



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

Hall of Justice and Records

400 County Center

Redwood City, California 94063-0965

CHAD L. PEACE (650) 261-5030
COURT EXECUTIVE OFFICER
CLERK & JURY COMMISSIONER

March 28, 2025

To All Interested Persons,

The Court is making changes to its Local Court Rules. These new changes will become effective July 1, 2025. The Court invites you to review and provide your comment on these proposals as afforded pursuant to the State of California Rules of Court, Rules 10.613 and 10.815.

You may send your comments to: smsccomment@sanmateocourt.org with a subject line stating "Comments on Proposed Rule Changes". Please state the rule number on which you are commenting and your comment.

Comments must be received by no later than **Friday, May 16, 2025 at 4:30 P.M.**

Sincerely,
Chad L. Peace, Court Executive Officer

A handwritten signature in cursive script that reads "Blake Cox".

By: Blake Cox
Court Rules Committee Staff

July 2025 Proposed Local Rules

Title	LOCAL RULE 2.1.8 Documents That Cannot be Electronically Filed
<p>Proposed Changes (Insert any new text in <i>bold and italicized font</i>. Strike through any deleted text.)</p>	<p>As an exception to Rule 2.1.5 and Rule 2.1.7, certain documents cannot be electronically filed (or lodged) with the Court, and must be filed by conventional means, i.e., paper documents. At present, documents that cannot be electronically filed (or lodged) and must be submitted in paper form, include the following:</p> <ul style="list-style-type: none"> (a) In All Actions: Ex parte applications (<i>except probate ex parte filings that comply with Local Rule 4.7</i>) and all other ex parte filings; trial exhibits; administrative records; writs; abstracts; subpoenas; bonds and undertakings; out-of-state commissions; out-of-state judgments; subpoenas for out-of-state actions; (b) Same. (c) Same. (d) Same. (e) Same. <p>A list of such documents is regularly updated on the Court’s website, as the Court continues to expand its electronic filing capabilities.</p>

<p align="center">Title</p>	<p align="center">LOCAL RULE 3.500 Ex Parte Applications in General Civil</p>
<p>Proposed Changes (Insert any new text in bold and italicized font. Strike through any deleted text.)</p>	<p>(a) Same.</p> <p>(b) The applicant shall pay any ex parte application filing fee due to the Clerk of the Court prior to presenting the ex parte application to the Civil Judge. See the court’s website for further information regarding payment of fees. Ex parte applications and proof of payment must be received directly by the courtroom clerk for the Department of the assigned Civil Judge no later than 15 minutes from the time set for ex parte hearings <i>held in person</i>.</p> <p>(c) Same.</p> <p>(d) Personal Appearance. Ex parte applicants and opponents must appear in person, subject to the exceptions set forth in CRC Rule 3.1207, as ex parte remote appearances cannot be accommodated at the present time. <i>Pursuant to CRC Rule 3.670(f)(2), the court may require a party to appear in person if the court determines on a hearing-by-hearing basis that a personal appearance would materially assist in the determination of the proceedings or in the effective management or resolution of the particular case.</i></p> <p>(e) <i>Remote Appearance. Except as ordered by the court under subdivision (d), applicants seeking an ex parte order may appear remotely provided that the moving papers, including a proposed order, have been served on all parties, and submitted in paper form to the assigned judge, and the fee paid to the clerk’s office, by at least 10:00 a.m. two court days before the ex parte appearance. Parties opposing an ex parte order may appear remotely except as ordered by the court under subdivision (d). Notice of intent to appear remotely must be given to the court and to all parties or persons entitled to receive notice of the proceedings. (See CRC Rule 3.672.)</i></p> <p>(f) <i>In the event that an ex parte hearing is sought on an emergency basis, in their discretion, the assigned civil judge may permit remote appearances if the ex parte papers cannot be submitted two days in advance of the hearing.</i></p>
<p align="center">Title</p>	<p align="center">LOCAL RULE 3.700 Informal Discovery Conference in General Civil Actions</p>
<p>Proposed Changes (Insert any new text in bold and italicized font. Strike through any deleted text.)</p>	<p>(a) Mandatory Informal Discovery Conference. In all general civil cases as defined by CRC Rule 1.6(4), no party may move to compel discovery or file any other discovery motion until the parties have had an Informal Discovery Conference with the Court <i>parties and non-parties are encouraged to hold an Informal Discovery Conference with the Court prior to filing a motion to compel or any other discovery motion.</i> Counsel must have exhausted all meet and confer obligations before the Informal Discovery Conference.</p> <p>(b) Permissive Informal Discovery Conference with Third Parties. The procedures set forth in Local Rule 3.700 apply to parties. With regard to discovery disputes</p>

~~with non-parties, the non-parties may elect to participate in the Informal Discovery Conference procedure, but are not required to do so.~~

~~(b) (c)~~ Conducted by ~~Civil Commissioner~~ **Case Management Judicial Officer**. Informal Discovery Conferences will be scheduled with and conducted by the Case Management Judicial Officer. As an Informal Discovery Conference does not involve the adjudication of any issue of disputed law or fact by the Case Management Judicial Officer, Code of Civil Procedure Section 170.6 does not apply. The outcome of an Informal Discovery Conference does not bar a party from subsequently filing a discovery motion.

~~(c) (d)~~ Same.

~~(d) (e)~~ Same.

~~(e) (f)~~ ***Tolling of Deadline to File Motion.*** ~~The time for bringing any motion to compel or other discovery motion is tolled starting on the date a party makes the email request for an Informal Discovery Conference to the Court. All requests for Informal Discovery Conference must be made well prior to the expiration of the statutory time to bring a motion to compel or other discovery motions .By agreeing to engage in an Informal Discovery Conference, parties agree that the time for bringing any motion to compel or other discovery motion is tolled, starting on the date a party makes the email request for an Informal Discovery Conference to the Court. All requests for Informal Discovery Conference must be made prior to the expiration of the statutory time to bring a motion to compel or other discovery motions. Tolling shall be automatically lifted upon completion of the Informal Discovery Conference; and the time in which to bring a discovery motion shall resume running thereafter, unless otherwise agreed by the parties in writing, or unless otherwise agreed by the parties at the Informal Discovery Conference and placed in the Court's Minutes including an affirmative waiver of the statutory requirement that it be in writing. Prior to making a request with the Court, counsel shall obtain the consent of the opposing counsel(s) in writing to engage in an informal discovery conference.~~

~~(f) (g)~~ Same.

~~(g) (h)~~ Statutory Declaration Waived. The Court waives any requirement for the parties involved in the discovery dispute to file “meet and confer” declarations pursuant to Code of Civil Procedure Section 2016.040 prior to the Informal Discovery Conference. The dispute will be addressed by the e-correspondence method/procedure set forth above; and the parties are requested not to file any such declarations unless and until the Informal Discovery Conference is unsuccessful and a formal discovery motion is subsequently filed.

~~(h)~~(i) Same.

~~(i)~~(j) Authorization of ~~Civil Commissioner~~ **Case Management Judicial Officer**.

(i) Good cause appearing, the ~~Civil Commissioner~~ **Case Management Judicial Officer** may, and is authorized to, continue the Informal Discovery Conference, or schedule further proceedings on the same discovery disputes via Informal Discovery Conference. The Case Management Judicial Officer shall enter minutes in the civil case docket indicating that an Informal Discovery Conference was held, the date held, the counsel and parties attending, and whether or not all discovery disputes were resolved.

(ii) If a party to a discovery dispute is notified of the Informal Discovery Conference and fails to appear, the ~~Civil Commissioner~~ **Case Management Judicial Officer** may, and is authorized to, reschedule or cancel or conclude the Informal Discovery Conference, or issue an Order to Show Cause Re: Sanctions for failure to appear.

(j) Motion if Unresolved Discovery Disputes. If any discovery dispute is not resolved following the Informal Discovery Conference, ***and a motion to compel or other discovery motion has not already been filed***, any party may proceed to file and calendar a hearing on a motion to compel or other discovery motion in the department of the Civil Judge assigned to that civil case. ~~The tolling (stay) of the time for bringing any motion to compel or other discovery motion, as set forth in Local Rule 3.700(f), is automatically lifted, and no longer tolled, upon completion of the Informal Discovery Conference, unless otherwise stipulated by counsel for the parties in writing, pursuant to Code of Civil Procedure Section 2016.030.~~

Title	LOCAL RULE 4.1 General Provisions
<p>Proposed Changes (insert text of new rule or changes here with track changes)</p>	<p>D. Continuances in Probate Matters Other Than Conservatorship and Guardianships. A request for continuance should be made at the earliest possible time prior to the hearing. All such requests for continuances shall be made by email to probate@sanmateocourt.org and may be granted upon a showing of good cause.</p> <p><i>A continuance may be requested by email to probate@sanmateocourt.org under the following circumstances. Such requests should be made at the earliest possible time prior to the hearing (but no later than 5 court days prior to the hearing) and must include the following: 1) The case number; 2) The date of the hearing; 3) a statement that all parties agree to the continuance (and are cc'd on the email) or that the requesting party is the Petitioner in the matter and no hearing has yet taken place; and 4) preferred dates for the continued hearing and/or any unavailability with six months of the hearing date.</i></p> <p>(Adopted, effective July 1, 1996; Amended, effective January 1, 2003; effective July 1, 2004; Amended, effective January 1, 2013; Amended, effective July 1, 2013, Amended, effective January 1, 2014; Amended, effective January 1, 2018; Amended, effective January 1, 2019; Amended, effective July 1, 2021; Amended, effective July 1, 2024; Amended, effective July 1, 2025)</p>

Title	LOCAL RULE Rule 4.18.3 <i>Item #8 in Petition for Probate</i>
<p>Proposed Changes (insert text of new rule or changes here with track changes)</p>	<p>Rule 4.18.3 Attachment 9 to <i>Item #8 in</i> Petition for Probate In addition to those required by law, the following persons shall be listed on Attachment 9 to <i>in Item #8 in</i> the Petition for Probate: ... (Adopted, effective July 1, 2004, formerly Rule 4.18 (c); Amended, effective January 1, 2007; Amended, effective July 1, 2025)</p>

<p style="text-align: center;">Title</p>	<p>LOCAL RULE Rule 4.66 Additional Requirements Re: Final Distribution</p>
<p>Proposed Changes (insert text of new rule or changes here with track changes)</p>	<p>E. No petition for distribution will be granted whereby any portion of an estate is distributed to a nonresident, without a certificate from the Franchise Tax Board where required by law because Superior Court of California, County of San Mateo Division IV 424 Revised 1/1/2025 of the value of the estate or the assets distributable to such nonresident. See Revenue and Taxation Code §19513 and applicable regulations for dollar amounts. (Adopted, effective July 1, 1996, Amended, effective January 1, 2000; Amended, effective July 1, 2024; <i>Amended, effective July 1, 2025</i>)</p>

<p style="text-align: center;">Title</p>	<p style="text-align: center;">LOCAL RULE 4.81.1 Petition for Appointment of a Conservator 4.81.10 Special Orders Regarding a Major Neurocognitive Disorder (formerly Dementia Powers)</p>
<p>Proposed Changes (insert text of new rule or changes here with track changes)</p>	<p>Rule 4.81.1 Petition for Appointment of a Conservator.</p> <p>A. A petition for establishment of a conservatorship requires the following forms:</p> <ol style="list-style-type: none"> (1) Petition for Appointment of Probate Conservator (GC-310); (2) Confidential Supplemental Information (GC-312); (3) Notice of Hearing (GC-020); (4) Ex Parte Order Authorizing Disclosure of Proposed Conservatee’s Health Information to Court Investigator (HIPPA) (GC-336) (5) Confidential Capacity Assessment & Declaration-Probate Conservatorship (GC-335); (6) Major Neurocognitive Disorder Attachment to Capacity Declaration (GC-335A) Confidential Declaration on Medical Ability to Attend Hearing – Probate Conservatorship (GC-325); (7) Citation (GC-320); (8) Confidential Conservator Screening (GC-314); (9) Duties of Conservator and Acknowledgment of Receipt of Handbook (GC-348); (10) Conservatee’s Information and List of Relatives (Local Court Form PR-1); and (11) Appointment of Probate Referee (Estate) local form. <p>B. All filings regarding initial conservatorship petitions [initial petitions and supporting documentation, amended petitions or other amended supporting documents] or Petition for Independent Powers must consist of an original and three copies of each document stated herein. Signatures should be made with blue ink. The Clerk will retain the original and two copies of all documents filed. (The Clerk will deliver the copies to Court Investigators.) The third copy will be returned to the party for his or her records, stamped “endorsed filed”. The information contained in the Confidential Supplemental Information and Confidential Conservator Screening are not part of the public record.</p> <p>C. Subsequent filings regarding conservatorships [accountings, confidential status reports, other petitions or documents] must consist of an original and two copies. Signatures should be made with blue ink. The clerk will retain the original and one copy of all documents filed. (The clerk will deliver the copy to the Office of the Court Investigator.) The second copy will be returned to the party for his or her records, stamped “endorsed filed”.</p> <p>D. Petitions requesting Special Orders Regarding a Major Neurocognitive Disorder (formerly Dementia Powers), filings must consist of an original and three copies of all required documents. (The clerk will deliver two copies to the Office of the Court’s Investigator).— Reference: Probate Code</p>

~~section 1821; California Rules of Court, Rule 7.1050; and Local Rule §.4.81.10.~~

(Adopted, effective July 1, 2004, former Rule 4.81(a); Amended January 1, 2005; Amended, effective July 1, 2005; Amended, effective January 1, 2009; Amended, effective July 1, 2010; Amended, effective July 1, 2011; Amended, effective July 1, 2024) (Amended, effective July 1, 2025)

Rule 4.81.10. Special Orders Regarding a Major Neurocognitive Disorder (formerly Dementia Powers)

A. Required Forms

1. If orders are being sought relating to a major neurocognitive disorder as set forth in Probate Code section 2356.5, namely, restricted placement and/or dementia medications (i.e. psychotropic medications given solely for dementia), the following forms must be filed confidentially with the petition:

- 1) “Attachment Requesting Special Orders Regarding a Major Neurocognitive Disorder” (GC-313);
- 2) “~~Confidential~~ Capacity ~~Assessment &~~ Declaration-Probate Conservatorship” (GC-335); and
- 3) ~~Major Neurocognitive Disorder Attachment to Capacity Declaration (GC-335A)~~ Confidential Declaration on Medical Ability to Attend Hearing – Probate Conservatorship (GC-325).

The Capacity Declaration must reflect an examination date of the proposed conservatee within 120 days from the date of filing, unless good cause is shown. Good cause may be established through a declaration. The Petition Worksheet (item 3 above) shall be marked confidential by the Court at the time of filing and shall be kept in the Court’s confidential file.

B. Requests for Special Orders Regarding a Major Neurocognitive Disorder at Subsequent Hearing (formerly Dementia Powers):

1) If Exclusive Medical Authority Has Not Previously Been Ordered.

If exclusive medical authority has not previously been ordered, the conservator must first establish that the conservatee lacks the capacity to give consent for medical treatment before the Court will grant Special Orders Regarding a Major Neurocognitive Disorder. The conservator should use GC-380 and provide the same documents as set forth above.

2) If Court Has Already Granted Exclusive Medical Authority.

If the Court has already made an order granting exclusive authority to give consent to medical treatment, the conservator shall petition to modify that order to add the special orders regarding a major neurocognitive disorder. The conservator should use GC-380 and inter-lineate that the petition is for

modification of an existing order. The Attachment Requesting Special Orders Regarding a Major Neurocognitive Disorder (GC-313), and an updated Confidential Capacity Assessment & Declaration. (See confidentiality requirements, above.)

C. Stale Dated Capacity Declaration:

In all ~~cases~~-**case types**, whenever a Confidential Capacity Assessment & Declaration **is required**, it must reflect an examination date of the proposed conservatee within 120 days of the filing date of the petition, unless good cause is shown. Good cause may be established through a declaration.

D. Psychotropic Medications to Treat Conditions Other Than a Major Neurocognitive Disorder - No Capacity to Give Consent:

If a conservatee is prescribed psychotropic medications for the treatment of another medical condition (i.e. other than a Major Neurocognitive Disorder), and if the conservatee lacks the capacity to give consent for medical treatment, the conservator shall file a doctor's declaration explaining that the medications are not for the treatment of a Major Neurocognitive Disorder.

E. Dual Diagnosis:

In all cases where there the treatment is for a dual purpose, the conservator must comply with Probate Code Section 2356.5.

(Adopted, effective July 1, 2004, former Rule 4.81(b); Amended, effective January 1, 2008; Amended, effective July 1, 2024) (**Amended, effective July 1, 2025**)

Title	LOCAL RULE 4.81.5 Confidential General Plan
Proposed Changes (insert text of new rule or changes here with track changes)	<p>Rule 4.81.5 Confidential General Plan.</p> <p>Upon appointment, Conservators shall be required to file a Confidential General Plan (Local Court Form PR-22) in addition to the mandatory Level of Care Determination form (GC-355)</p> <p>The General Plan shall be filed within 90 days of appointment. The plan shall address in detail any issues identified by the court at the appointment hearing. It shall include matters that have been resolved as well as those that are outstanding and what steps currently are being taken to reach a resolution. The conservator may attach a more detailed pleading as appropriate under the circumstances.</p> <p>NOTE: The Public Guardian is exempted from this Rule and shall meet and report annually to the Court on its policy and practice. Current practice for the Public Guardian is to file a modified version of Local Form PR-22 identified as PR-22PG together with the mandatory Judicial Council Form-355 within 60 days of their appointment.</p> <p>(Adopted, effective July 1, 2004, formerly Rule 4.81(g); Amended, effective July 1, 2009; Amended, effective January 1, 2012)-(Rule 4.81.5 eliminated effective July 1, 2025)</p>

Title	NEW LOCAL RULE 4.2.1 re: Informal Discovery Conference in Probate Actions
Proposed Changes (Insert any new text in bold and italicized font . Strike through any deleted text.)	<p><u><i>Rule 4.2.1 Informal Discovery Conference</i></u></p> <p><i>(a) Informal Discovery Conference. In all probate cases, parties and non-parties are encouraged to hold an Informal Discovery Conference with the Court prior to filing a motion to compel or any other discovery motion. Counsel must have exhausted all meet and confer obligations before the Informed Discovery Conference.</i></p> <p><i>(b) Conducted by Case Management Judicial Officer. Informal Discovery Conferences will be scheduled with and conducted by the Case Management Judicial Officer. As an Informal Discovery Conference does not involve the adjudication of any issue of disputed law or fact by the Case Management Judicial Officer, Code of Civil Procedure Section 170.6 does not apply. The outcome of an Informal Discovery Conference does not bar a party from subsequently filing a discovery motion or prejudice the disposition of a discovery motion.</i></p>

(c) Remote Only. Informal Discovery Conferences in probate cases are conducted remote only by Zoom, and are not recorded by any party and are not reported by any court reporter.

(d) Request for Informal Discovery Conference.

(i) To request an Informal Discovery Conference, counsel must contact the Court by email at IDC@sanmateocourt.org, which email must be contemporaneously copied to counsel for all parties to the action and any self-represented parties. Any party requesting an Informal Discovery Conference shall identify the case name and number, the name of the party requesting the Informal Discovery Conference, and the estimated length of the IDC session.

(ii) To reserve a date and time for the Informal Discovery Conference, the requesting party shall consult the Informal Discovery Conference Calendar Availability section of the Court's website at www.sanmateocourt.org, and request in the email (under subsection (e)(i) above) an available IDC session for a date that is, at least, ten (10) calendar days, but no later than twenty-nine (29) calendar days, from the date of the request for Informal Discovery Conference.

(e) Tolling of Deadline to File Motion. By agreeing to engage in an Informal Discovery Conference, parties agree that the time for bringing any motion to compel or other discovery motion is tolled, starting on the date a party makes the email request for an Informal Discovery Conference to the Court. All requests for Informal Discovery Conference must be made prior to the expiration of the statutory time to bring a motion to compel or other discovery motions. Tolling shall be automatically lifted upon completion of the Informal Discovery Conference and placed in the Court's Minutes including an affirmative waiver of the statutory requirement that it be in writing. Prior to making a request with the Court, counsel shall obtain the consent of the opposing counsel(s) in writing to engage in an informal discovery conference.

(f) Email Correspondence Detailing Discovery Dispute

(i) Within five (5) calendar days of the initial email request to the Court for an Informal Discovery Request, the disputing parties shall, jointly or separately, email correspondence to the Court at IDC@sanmateocourt.org and contemporaneously to all parties, an electronic letter of no more than five (5) pages, without attachments, summarizing the discovery dispute(s). It shall include on the first line (i) the case name and number, (ii) the date and

time reserved by the parties for the Informal Discovery Conference, and (iii) the estimated length of the IDC session.

(ii) Failure to timely provide the Court with email correspondence summarizing the discovery dispute(s) may, and likely will, result in the Informal Discovery Conference being vacated/cancelled, or advanced and concluded, and tolling of the time to file and serve any discovery motion will cease.

(g) Statutory Declaration Waived. The Court waives any requirement for the parties involved in the discovery dispute to file “meet and confer” declarations pursuant to Code of Civil Procedure section 2016.040 prior to the Informal Discovery Conference. The dispute will be addressed by the e-correspondence method/procedure set forth above; and the parties are requested not to file any such declarations unless and until the Informal Discovery Conference is unsuccessful and a formal discovery motion is subsequently filed.

(h) Email Requirements.

(i) All communications to the IDC@sanmateocourt.org email address must include in the header “subject line” the Case Number and Name of Case (e.g., 19CIV06543 Smith v. Jones).

(ii) All correspondence regarding any Informal Discovery Conference, such as IDC letter briefs, requests to take matters off calendar, and requests for rescheduling, shall be submitted electronically, rather than paper, by e-mail addressed to IDC@sanmateocourt.org. All electronic correspondence must be sent in at least 12-point type. All electronic correspondence with the IDC Department must also be contemporaneously sent to opposing counsel or opposing self-represented parties. The IDC Department’s email address is for the sending and receiving of correspondence, and is not a venue for back-and-forth communications with the Case Management Judicial Officer.

(iii) Communications to the IDC email address are not part of the official court files; and will be retained for at least ninety (90) days and then be subject to deletion (destruction) thereafter.

(i) Authorization of Case Management Judicial Officer.

(i) Good cause appearing, the Case Management Judicial Officer may, and is authorized to, continue the Informal Discovery Conference, or schedule further proceedings on the same discovery disputes via Informal Discovery Conference. The Case Management Judicial Officer shall enter minutes in the civil case docket indicating that an Informal Discovery Conference was held, the date held, the counsel and parties attending, and whether or not all discovery disputes were resolved.

(ii) If a party to a discovery dispute is notified of the Informal Discovery Conference and fails to appear, the Case Management Judicial Officer may, and is authorized to, reschedule or cancel or conclude the Informal Discovery

Conference, or issue an Order to Show Cause Re: Sanctions for failure to appear.

(j) Motion if Unresolved Discovery Disputes. If any discovery dispute is not resolved following the Informal Discovery Conference, any party may proceed to file and calendar hearing on a motion to compel or other discovery motion in the department of the Judge assigned to that probate case.

Title	LOCAL RULE 5.8(C)(1) Use of Temporary Judges and Settlement Officers in Family Law Status Conferences
Proposed Changes (Insert any new text in <i>bold and italicized font</i> . Strike through any deleted text.)	Local Rule 5.8(C)(1) Except as set forth in paragraph 2 below, every case for dissolution of marriage, nullity, or legal separation filed after the effective date of this rule will be assigned a Status Conference with the assigned judicial department <i>or a temporary judge or Settlement Officer</i> on a date and time to be provided by the court upon filing of a Response. The Conference will be set in the assigned department approximately 120 days from the filing of the Response unless counsel or self-represented parties request that the Status Conference be held earlier, a judgment has been entered, or a dismissal has been filed. The court will serve a copy of the Notice of Assignment and Status Conference on the parties when the Conference is set. <i>Occasionally, a temporary judge or Settlement Officer will be available to assist parties at either a Status Conference or a Mandatory Settlement Conference. These temporary judges or Settlement Officers will be experienced family law attorneys who have been approved by the supervising judge of the Family Law Department and/or the presiding judge. If a case is assigned to a temporary judge or Settlement Officer, litigants will be notified and asked if there will be any objection. If either side objects to the assignment at either the Status Conference or Mandatory Settlement Conference to a temporary judge or Settlement Officer, then the Status Conference or Mandatory Settlement Conference will be conducted by the Family Law Commissioner.</i>

<p style="text-align: center;">Title</p>	<p>New LOCAL RULE 5.8(D)(7) Use of Temporary Judges and Settlement Officers in Mandatory Settlement Conferences (MSC)</p>
<p>Proposed Changes</p> <p>(Insert any new text in bold and italicized font. Strike through any deleted text.)</p>	<p>Local Rule 5.8(D)(7)</p> <p><i>Temporary Judges or Settlement Officers: Occasionally, a temporary judge or Settlement Officer will be available to assist parties at either a Status Conference or a Mandatory Settlement Conference. These temporary judges or Settlement Officers will be experienced family law attorneys who have been approved by the supervising judge of the Family Law Department and/or the presiding judge. If a case is assigned to a temporary judge or Settlement Officer, litigants will be notified and asked if there will be any objection. If either side objects to the assignment at either the Status Conference or Mandatory Settlement Conference to a temporary judge or Settlement Officer, then the Status Conference or Mandatory Settlement Conference will be conducted by the Family Law Commissioner.</i></p>

<p>Title</p>	<p>New LOCAL RULE 5.8(D)(8) Settlement Officers</p>
<p>Proposed Changes</p> <p>(Insert any new text in bold and italicized font. Strike through any deleted text.)</p>	<p>Local Rule 5.8(D)(8)</p> <p><i>Family Law Settlement Officers</i></p> <p><i>(a) Purpose:</i></p> <p><i>The purpose of this rule is to establish the role and procedures for Settlement Officers in Family Law matters within the Superior Court of San Mateo County. Settlement Officers are appointed to assist parties in reaching voluntary resolutions of their disputes, thereby promoting judicial efficiency and reducing the need for contested hearings.</i></p> <p><i>(b) Appointment:</i></p> <p><i>(1) The Court may appoint a Settlement Officer to assist at a Status Conference, a Mandatory Settlement Conference, or at any other stage of the proceedings deemed appropriate by the Court.</i></p> <p><i>(2) The Court shall maintain a list of qualified attorneys who have agreed to serve as Settlement Officers. To be eligible for the list, an attorney must: Be an active member in good standing of the State Bar of California. Have practiced primarily in the area of Family Law for at least five years. Have completed specified training provided by the court, or accepted from another court. Submit an application for this appointment and have been approved by the Family Law Supervising Judge</i></p> <p><i>(c) Authority and Duties:</i></p> <p><i>(1) Settlement Officers shall act as neutral facilitators to assist the parties in reaching a voluntary settlement of all or part of their case.</i></p> <p><i>(2) Settlement Officers shall not have the authority to: Issue orders. Make findings of fact or conclusions of law. Conduct trials or evidentiary hearings.</i></p> <p><i>(3) Settlement Officers may: Conduct settlement conferences, either in person or remotely. Review pleadings, financial documents, and other relevant information provided by the parties. Provide an evaluation of the strengths and weaknesses of each party's case. Offer suggestions for potential settlement terms. Assist in drafting settlement agreements.</i></p> <p><i>(d) Confidentiality:</i></p> <p><i>(1) Communications made during settlement conferences, including statements made by the parties, counsel, and the Settlement Officer, are confidential and shall not be disclosed to the assigned judicial officer or used for any purpose in</i></p>

any subsequent hearing or trial, except as provided by Evidence Code section 1152 et seq. (relating to mediation confidentiality).

(2) The Settlement Officer shall not communicate with the assigned judicial officer regarding the substance of the settlement discussions, except to report whether a settlement was reached.

(e) Complaints:

(1) Procedure for Filing Complaints: Any party with a complaint regarding the conduct of a Settlement Officer must submit a written statement detailing the complaint to the Supervising Judge of the Family Law Division.

(2) Content of Complaint: The written statement should clearly and specifically describe the alleged misconduct, including: The date(s) and time(s) of the alleged misconduct. The specific actions or omissions of the Settlement Officer that are the basis of the complaint. The names of any witnesses to the alleged misconduct. Copies of any relevant documents that support the complaint (if applicable).

(3) Exclusivity of Remedy: Complaints regarding Settlement Officers must be addressed to the Supervising Judge of the Family Law Division, as described in this rule, and not to the Commission on Judicial Performance.

(g) Compliance with Ethical Standards:

Settlement Officers shall adhere to all applicable ethical standards for attorneys, including the California Rules of Professional Conduct and any relevant guidelines for mediators and settlement conference officers.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO <input type="checkbox"/> Hall of Justice <input type="checkbox"/> Northern Division 400 County Center 1050 Mission Road Redwood City, CA 94063 South San Francisco, CA 94080	
THE PEOPLE OF THE STATE OF CALIFORNIA <div style="text-align: center;"> PLAINTIFF vs. DEFENDANT </div>	
DECLARATION CONCERNING A PLEA OR CHANGE OF PLEA TO GUILTY OR NOLO CONTENDERE; FINDING AND ORDER (FELONY)	Case Number

I, the above-named defendant in the above-entitled criminal action, and in support of my motion, which will be made in open court personally and by my attorney, **to plead** **to change my plea(s) to**
 guilty **nolo contendere**

1. My attorney in this action is: _____.

2. I am charged in the _____ in this action with having violated

(code, section(s), count(s))

3. I desire to **plead** **change my plea(s) to:** **guilty** **nolo contendere** to:

(state code, section(s) and count(s), including lesser offenses to which plea is to be made)

4. I **do** **do not** understand the nature of the charge(s) against me.

5. I **have** **have not** discussed the nature of the charge(s) against me and the possible defenses thereto with my attorney.

6. My attorney **has** **has not** explained my constitutional rights to a trial by jury, to confront witnesses against me, the process of the Court to compel the attendance of witnesses on my behalf, the right to remain silent, or if I so choose, to testify for myself.

7. I **do** **do not** realize that I give up these rights by pleading guilty or nolo contendere. I understand that a plea of nolo contendere has the same legal effect as a plea of guilty.

8. I understand:
- That I am prohibited from owning, purchasing, receiving, possessing, or having under my custody or control any firearms, ammunition and ammunition feeding devices, including but not limited to magazines.
 - That I am required to fill out a Prohibited Persons Relinquishment Form (PPRF) truthfully and in a timely manner.
 - That I shall relinquish all firearms in accordance with the procedures detailed in the PPRF.
 - That I am prohibited from possessing, owning, or purchasing body armor, pursuant to PC31360.
9. I understand that if I am not a citizen of the United States, conviction of the offense for which I have been charged **will** have the consequences of deportation, exclusion from admission to the United States, or a denial of naturalization. Also, I understand that if I am not a citizen of the United States, a conviction of an offense related to a federally defined controlled substance will subject me to deportation, exclusion from admission to the United States, or denial of naturalization. My attorney has discussed with me the immigration consequences and whether or not there is an immigration-neutral disposition possible. My attorney also has informed me whether or not an immigration-neutral disposition was sought on my behalf and/or offered by the prosecution. I am entering this plea understanding that I will not be able to withdraw the plea after sentencing if in fact the District Attorney did not offer an immigration-neutral disposition. _____ **INITIALS**

10. My decision to **change my plea(s)** **to plead** **guilty** **nolo contendere** **has** **has not** been made freely and voluntarily, without threat or fear to me or anyone closely related or associated with me.

11. My attorney **has** **has not** explained that the maximum penalty, including penalty assessments, that could be imposed as a result of my plea(s) of guilty or nolo contendere is:

12. I **have** **have not** been induced to plead guilty or nolo contendere by any promise or representation of a lesser sentence, probation, reward, immunity or anything else except:

13. I **do** **do not** waive my right to be sentenced by the judge taking my plea and understand sentencing may occur before another judge.

14. I **do** **do not** waive my right to the preparation of a presentence report by the Probation Department.

15. I **do** **do not** understand that the matter of probation and sentence is to be determined solely by the Court and will not be decided until the report and recommendation by the Probation Department has been considered.

The Court reserves the right to withdraw its consent to any sentence limitation agreement, and in that event, unless I am pleading to a serious or violent felony, I will be permitted to withdraw my plea(s) of guilty or nolo contendere and all charges will be reinstated. If I am pleading to a serious or violent felony, I understand that the Court can withdraw its consent to the indicated sentence and I will not be permitted to withdraw my plea.

16. **IF APPLICABLE – WATSON ADVISEMENT** I understand that if I am convicted of Vehicle Code sections 23152, 23153, or 23103/23103.5, being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. I am advised that it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or a combination of both. I am further advised that if I continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder. _____ **INITIALS**

17. **IF APPLICABLE – HARD DRUG ADVISEMENT** I understand that if I am convicted of violating Health and Safety Code sections 11351, 11351.5, 11352, 11378, 11378.5, 11379, or 11379.6 involving a hard drug, it is extremely dangerous and deadly to human life to illicitly manufacture, distribute, sell, furnish, administer, or give away any drugs in any form, including real or counterfeit drugs or pills. I understand that I can kill someone by engaging in this conduct. All drugs and counterfeit pills are dangerous to human life. These substances alone, or mixed, kill human beings even if used in very small doses. If I illicitly manufacture, distribute, sell, furnish, administer, or give away any real or counterfeit drugs or pills, and that conduct results in the death of a human being, I can be charged with homicide, up to and including the crime of murder, within the meaning of Section 187 of the Penal Code. _____ **INITIALS**

18. **IF APPLICABLE: REGISTRATION:** I understand that I must register, and maintain/update my registration, with the police as a: [check all that apply]

____ Sex Offender (PC 290, possibly for life) ____ Arson Offender (possibly for life) ____ Gang Member

19. IF APPLICABLE: COMMITMENT AS A SEXUALLY VIOLENT PREDATOR

I understand that at the end of my sentence, I may be subject to screening by the Department of State Hospitals to determine whether I qualify for trial as a sexually violent predator, and as a result, I could be committed indefinitely to a secure medical facility. I further understand that even if I am released without being committed to the Department of State Hospitals, should I be convicted of another crime in the future and sent back to prison, I may be subject to screening by the Department of State Hospitals to determine whether I then qualify for trial as a sexually violent predator. At that point, I could be committed indefinitely to a secure medical facility.

_____ **INITIALS**

HAVING ALL OF THESE RIGHTS AND ADMONITIONS IN MIND, I AM KNOWINGLY, VOLUNTARILY AND INTELLIGENTLY WAIVING ALL OF THE RIGHTS HEREIN STATED AND CHANGING MY PLEA FROM NOT GUILTY TO EITHER GUILTY OR NO CONTENDERE AS SET FORTH HEREIN.

EXECUTED IN San Mateo County, California on:

(Defendant's Signature)

_____ is the above-named defendant's attorney in the above-entitled action. They personally read and explained the contents of the above declaration to the defendant. They personally observed the defendant fill in, date and sign said declaration. After having investigated this case and the possible defenses thereto, they concur in the defendant's plea(s) of guilty or nolo contendere to the charge(s) as set forth by the defendant in the above declaration and stipulate there is a factual basis for the plea(s).

DATED: _____

(Attorney's Signature)

INTERPRETER CERTIFICATION (if applicable):

I certify that I have been sworn or have a written oath on file and that I well and truly translated the entire contents of this form to the defendant into Spanish Other (specify): _____. The defendant stated to me that they understand the contents of this form, and then he/she initialed and signed the form.

DATED: _____

(Interpreter's Signature)

The People of the State of California, plaintiff in the above-entitled criminal action, by and through its attorney, concur and stipulate there is a factual basis for the plea. The District Attorney has considered the avoidance of adverse immigration consequences in any plea negotiation process as one factor in an effort to reach a just resolution.

DATED: _____


STEPHEN WAGSTAFFE, DISTRICT ATTORNEY
By: _____
Deputy Assistant District Attorney

FINDINGS AND ORDER

The defendant personally and by their attorney in open court having this date entered a plea of guilty nolo contendere, and having been advised as to their rights, said plea is hereby accepted and ordered entered. The Court finds that the defendant made a knowing, intelligent and voluntary waiver of the above rights, and that a factual basis exists for such plea.

DATED: _____

 Judge of the Superior Court
 Judge Pro Tem of the Superior Court

 <p style="text-align: center;">SUPERIOR COURT OF SAN MATEO COUNTY</p> <p style="text-align: center;"> <input checked="" type="checkbox"/> Southern Branch <input type="checkbox"/> Northern Branch 400 County Center, 4th Floor, 1050 Mission Road, Redwood City, CA 94063 South San Francisco, CA 94080 www.sanmateo.courts.ca.gov </p>	FOR COURT USE ONLY
PLAINTIFF/APPELLANT: THE PEOPLE OF THE STATE OF CALIFORNIA VS	
DEFENDANT/RESPONDENT:	CASE NUMBER:
ORDER APPOINTING DOCTOR(S) FOR AN EXAMINATION OF THE DEFENDANT [Penal Code §§ 1367, 1367.1, 1368, 1368.1, 1370.01]	Department No: Report Due:
The Court Orders the following type of Examination:	

WHEREAS, it appearing that good and sufficient cause exists for the appointment of doctor(s) to examine the defendant and investigate his/her competency pursuant to the provisions of PC §§ 1367, 1367.1, 1368, 1368.1, and further to advise the court concerning the issue of voluntary or involuntary administration of antipsychotic medication pursuant to the provisions of PC §§ 1369(b)(1) and 1370.01(a)(2)(B)(ii) to (iii).

WHEREAS, defendant named-above is In custody Out of custody;

THEREFORE, IT IS HEREBY ORDERED THAT:

1. (hereinafter "Examiner") is appointed to review the information available, including but not limited to any and all medical, mental health, and substance abuse records, examine the defendant and investigate his/her present ability to understand the nature and purpose of the proceedings taken against her and to assist counsel in the conduct of his/her defense in a rational manner. The report submitted to the court shall include: 1) a diagnosis of the defendant's mental condition, if any; 2) whether the defendant, as a result of a mental disorder or developmental disability, is able to understand the nature of the criminal proceedings or to assist counsel in the conduct of a defense in a rational manner; 3) whether there is a substantial likelihood that the defendant will attain competency in the foreseeable future, with consideration as to whether the defendant would attain competency in response to treatment with antipsychotic medication; and 4) if box 6 below is checked, whether defendant is eligible for mental health diversion pursuant to Section 1001.36.
2. Pursuant to Penal Code section 1367, et seq, the mental health records maintained by Behavioral Health and Recovery Services, Correctional Health Services and/or the state hospital shall be made available for review and a copy will be provided to the examiner(s) upon request. These records shall include but are not limited to assessments (including diagnosis), treatment plans, discharge summaries, and records documenting mental and physical health conditions as well as treatment provided. Copies of released records will also be made available to the District Attorney and Defense Counsel of record upon their request; and
3. The examiner shall be transported to the defendant's cell in the event the defendant refuses or is otherwise unable to leave their cell to participate in the evaluation.
4. The examiner(s) appointed will report their opinions and conclusions in writing to this court and will, when summoned, testify in proceedings in which the defendant's competency may be in question. Examiner's report is

ORDER APPOINTING DOCTORS FOR EXAMINATION OF DEFENDANT

to be submitted to this court on or before the above referenced date. Reports shall be submitted by the examiner(s) to the Court by sending it electronically in PDF format to the Court's e-mail box DoctorEval@sanmateocourt.org to be received no later than the due date stated herein. If the due date is on a Monday or a date immediately after a holiday, examiner(s) shall make every effort to submit the report prior to the Monday or holiday.

5. The examiner(s) shall contact the ordering Judicial Officer immediately in writing if there is a problem with scheduling an appointment for an evaluation or if the defendant is not cooperating and whose action is obstructing the doctor from complying with this Order. The written communication shall also be sent to the same e-mail address as stated in paragraph 4 above with the name of the judicial officer in the subject line.
6. The Court finds that the defendant is not statutorily precluded from consideration for mental health diversion and hereby orders the examiner to determine whether or not the defendant meets the eligibility criteria set forth in PC 1001.36(b).
7. Pursuant to 11 CCR section 703(b), the court orders the release of State Summary Criminal History Information for the subject of this evaluation to the court-appointed examiner for use in completing this evaluation. The court finds that the release is necessary to allow the examiner to fulfill the statutory obligation to investigate the nature of the defendant's mental disorder and prior treatment therefor, and to provide an opinion on whether the defendant is a danger to others such that involuntary treatment with antipsychotic medication is indicated under Penal Code section 1370.
8. Defendant requires an interpreter for the evaluation for _____ language. (enter name of language needed)
9. Other special terms: _____.

Dated:

Judge of Superior Court

Attachment

Distribution:

Original: Case File

Copies:

District Attorney's Office

Defendant's Attorney of Record

CASE NUMBER(S): _____

**ADDENDUM – CONTACT INFORMATION FOR THE
ORDER APPOINTING DOCTOR(S) FOR PC § 1367/68 EXAMINATION
[THIS PAGE FOR EXAMINER’S USE ONLY – This is not part of the Order]**

Defendant:

Last Name	First Name	Middle	DOB
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Address:

(where out-of-custody Defendant can be contacted)

Phone(s):

(home, work, cell, parent or spouse or a phone where a message may be left)

I believe it is unlikely that the defendant will be able to keep an appointment to be examined.

Yes **No**

Reason for PC § 1367:

I will call the examiner directly to provide this information.

Ordering Judge:

Dept:

Deputy Clerk:

Phone Number:

ATTORNEYS OF RECORD:

DEFENSE ATTORNEY:

Name: _____

Phone: _____

Email: _____

DEPUTY DISTRICT ATTORNEY:

Name: _____

Phone: _____

Email: _____

INSTRUCTIONS for Person Submitting ORDER to Examiner(s):

**Please complete and email to the examiner
along with the ORDER, the Police Report and the complaint**

CONTACT INFORMATION ADDENDUM FOR ORDER APPOINTING DOCTOR(S)

**** THIS PAGE FOR EXAMINER’S USE ONLY AND IS NOT PART OF THE ORDER**

ORDER APPOINTING DOCTORS FOR EXAMINATION OF DEFENDANT

CORTE SUPERIOR DE CALIFORNIA, CONDADO DE SAN MATEO <input type="checkbox"/> Palacio de Justicia 400 County Center Redwood City, CA 94063 <input type="checkbox"/> División del Norte 1050 Mission Road South San Francisco, CA 94080	
EL PUEBLO DEL ESTADO DE CALIFORNIA Contra DEMANDANTE DEMANDADO	
DECLARACIÓN SOBRE UNA DECLARACIÓN O CAMBIO DE DECLARACIÓN A CULPABLE O NOLO CONTENDERE; DETERMINACIÓN Y ORDEN (DELITO GRAVE)	Número de caso

Yo, el demandado antes mencionado en la acción penal antes titulada, y en apoyo de mi moción, que se hará en audiencia pública personalmente y por mi abogado, **para declararme culpable** **para cambiar mi declaración a nolo contendere**

- 1. Mi abogado en esta acción es: _____.
- 2. Se me acusa en el _____ en esta acción de haber violado

(código, sección[es], punto[s])

- 3. Deseo **declararme culpable** **cambiar mi(s) declaración(es) a:** **culpable** **nolo contendere** a:

(código estatal, sección[es] y punto[s], incluidos los delitos menores por los que se debe presentar una declaración)

- 4. Yo **entiendo** **no entiendo** la naturaleza del (de los) cargo(s) en mi contra.
- 5. Yo **he hablado** **no he hablado** la naturaleza del (de los) cargo(s) contra mí y las posibles defensas con mi abogado.
- 6. Mi abogado **me ha explicado** **no me ha explicado** mis derechos constitucionales de un juicio por jurado, de confrontar a los testigos en mi contra, el proceso de la corte para obligar la comparecencia de testigos a mi favor, el derecho a permanecer en silencio o, si así lo elijo, a testificar por mí mismo.
- 7. **Me doy cuenta** **no me doy cuenta** de que renuncio a estos derechos al declararme culpable o nolo contendere. Entiendo que una declaración de nolo contendere tiene el mismo efecto legal que una declaración de culpabilidad.

8. Entiendo:
- Que tengo prohibido ser dueño de, comprar, recibir, poseer o tener bajo mi custodia o control ningún arma de fuego, munición o dispositivo de alimentación de municiones, incluidos, entre otros, cargadores.
 - Que estoy obligado a completar un Formulario sobre la entrega de artículos prohibidos (Prohibited Persons Relinquishment Form, PPRF) de manera veraz y oportuna.
 - Que renunciaré a todas las armas de fuego de acuerdo con los procedimientos detallados en el Formulario sobre la entrega de artículos prohibidos.
 - Que tengo prohibido poseer, ser dueño de o comprar chalecos antibalas, de conformidad con PC31360.
9. Entiendo que si no soy ciudadano de los Estados Unidos, la condena por el delito por el cual se me ha acusado **tendrá** como consecuencias la deportación, la exclusión de la admisión a los Estados Unidos o la denegación de la naturalización. Además, entiendo que si no soy ciudadano de los Estados Unidos, una condena por un delito relacionado con una sustancia controlada definida a nivel federal me someterá a la deportación, la exclusión de la admisión a los Estados Unidos o la denegación de la naturalización. Mi abogado ha hablado conmigo las consecuencias de inmigración y si es posible o no una disposición neutral en materia de inmigración. Mi abogado también me ha informado si se solicitó o no una disposición neutral en materia de inmigración en mi nombre y/o si fue ofrecida o no por la fiscalía. Presento esta declaración en el entendimiento de que no podré retirarla después de la sentencia si, de hecho, el fiscal de distrito no ofreció una disposición neutral en materia de inmigración. _____ **INICIALES**
10. Mi decisión de **cambiar mi(s) declaración(es)** **declararme** **culpable** **nolo contendere** **se ha tomado** **no se ha tomado** libre y voluntariamente, sin temor o amenaza hacia mí o hacia cualquier persona estrechamente relacionada o asociada conmigo.
11. Mi abogado **ha explicado** **no ha explicado** que la pena máxima, incluidas las penas adicionales, que podrían imponerse como resultado de mi(s) declaración(es) de culpabilidad o nolo contendere es:
- _____
- _____
- _____
12. Yo **he sido** **no he sido** inducido a declararme culpable o nolo contendere mediante alguna promesa o representación de una sentencia menor, condena condicional, recompensa, inmunidad o cualquier otra cosa excepto:
- _____
- _____
- _____
13. Yo **renuncio** **no renuncio** a mi derecho a ser sentenciado por el juez que tome mi declaración y entiendo que la imposición de la sentencia puede tener lugar ante otro juez.
14. Yo **renuncio** **no renuncio** a mi derecho a que el Departamento de Condena Condicional prepare un informe antes de la sentencia.
15. Yo **entiendo** **no entiendo** que la cuestión de la condena condicional y la sentencia debe ser determinada únicamente por la corte y no se decidirá hasta que se haya considerado el informe y la recomendación del Departamento de Condena Condicional.

La corte se reserva el derecho de retirar su consentimiento a cualquier acuerdo de limitación de sentencia y, en ese caso, a menos que me declare culpable de un delito grave o violento, se me permitirá retirar mi(s) declaración(es) de culpabilidad o nolo contendere y se restablecerán todos los cargos. Si me declaro culpable de un delito grave o violento, entiendo que la corte puede retirar su consentimiento a la sentencia indicada y no se me permitirá retirar mi declaración.

16. **SI APLICA – AVISO DE WATSON** Entiendo que si se me declaran culpable de las secciones 23152, 23153 o 23103/23103.5 del Código de Vehículos, estar bajo la influencia del alcohol, las drogas o ambos, afecta mi capacidad para operar un vehículo motorizado de manera segura. Me han informado que es extremadamente peligroso para la vida humana conducir bajo la influencia del alcohol, las drogas o una combinación de ambos. Además, me han informado que si continúo manejando bajo la influencia del alcohol, las drogas o ambos, y, en consecuencia de manejar así, alguien fallece, se me puede acusar de asesinato. _____ **INICIALES**

17. **SI APLICA – AVISO SOBRE DROGAS DURAS** Entiendo que si se me declaran culpable de infringir las secciones 11351, 11351.5, 11352, 11378, 11378.5, 11379 o 11379.6 del Código de Salud y Seguridad relacionadas con una droga dura, es extremadamente peligroso y mortal para la vida humana fabricar, distribuir, vender, proporcionar, administrar o regalar ilícitamente cualquier droga en cualquier forma, incluidas las drogas o pastillas reales o falsificadas. Entiendo que puedo matar a alguien al participar en esta conducta. Todas las drogas y pastillas falsificadas son peligrosas para la vida humana. Estas sustancias, solas o mezcladas, matan a seres humanos incluso si se utilizan en dosis muy pequeñas. Si fabrico, distribuyo, vendo, proporciono, administro o regalo ilícitamente cualquier droga o pastilla real o falsificada, y esa conducta resulta en la muerte de un ser humano, puedo ser acusado de homicidio, incluido el delito de asesinato, dentro del significado de la Sección 187 del Código Penal. _____ **INICIALES**

18. **SI APLICA: REGISTRO:** Entiendo que debo registrarme y mantener o actualizar mi registro ante la policía como: [Marque todo lo que corresponda]

____ Agresor sexual (PC 290, posiblemente de por vida) ____ Delincuente incendio provocado (posiblemente de por vida) ____ Miembro de una pandilla

19. SI APLICA: COMPROMISO COMO AGRESOR SEXUAL VIOLENTO

Entiendo que al final de mi sentencia, puedo estar sujeto a una evaluación por parte del Departamento de Hospitales Estatales para determinar si califico para ser juzgado como agresor sexual violento y, como resultado, podría ser internado indefinidamente en un centro médico seguro. Entiendo además que incluso si soy liberado sin ser internado en el Departamento de Hospitales Estatales, si soy condenado por otro delito en el futuro y enviado nuevamente a prisión, puedo estar sujeto a una evaluación por parte del Departamento de Hospitales Estatales para determinar si entonces califico para un juicio como agresor sexual violento. En ese momento, podría ser internado indefinidamente en un centro médico seguro. _____ **INICIALES**

AL TOMAR TODOS ESTOS DERECHOS Y ADVERTENCIAS EN MENTE, RENUNCIO DE MANERA CONSCIENTE, VOLUNTARIA E INTELIGENTE A TODOS LOS DERECHOS ESTABLECIDOS EN LA PRESENTE Y CAMBIO MI DECLARACIÓN DE NO CULPABLE A CULPABLE O NOLO CONTENDERE SEGÚN LO ESTABLECIDO AQUÍ.

EJECUTADO EN el Condado de San Mateo, California el:

(Firma del demandado)

_____ es el abogado del demandado antes mencionado en la acción antes mencionada. Personalmente leyó y le explicó al demandado el contenido de la anterior declaración. Personalmente observó al demandado llenar, fechar y firmar dicha declaración. Después de haber investigado este caso y las posibles defensas al mismo, concurre con la(s) declaración(es) de culpabilidad o nolo contendere del demandado a los cargos según lo establecido por el demandado en la declaración anterior y estipula que hay una base fáctica para la(s) declaración(es).

FECHADO EL: _____

(Firma del abogado)

CERTIFICACIÓN DE INTÉRPRETE (si aplica):

Certifico que he prestado juramento o tengo un juramento escrito en archivo y que traduje bien y fielmente todo el contenido de este formulario al demandado al español Otro (especifique): _____.
El demandado me manifestó que entendía el contenido de este formulario y luego puso sus iniciales y firmó el formulario.

FECHADO EL: _____

(Firma del intérprete)

El pueblo del Estado de California, demandante en la acción penal antes mencionada, por medio de su abogado, concurre y estipula que existe una base fáctica para la declaración. El fiscal de distrito ha considerado la evitación de consecuencias adversas en materia de inmigración en cualquier proceso de negociación de culpabilidad como un factor en un esfuerzo por alcanzar una resolución justa.

FECHADO EL: _____

STEPHEN WAGSTAFFE, FISCAL DE DISTRITO

Por: _____
Fiscal adjunto de distrito

DETERMINACIONES Y ORDEN

El demandado personalmente y por medio de su abogado, en audiencia pública en esta fecha, presentó una declaración de culpabilidad nolo contendere y, habiendo sido informado sobre sus derechos, por la presente se acepta dicha declaración y se ordena presentarla. La corte considera que el demandado renunció de manera consciente, inteligente y voluntaria a los derechos antes mencionados y que existe una base fáctica para tal alegación.

FECHADO EL: _____

 Juez de la Corte Superior
 Juez Pro Tem de la Corte Superior