to the sealing of juvenile court records

(f) Any juvenile court adoption proceedings

(Eff. January 1, 2022.)