



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO  
Hall of Justice and Records  
400 County Center  
Redwood City, California 94063-0965

CHAD PEACE (650) 261-5016  
COURT EXECUTIVE OFFICER  
CLERK & JURY COMMISSIONER

March 27, 2026

To All Interested Persons,

The Court is making changes to its Local Court Rules. These new changes will become effective July 1, 2026. The Court invites you to review and provide your comment on these proposals pursuant to the State of California Rules of Court, Rules 10.613 and 10.815.

You may send your comments to: [smsccomment@sanmateocourt.org](mailto:smsccomment@sanmateocourt.org) with a subject line stating "Comments on Proposed Rule Changes". Please identify the rule you are commenting on.

Comments must be received by no later than **Wednesday, May 13, 2026 at 4:30 P.M.**

Sincerely,  
Chad Peace, Court Executive Officer

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

By: Blake Cox  
Court Rules Committee Staff

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL RULE 4.2 Hearing</b>
<b>Summary</b>	Change in language to reflect current Court practice
<b>Proposed Changes</b>	A <u>Hearing Schedule</u> . Probate matters generally will be heard on Monday through Friday in the designated Probate Department at 9:00 a.m., <del>except for one Thursday and one Friday per month</del> . Please check with the Court Clerk’s Office, Probate Division or the Court’s website at <a href="http://www.sanmateocourt.ca.gov">www.sanmateocourt.ca.gov</a> for the schedule. LPS conservatorship matters are heard by the Court on Tuesdays in the designated Probate Department at 11:00 a.m.

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL RULE 4.2 Hearing</b>
<b>Summary</b>	Change in language to reflect current Court requirements
<b>Proposed Changes</b>	D. Video Appearances  (1) Judicial Approval. Video appearances through the use of an independent vendor, currently Zoom, are permitted at certain probate hearings, as indicated in the Tentative Rulings. Video appearances are not permitted for initial conservatorship and guardianship appointments (Probate Code, §1514, §1825), Petitions for Temporary Restraining Orders (e.g., elder abuse cases) or any other matters within the court’s discretion, unless indicated in the Tentative Rulings. See Rule 4.6. <i>In all guardianship matters where Special Immigrant Juvenile Findings relief is sought, the parties and their counsel must appear in person. However, whenever the Court is going to continue a matter because of some deficiency, or deny a petition, even in the types of cases mentioned herein, parties are not required to appear.</i>

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL RULE 4.2.1 Informal Discovery Conference</b>
<b>Summary</b>	Change in language to reflect current Court practice.
<b>Proposed Changes</b>	(b) <i>Assigned Judicial Officer. Informal Discovery Conferences will be scheduled with and conducted by the duly assigned Informal Discovery Conference Judicial Officer.</i> As an Informal Discovery Conference does not involve the adjudication of any issue of disputed law or fact by the <i>duly assigned Informal Discovery Conference Judicial Officer</i> , 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

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL RULE 4.3 Probate Trials and Contested Matters</b>
<b>Summary</b>	Change in language to reflect current Court practice.
<b>Proposed Changes</b>	<p>(a) All trials and contested hearings in any proceedings under the Probate Code, which trial or contested hearing is estimated to take less than three court days (i.e., <del>five half days or less</del> less than six half-days), will be heard and set on the calendar of the designated Probate Department.</p> <p>(b) All trials and contested hearings in any proceedings under the Probate Code, which trial or contested hearing (requiring adjudication of disputed material facts) is estimated to take three court days or more (i.e., six half days or more), will be heard and set on the Master Calendar for assignment. <del>after the parties have participated in a Mandatory Settlement Conference</del></p> <p><del>(c) All parties in any proceedings under the Probate Code, where the trial or other contested hearing (requiring adjudication of disputed material facts) is estimated to take three court days or more (i.e., six half days or more), must participate in a Mandatory Settlement Conference, and comply with Local Rule 3.1100.</del></p> <p>(Prior Rule 4.3 adopted July 1, 1996 was repealed July 1, 2004; new Rule 4.3 Adopted, effective January 1, 2023.)</p>

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL RULE 4.5 Non-Appearance</b>
<b>Summary</b>	Change in language to reflect current Court practice
<b>Proposed Changes</b>	C. Failure to submit all necessary papers 5 court days prior to the hearing <del>will</del> <i>may</i> result in a continuance of the matter at the court's discretion and convenience.

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL RULE 4.8 Caption</b>
<b>Summary</b>	Change in language to reflect current Court requirements
<b>Proposed Changes</b>	<p>All probate pleadings shall conform to the caption requirements of Code of Civil Procedure §422.30(a), et seq. and CRC Rule 2.111. In addition, all probate pleadings must clearly and completely identify the nature of the relief sought or granted. The caption of the pleading shall include the date, time and location of any scheduled hearing. All pleadings shall have identified the attorney of record or state that the party is appearing in pro per. <del>A facsimile number, if available, shall be included below the attorney's/self-represented party's telephone number and email address.</del></p> <p>Reference: CCP § 422.30(a), California Rules of Court, Rules 2.111, 3.1110 and 7.102.</p>

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL RULE 4.28 Probate Referee Appointment</b>
<b>Summary</b>	Change in language to reflect current Court practice
<b>Proposed Changes</b>	A. A Probate Referee will be appointed by the court in all cases when the order for probate is signed, <i>upon the filing of local form PR-5 (Request for Appointment of California Probate Referee (PR-5))</i> . To aid the Court in appointing a probate referee, the information requested in paragraph 4.c of the petition for probate must be completed.

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL RULE 4.77.7 Investigation of Guardianship and Filing of Reports.</b>
<b>Summary</b>	Change in language to reflect current Court practice
<b>Proposed Changes</b>	A. <del>It is the policy of the Superior Court in San Mateo County to conduct an investigation in all guardianship cases. Unless waived by the Court, an investigative report must be given to the Court prior to the appointment of a general guardian of the person and/or the estate, pursuant to Probate Code §1513(a).</del>  <i>B-D renumbered</i>

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL RULE 4.1 General Provisions</b>
<b>Summary</b>	Change in language to encourage compliance with the Court's orders.
<b>Proposed Changes</b>	E. Sanctions: <i>Any party or attorney who is found to have failed to follow any lawful court order, including but not limited to failure to file status reports, failure to file orders after hearing, and failure to appear at a hearing, is subject to sanctions, including monetary sanctions.</i> Failure to comply with the local rules may result in sanctions under the Superior Court of California, County of San Mateo Local Court Rule 0.2.

	<b>July 2026</b>
<b>Title</b>	<b>LOCAL Rule 4.81.16 Waivers of Account.</b>
<b>Summary</b>	Change in language to require the appropriate Judicial Council form.
<b>Proposed Changes</b>	Waivers of Account will be accepted in the Court's discretion only in the following instances: A. The conservatee's estate falls within the requirements of Probate Code section 2628. A written request <i>in the form of the Request and Order of Waiver of account, Judicial Council form GC-410</i> along with an affidavit, stating that the estate does qualify for the waiver, must be submitted for every accounting period in which a waiver is sought. A Local Court form is available for this purpose.

	<b>July 2026</b>
<b>Title</b>	<b>REPEAL of LOCAL Form PR-24.</b>
<b>Summary</b>	Repeal of Local form to require use of Judicial Council form..

<b>Proposed Changes</b>	To align with the proposed change to Local Rule 4.81.16 requiring use of the Judicial Council form GC-410 for waivers of account, repeal Local Form PR-24 that was previously approved for optional use to request waivers of account.
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8. I understand:
- a. 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.
  - b. That I am required to fill out a Prohibited Persons Relinquishment Form (PPRF) truthfully and in a timely manner.
  - c. That I shall relinquish all firearms in accordance with the procedures detailed in the PPRF.
  - d. 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 **may 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

<b>CORTE SUPERIOR DE CALIFORNIA, CONDADO DE SAN MATEO</b> <input type="checkbox"/> Palacio de Justicia <input type="checkbox"/> División del Norte 400 County Center                              1050 Mission Road Redwood City, CA 94063                      South San Francisco, CA 94080		
<b>EL PUEBLO DEL ESTADO DE CALIFORNIA</b>  <p style="text-align: center;">Contra</p> <p style="text-align: right;"><b>DEMANDANTE</b></p> <p style="text-align: right;"><b>DEMANDADO</b></p>		
<b>DECLARACIÓN SOBRE UNA DECLARACIÓN O CAMBIO DE DECLARACIÓN A CULPABLE O NOLO CONTENDERE; DETERMINACIÓN Y ORDEN (DELITO GRAVE)</b>		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  para cambiar mi declaración a  culpable  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**  **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** acerca de 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:
- a. 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.
  - b. Que estoy obligado a completar un Formulario sobre la entrega de artículos prohibidos (Prohibited Persons Relinquishment Form, PPRF) de manera veraz y oportuna.
  - c. Que renunciaré a todas las armas de fuego de acuerdo con los procedimientos detallados en el Formulario sobre la entrega de artículos prohibidos.
  - d. 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 ~~puede 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:

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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:

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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 declara 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 leí y le expliqué al demandado el contenido de la anterior declaración. Personalmente observé 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

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, Address)  TELEPHONE NO: _____ FAX NO.(Optional): _____ MOBILE NO: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO  <input type="checkbox"/> Southern Division, 400 County Center, Redwood City, CA 94063  <input type="checkbox"/> Northern Division, 1050 Mission Road, South San Francisco, CA 94080	
<b>PLAINTIFF/PETITIONER:</b>  <b>DEFENDANT/RESPONDENT:</b>	
<b>ALTERNATIVE DISPUTE RESOLUTION OPTIONS</b>	CASE NUMBER: _____

## The San Mateo County Superior Court recommends Alternative Dispute Resolution options in lieu of formal court litigation.

“Alternative” or “Appropriate Dispute Resolution” (ADR) is a general term for methods of resolving a dispute without going through the formal court process. ADR can save you time, money, and increase your overall satisfaction with the outcome of your case.

ADR can be used at any point in your case to resolve disputes regarding property division, child support, spousal support, paternity, child custody, parenting plans, and many other family law issues.

Did you know that the vast majority of cases filed in court (95-98%) do not go to trial? Most cases are settled or decided in some other way. But in many cases, the settlement comes only after considerable resources have been expended. This is why the San Mateo County Superior Court supports the use of dispute resolution alternatives at the earliest possible time. Local Rule 5.5(A) states:

California Rules of Court and the Family Law Act strongly encourage alternative dispute resolution (ADR) of family matters. The Family Law Department recognizes that formal litigation of legal claims and disputes is expensive and time consuming. The goals of this Court are: to reduce hostilities between the parties; facilitate the early resolution of issues; and provide parties with an opportunity to maximize their satisfaction with the resolution of their case. It is therefore the policy of this Court to promote and encourage the parties to settle their disputes by the use of appropriate dispute resolution options which include mediation, arbitration, collaborative practice, court supervised settlement conferences and/or judicial case management.

The court strongly encourages the use of ADR but does not favor any particular form of ADR, endorse any particular attorney, nor guarantee the outcome in any particular case.

**Instructions: All parties and counsel shall read the Notice, sign on page three, and have this Notice served on the other party with any Petition or Response under the Family Law Act, Uniform Parentage Act, Order to Show Cause, Response to Order to Show Cause, Notice of Motion, Response to Notice of Motion, or any other family law pleading which will result in a court hearing or trial unless a notice has previously been filed within the past 180 days. A proof of service shall be filed with the Court. (Local Rule 5.5(B))**

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

**~~TYPES OF ADR DESCRIPTION OF SERVICES AND COST:~~**

~~The Court manages a panel of attorneys with special training in mediation and arbitration and a commitment to finding alternatives to formal litigation. The attorneys who serve on the ADR panel have agreed to offer participants a 90-minute session for \$100 (\$50 per party). Additional sessions are available at the attorney's market rate. For more information call the ADR office at: (650) 261-5076 or (650) 261-5075, or visit the website at: [www.sanmateo.courts.ca.gov/adr/familylaw](http://www.sanmateo.courts.ca.gov/adr/familylaw).~~

- **Mediation**

~~Mediation through the ADR program is voluntary.~~ A neutral attorney called a “mediator” meets with parties and/or their attorneys to assist them in reaching an agreement. The mediator facilitates communication between the participants, clarifies issues, explores each party’s needs and interests, and helps the participants to consider options for settlement.

The parties may resolve a single issue or the entire case. The agreements reached in mediation are not limited by the results available under the law so mediated solutions can more easily accommodate the circumstances of individual cases. An agreement reached in mediation is binding once it is turned into a court order and signed by the Judge. You cannot be forced to accept a decision in mediation and participating in mediation does not impact your right to a court hearing. If an agreement is not reached you may continue through the court system.

Mediation is private and confidential. The sessions are conducted in the mediator’s office. Anything spoken or written during mediation by any of the participants is confidential and may not be disclosed to the Court or any other person without the consent of the participants.

- **Arbitration**

Arbitration is private and less formal than a court trial. In arbitration, a neutral attorney called the “arbitrator” makes a decision based on the information presented by both sides. The arbitrator then prepares a written decision and sends it to both parties and the Court. ~~The court's ADR program offers binding arbitration with a neutral serving as a temporary judge.~~ Binding means there is no right to appeal and you will accept the arbitrator’s decision as final.

- **Collaborative Practice**

In the collaborative process, you and the other party each have a private attorney and make a commitment to resolve your disputes without going to court. Similar to mediation, collaborative practice operates in the spirit of honesty and cooperation. In the collaborative process, both parties together with the professionals (attorneys, mental health and financial experts) work as a team to resolve disputes respectfully with an emphasis on financial responsibility and cooperative co- parenting. Collaborative Practice San Mateo County is a private organization of professionals specially trained in collaborative practice. For more information, fees or a list of professionals, please see the web site at [www.collaborativepracticesanmateocounty.org/](http://www.collaborativepracticesanmateocounty.org/).

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**FAMILY COURT SERVICES MEDIATION**

The Court encourages the use of the ADR options described above to resolve custody and parenting plan disputes. However, if you do not reach an agreement on these issues, California law requires you to meet with Family Court Services (FCS) before submitting these issues to a Judge. FCS will first attempt to settle the issues through mediation, however, if no agreement is reached then the FCS counselor will prepare a written recommendation to the Court based upon the best interests of the child(ren). FCS mediation is not confidential and does not address your property or financial dispute. There is no fee for mediation with FCS.

**DOMESTIC VIOLENCE AND ADR:**

ADR is most effective when parties are able to communicate and solve problems without fear or intimidation. For this reason when there is a history of domestic violence in a relationship, ADR may not be appropriate.

<b>The undersigned certifies that s/he has read this Notice in compliance with San Mateo County Local Rule 5.5.</b>	
Date:	Date:
_____	_____
Signature of Petitioner	Signature of Respondent
<b>Attorney certification of compliance with San Mateo County Local Rule 5.5:</b>	
Date	Date
_____	_____
Signature of Attorney for Petitioner	Signature of Attorney for Respondent

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