

CourtNews

San Mateo County Superior Court's Online and E-mail Newsletter
to the San Mateo County Bar Association

Presiding Judge Mark R. Forcum

Assistant Presiding Judge George A. Miram

March 25, 2004

***Welcome to the first
online newsletter from
Judge Forcum and
Judge Miram!***

This new format will communicate changes and new programs of interest to the Bar. We hope that you will find this helpful and we look forward to further developing this e-mail newsletter as a regular forum of communication with you.

As always, we welcome your input. Click on the "webmaster" link on the Court's website or [click here](#) to send any ideas or comments.

New Probate Rules

Based on input we received about Probate rules during last year's Bench-Bar lunch program, Assistant Presiding Judge George A. Miram chaired a Bench-Bar Committee with Judges Pfeiffer, Whitmer, Forcum and private lawyers Colleen McAvoy, Walter Shefflo, Linda Dvorak, Margaret Martin, Larry Dugoni, Ray Swope, and Supervising Research Attorney David Cairns. The Committee's work was supported by the Court's Rules and Legislation Analyst Timothy Gee.

This committee, with help from the Probate Bar, County Counsel and Public Guardian's Office developed and revamped the Probate rules for the first time in fourteen years. The Committee met over a period of several months and the entire Court is extremely appreciative of the time and effort that the Probate Bar and Timothy Gee gave to this project. On March 19, 2004, the Judges approved these rule changes subject to public comment. Please visit the Court's website and click on "[Invitation to Comment - Proposed Local Rules Changes](#)." You may send any comments about the proposed new Rules to the [webmaster](#).

Family Law Rule Change

After receiving input and constructive analysis from the Bar, we have proposed a Rule of Court amendment that loosens the repetitive re-noticing requirement of Family Law ADR options.

The Court adopted a rule in January 2004 to promote the proper and timely use of ADR Options in Family Law actions. The original rule required a "Notice of ADR Options" to be filed and served on the other party every time there was any family law pleading which resulted in a court hearing or trial. To relieve the burden on attorneys and litigants, we proposed an amendment that states that Notices are not required when a Notice has previously been filed within the past 180 days. On March 19, 2004, the Judges approved these rule changes subject to public comment.

We welcome your input about this proposal. Please visit the Court's website and click on "[Invitation to Comment - Proposed Local Rules Changes](#)" to view the rules and send any comments to the [webmaster](#).

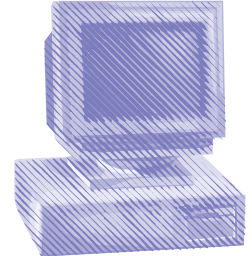
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Technological Advances - "Open Access" to Court Files

As part of our Bench-Bar lunch program, we learned that counsel have an appropriate and ongoing need to access court case information over the internet. This service will significantly benefit you and your clients by eliminating trips to the courthouse to wait for court files to be located. After receiving your input, we consulted with our existing case management system vendor and with the help of Court Executive Officer Peggy Thompson and the Court's Director of Information Technology Tim Benton, we have implemented "Open Access" which provides a register of actions in Civil, Probate, Small Claims and Family Law cases. LPS and Conservatorship cases are not included given the confidential nature of these proceedings.



We want the system to be user-friendly and helpful; so you can use the system with a party name or case number to trigger the relevant information. Visit the Court's website and click on the "[Access Court Files on the Internet](#)" link to get started. As always, we welcome your feedback about this service through the Court's [webmaster](#).

Technological Advances II - Wireless Internet Access

Another idea that was developed during our lunch program was to provide attorneys with wireless access to the internet so that counsel, while at the courthouse, could access their e-mail and legal research services, such as Lexis-Nexis.



We are happy to report that this service is now available on the second floor of the Hall of Justice. We also hope to expand the service to the rest of the courthouse within the next few months. We view this as particularly helpful to counsel who are in court regularly or who may be litigating a complicated or lengthy case. Please visit the Court's website and click on the "[Wireless Internet Access](#)" link to see how you can arrange for this service.

This service does have limitations and there is a subscription cost associated with the service. Each trial judge may limit the use of laptops or other electronic devices within their courtrooms. Please also see the Presiding Judge's standing order regarding Remote Laptop/Electronic Access below.

Standing Order Regulating Use of Remote Laptops or Other Electronic Access Devices in the Courthouse

GOOD CAUSE APPEARING THEREFORE, based upon the Court's responsibility to effectively manage and administer access to court records and court proceedings and in the interest of maintaining the decorum and orderliness of court proceedings consistent with the statutes, Rules of Court, and court policies;

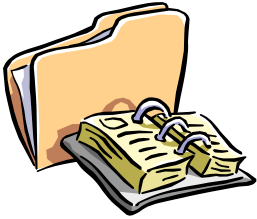
IT IS HEREBY ORDERED THAT:

1. The use of laptops and/or electronic devices by counsel or any member of the public in specific courtrooms is to be regulated by each individual trial judge.
2. In no event shall attorneys or any member of the public use wireless Internet connections, whether by laptop computers or any form of electronic access, to record, photograph or transmit any court proceeding, unless otherwise specifically authorized by California Rules of Court, Rule 980.

Signed March 19, 2004
Hon. Mark R. Forcum, Presiding Judge

Case Management Calendars

As you know, after a long and distinguished career as an outstanding state legislator and judge, the Honorable Quentin L. Kopp has retired from active service as a judge. We hope to have Judge Kopp serve on assignment on a regular basis. Given Judge Kopp's retirement, case management conferences assigned to his Department, Department 6, are transferred to the Honorable Stephen M. Hall, Department 24, Courtroom 2C, **effective May 1, 2004**.



Starting on May 1, 2004, Judge Hall will hear CMC's on Tuesdays and Thursdays. The Supervising Judge of Civil Matters Robert D. Foiles is currently hearing a death penalty case, consequently, during the month of April, Judge Hall will hear Judge Foiles' Wednesday CMC calendar. Judge Foiles will continue to hear his Friday CMC calendar in courtroom 2E.

Community Law Night

As you know, many persons in our community need information about their legal problem. To address this need, on Thursday, May 6, 2004 the San Mateo County Superior Court, San Mateo County Bar Association and San Mateo County will hold its second annual Community Law Night. This free event will assist and educate San Mateo County residents with their legal issues by providing free informational lectures, one-on-one attorney consultations and information about available community resources.

This year's event will be held at the Hall of Justice in Redwood City, 400 County Center from 5:30 p.m. to 8:30 p.m. There will be free childcare and Spanish language interpreters available, both at the mini-consultations and at the lectures. We welcome all of you who wish to volunteer.

The second Community Law Night event follows last year's successful event where more than 40 volunteer attorneys provided mini-consultations to the public, representatives from 23 government agencies and non-profit organizations provided information about their services, and seminars on Small Claims, Divorce, Criminal/DUI, Evictions, Employment, and the Legal System were held. The assistance that many of you provided was a testament to the Bar's commitment to public service.



At last year's event, more than 150 self-represented litigants received legal information from more than 40 volunteer attorneys.

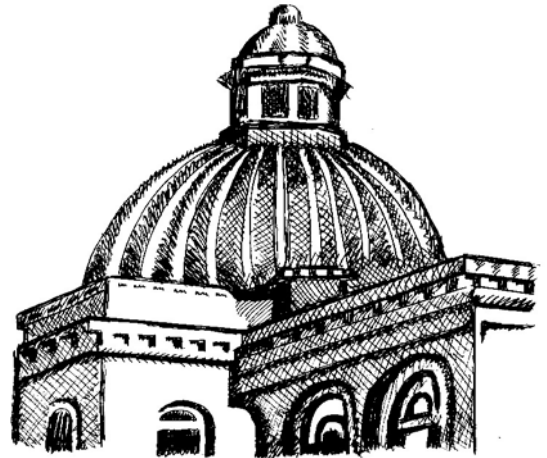
Our thanks to this year's Community Law Night Committee members: John Digiacinto, Bill Rapoport, John Blackman, Vivian Kral, Jennifer Keith, Peggy Thompson, Bill Lowell, Jill Selvaggio, Monica Rands-Preuss, Lauren Zorfias, Nadine Burg, Don Franchi, and Lonny Pini for all of their planning efforts.

While on the Internet, visit
www.sanmateocourt.org to see EZLegalFile, an
interactive form completion program

High School Mock Trials

The High School Mock Trial Program represents the very best of the positive Bench-Bar relationship here in San Mateo County. Thanks to all of you for making this program a success for the students. Please visit the Court's website and click on the "[High School Mock Trial Results and Recognition](#)" link for recognition of Bar member's efforts.

As we did last year, we'd like to specifically commend and recognize the continued tremendous work and dedicated efforts of Karen Gotelli, who on a daily basis administers the Mock-Trial Program by scheduling Judges, attorneys, scorers, and the high school competitions. Thanks Karen for helping the many students achieve success and, hopefully, a long-term interest in the law and justice system.



Conclusion

Our hope is that this E-mail newsletter builds on the steps we have taken to enhance and make more helpful our communications with the members of the Bar. As always, we welcome your input and constructive suggestions on achieving these goals.

Thanks to all of you, we've made significant efforts to improve the level of service to you and the public. The probate rules, which took months of discussion and collaboration are a testament to the power of positive and open communication between the Bench and Bar. This was equally true of the rewriting of the Family Law rules to implement January's switch to a direct calendaring system. We are very appreciative of the support that our outstanding Court Executive Officer Peggy Thompson and her staff have given to all of these projects.

Finally, we'd like to offer our thanks to John Digiacinto, Charlie Robinson, and Vicki Robinson for allowing us to use the San Mateo County Bar Association's e-mail system and our excellent outreach staff, Deputy Court Executive Officer Bill Lowell, head of our community outreach efforts, and Jill Selvaggio for their help and support in making this new program work. Thanks everyone.

Hon. Mark R. Forcum
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