

**Proposed Changes to the Local Rules for the Superior Court of the
of the State of California, County of Napa – January 2021**

The Napa Superior Court proposes to adopt the following changes to its Local Rules, to be effective January 1, 2021. We welcome your comments, which must be submitted by November 1, 2020 to:

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Summary of Proposed Additions/Changes

7.4 Family Law Case Management – In subsection D.1, the “120 days” reference is inaccurate as the first Family Law Case Management Conference currently is set out one year. “120 days” will be changed to “one year” for both uses in the subsection. In subsection D.2, “by counsel or the party if self-represented” in the first sentence will be deleted. In subsection D.3, added language to clarify that only represented parties must use local form FL-2 Case Management Conference Report. The use of the form for unrepresented parties is optional.

7.10 Child Custody and Visitation – In subsection A.6, replace the word “offices” with “session,” which will better reflect the video conference mediations taking place.

Form FL-2 Case Management Conference Report – Changed from mandatory usage to optional for unrepresented litigants. The form remains mandatory for represented litigants.

Text of Proposed Additions/Changes to the Local Rules

Current Local Rule	Proposed Local Rule
<p>7.4 Family Law Case Management</p> <p>...</p> <p>D. Case Management Conferences.</p> <p>1. <u>Calendar</u>. The first Family Law Case Management Conference will be held at least 120 days after the filing of the Petition by a petitioner represented by counsel, and at least 120 days after the filing of the Petition by a self-represented petitioner, unless a judgment resolving all issues has been entered prior to the Family Law Case Management Conference. Once a date has been set for a Family Law Case Management Conference, it cannot be changed without a showing of good cause. (Effective 7/1/07; revised 1/1/11; revised 1/1/17)</p> <p>2. <u>Appearance Mandatory</u>. Appearance at the Family Law Case Management Conference is mandatory by counsel or the party if self-represented. The case is subject to dismissal if both parties fail to appear at the Family Law Case Management Conference. (Effective 1/1/11; revised & renumbered 7/1/11)</p> <p>3. <u>Service of Case Management Conference Report</u>. Each party must file and serve a Family Law Case Management Conference Report (or jointly file one report) at least five (5) calendar days prior to the Family Law Case Management Conference. The parties shall use the Napa Superior Court’s mandatory Family Law Case Management Conference Report, a local form available on the court’s website at http://www.napa.courts.ca.gov. (Effective 7/1/07; revised & relettered 7/1/08; revised 1/1/11; renumbered 7/1/11)</p>	<p>7.4 Family Law Case Management</p> <p>...</p> <p>D. Case Management Conferences.</p> <p>1. <u>Calendar</u>. The first Family Law Case Management Conference will be held at least one year after the filing of the Petition by a petitioner represented by counsel, and at least one year after the filing of the Petition by a self-represented petitioner, unless a judgment resolving all issues has been entered prior to the Family Law Case Management Conference. Once a date has been set for a Family Law Case Management Conference, it cannot be changed without a showing of good cause. (Effective 7/1/07; revised 1/1/11; revised 1/1/17; revised 1/1/21)</p> <p>2. <u>Appearance Mandatory</u>. Appearance at the Family Law Case Management Conference is mandatory. The case is subject to dismissal if both parties fail to appear at the Family Law Case Management Conference. (Effective 1/1/11; revised & renumbered 7/1/11; revised 1/1/21)</p> <p>3. <u>Service of Case Management Conference Report</u>. Each represented party must file and serve a Family Law Case Management Conference Report (or jointly file one report) at least five (5) calendar days prior to the Family Law Case Management Conference. Represented parties shall use the Napa Superior Court’s mandatory Family Law Case Management Conference Report, a local form available on the court’s website at http://www.napa.courts.ca.gov. Use of the local form is optional for unrepresented parties. (Effective 7/1/07; revised & relettered 7/1/08; revised 1/1/11; renumbered 7/1/11; revised 1/1/21)</p>

<p>7.10 Child Custody and Visitation</p> <p>A. Mediation.</p> <p>...</p> <p>6. <u>Agreement of the Parties</u>. If an agreement is reached in mediation, the mediator will prepare a written agreement. Parties will approve and be given a copy of their agreement before leaving the mediation offices. Attorneys will have an opportunity to review and approve, or disapprove, the agreement. If the agreement is approved by the parties and their attorneys, the agreement will be presented to the court for approval and will become a court order once signed by the court. (Effective 7/1/11; renumbered 1/1/17)</p>	<p>7.10 Child Custody and Visitation</p> <p>A. Mediation.</p> <p>...</p> <p>6. <u>Agreement of the Parties</u>. If an agreement is reached in mediation, the mediator will prepare a written agreement. Parties will approve and be given a copy of their agreement before leaving the mediation session. Attorneys will have an opportunity to review and approve, or disapprove, the agreement. If the agreement is approved by the parties and their attorneys, the agreement will be presented to the court for approval and will become a court order once signed by the court. (Effective 7/1/11; renumbered 1/1/17; revised 1/1/21)</p>
<p>Form FL-2 Case Management Conference Report – currently the form’s use is mandatory for all parties.</p>	<p>Form FL-2 Case Management Conference Report – the form now is optional for unrepresented parties.</p>