COURT EXECUTIVE OFFICES
SUPERIOR COURT OF CALIFORNIA
COUNTY OF NAPA

MEMORANDUM

DATE: October 1, 2026

TO: Offices of the District Attorney, Public Defender, County Counsel, and County Bar Associations within a 100-mile radius of Napa, and the Sacramento office of the State Attorney General

CC: Attorney folders, Napa County Bar Association, Napa County Women Lawyers

FROM: Cassidy Wallace, Court Counsel

RE: Proposed Changes to Local Rules for the Superior Court of California, County of Napa, January 1, 2027, Cycle

Pursuant to California Rules of Court, rule 10.613, this memorandum serves as notice of the proposed changes to the Local Rules for the Superior Court of the State of California, County of Napa. The changes have been posted on the Court's website for review and comment prior to Court adoption.

RULE 1: SCOPE OF RULES FOR THE SUPERIOR COURT

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1.1 Effective Date of Rules

These rules shall take effect on January 1, 2027~~18~~. ~~(Effective 7/1/02; revised 7/1/03; revised 7/1/05; revised 1/1/06; revised 7/1/06; revised 1/1/07; revised 7/1/07; revised 7/1/08; revised 1/1/09; revised 7/1/09; revised 1/1/10; revised 1/1/11; revised 7/1/11; revised 1/1/12; revised 7/1/12; revised 1/1/13; revised 7/1/13; revised 7/1/14; revised 7/1/15; revised 1/1/16; revised 7/1/16; revised 1/1/17; revised 7/1/17; revised 1/1/18; revised 7/1/18; revised 1/1/19; revised 1/1/20; revised 7/1/20; revised 1/1/21)~~

RULE 2: COURT ORGANIZATION

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2.8 Remote Appearances

A. Program Overview. Except as otherwise provided by this Local Rule, t~~T~~he Napa Superior Court permits remote appearances, telephonic or video, as set forth in Code of Civil Procedure section 367.75, and California Rules of Court, rules 3.670, 3.672, and 5.324.

1. Departments A, B, and 6 do not permit remote Zoom appearance by telephone. (Effective 1/1/27)

~~1~~2. Preference may be given to cases with remote appearances. (Renumbered 1/1/27)

~~2~~3. While Court hearings are generally open to the public, certain confidential proceedings are permitted, by law, to be conducted in closed session. (Renumbered 1/1/27)

~~3~~4. All remote appearances are made via the Zoom web-based application. Attorneys and/or parties remain on the in-court audio-visual system and hear matters open to the public to the same extent as those present in court. All present in the courtroom hear and, if remote appearance is by video, see those appearing remotely; unless the case is confidential and heard in closed session. (Renumbered 1/1/27)

5. Notwithstanding the foregoing, remote appearances are expressly permitted, and no fee will be charged for remote appearances, by: any party or witness at a hearing on a petition for an order under Code of Civil Procedure section 527.6; any party, witness, or support person (as defined in Family Code section 6303) at a hearing on a petition for a domestic violence restraining order pursuant to Family Code section 6308; and any party, representative of the county adult protective services agency, or witness at a hearing on a petition for a protective order under Welfare and Institutions Code section 15657.03. (Effective 1/1/27)

B. Appearance Procedure.

1. Parties providing notice, under California Rules of Court, rule 3.672, of a remote appearance for non-evidentiary hearings and trials do not need to file a (Proposed) Order Regarding Remote Appearance (RA-020 Form). (Effective 1/1/27)

~~1~~.2. An attorney or party making a remote appearance must join through the Zoom web-based application approximately five (5) minutes prior to the scheduled hearing time by following the instructions on the Court's website: https://www.napa.courts.ca.gov/general-information/remote-appearance/courtroom-remote-appearances. The party will be placed in a virtual "waiting room" until permitted entrance to the hearing by the Court Clerk. An attorney or party calling after the check-in period shall be considered late for the hearing and shall be treated by the Court in the same manner as if the attorney or party had personally appeared late for the hearing. (Renumbered 1/1/27)

32. Attorney's and parties appearing remotely shall exhibit the same degree of courtesy and courtroom etiquette required of those personally appearing. Persons appearing remotely must ensure their full name appears on the screen. Persons appearing remotely are encouraged to mute their microphones and disable their video feeds until their matter is called. However, all persons appearing remotely must be able to hear the proceedings at all times as the Court's policy does not anticipate the Court and other parties waiting for an attorney or party to rejoin. (Renumbered and revised 1/1/27)

(All sections/subsections without parenthetical history eEffective 7/1/02; revised 7/1/03, 7/1/06, 1/1/07, 7/1/08; renumbered 1/1/11; revised 7/1/14, 1/1/23, and 7/1/24)
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2.14 Court Reporting Services
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B. Electronic Recording of Proceedings. In Small Claims and Unlawful Detainer matters *only*, wWhere an official reporter or an official reporter pro tempore is unavailable to report an action or proceeding in Small Claims, Misdemeanor, and Unlawful Detainer matters, the Court will make an electronic audio recording of the proceedings in Small Claims and Misdemeanor matters, and the Court may, subject to subdivision (D), below, and at the discretion of the Judicial Officer, make an electronic audio recording of the proceedings in Unlawful Detainer matters. (Revised 1/1/27)

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D. Exceptions for Parties wWith Fee Waivers. In case types for which an official court reporter is generally not provided by the Court (see under subdivision (A) above,) and electronic recording is not otherwise generally available (see under subdivision (B) above), a party may request that the Court provide a verbatim record of a specific hearing or proceeding subject to the following: arrange for and provide the services of an official court reporter *for a specific hearing / proceeding* where: (a) the requesting party has a current fee waiver on file with the Court in the action; or (b) the requesting party files, at the same time as the request for court reporting services, a Request to Waive Court Fees (FW-001), and that Request to Waive Court Fees is granted. The Court will waive the official court reporter fees under these circumstances; however, parties will still be required to pay fees and costs charged by the court reporter to produce any transcript for the reported proceeding. To request an official court reporter pursuant to this rule, parties must submit *either* the Napa Superior Court Request for Court Reporter Services form (NC-1) *or* the Judicial Council Form FW-020 (Request for Court Reporter By Party With Fee Waiver) to the clerk's office as soon as they become aware of the proceeding they wish to be reported. A separate request is required for

~~each hearing / proceeding for which a reporter is desired. (Effective 1/1/19; revised 7/1/24, 1/1/26.)~~

1. Parties with Fee Waivers

Any party for whom the Court has waived Court fees may request that the Court provide a verbatim record of a specific hearing or proceeding. A party may apply for a fee waiver by submitting a Request to Waive Court Fees (Form FW-001) at the same time as the request for court reporting services. Electronic recording may be utilized in the circumstances authorized by this section only if the judicial officer presiding over the civil proceeding finds that all of the following requirements are satisfied: (a) The litigant has, at the earliest opportunity, requested a verbatim record of the proceeding; (b) The Court has waived Court fees for the litigant; (c) No official reporter or official reporter pro tempore hired or retained by the Court is available to make a verbatim record of the hearing or proceeding; and (d) No other party to the proceeding has retained a private court reporter to serve as an official reporter pro tempore for the proceeding. For parties who qualify and are approved for a fee waiver, the Court will waive the official court reporter per diem fees, if any; however, parties remain responsible for paying all fees and costs associated with producing any transcript of the reported proceeding(s).

2. Parties who do not Qualify for a Fee Waiver but Cannot Afford a Private Court Reporter

Parties who do not qualify for a Fee Waiver, but who are determined, by a Judicial Officer, to be unable to afford to hire a private court reporter, may request that the Court make a verbatim record of any hearing or proceeding. Electronic recording may be utilized in the circumstances authorized by this section only if the judicial officer presiding over the civil proceeding finds that all of the following requirements are satisfied: (a) The litigant has, at the earliest opportunity, requested a verbatim record of the proceeding; (b) The litigant cannot afford to retain a private court reporter to make a verbatim record of the hearing or proceeding; (c) No official reporter or official reporter pro tempore hired or retained by the Court is available to make a verbatim record of the hearing or proceeding; and (d) No other party to the proceeding has retained a private court reporter to serve as an official reporter pro tempore for the proceeding. Authorization under this subdivision applies solely to the provision of court reporting services or activation of electronic recording. Litigants receiving a transcribed record or an electronic recording under this

provision remain fully responsible for the cost of purchasing and preparing certified transcripts.

To request a verbatim record of a hearing or proceeding pursuant to this Rule, parties must submit either the Napa Superior Court Request for Court Reporter Services form (NC-1) or the Judicial Council Form FW-020 (Request for Court Reporter By Party With Fee Waiver) to the clerk's office as soon as practicable after they become aware of the hearing or proceeding they wish to be reported/recorded. A separate request is required for each hearing / proceeding for which a reporter is desired. (Effective 1/1/19; revised 7/1/24, 1/1/26, and 1/1/27)

2.15 Audio and Video Recording and Transmission

A. General Provisions. Audio and video recording and transmission is permitted only inside a courtroom, and only when authorized by the judicial officer presiding in that courtroom. Audio and video recording and transmission by any means (to include mobile phones, smart glasses, and other devices) is forbidden anywhere else within any courthouse (including all lobbies, common areas, entrances, and exits), unless authorized in writing by the Presiding Judge. Sworn law enforcement personnel acting within the course and scope of their duties are exempt from this rule. (Effective 7/1/06; renumbered 1/1/11; revised 1/1/17, ~~and~~ 7/1/24, and 1/1/27)

B. Application for Authorization. An application for an order to permit media coverage (photographing, recording or broadcasting) may be submitted for the Court's consideration. Applications must be prepared on Judicial Council Form MC-500, and submitted no later than five (5) days in advance, along with a completed (Proposed) Order. (Effective 1/1/27)

C. Violations. In accordance with California Rules of Court, rule 1.150, any attempts to record, photograph, or broadcast in violation of rule 1.150 or this Local Rule, or a court order made under these rules, is an unlawful interference with the proceedings of the Court and may be the basis for an order terminating media coverage, a citation for contempt of Court, or an order imposing monetary or other sanctions as provided by law. In addition, actions in violation of these rules concerning photographing, recording, or broadcasting within this Courthouse shall be deemed to be an intentional interference with the lawful business carried on by the employees of this Court, or members of the public present to transact Court business, and will result in a request by the Court Executive Officer, a Manager or Supervisor, or a Peace Officer acting at the request of any of them, to immediately leave the premises of the Courthouse. A refusal to leave after being requested to do so is a misdemeanor, punishable by imprisonment in the County jail for up to 90 days, or by a fine of up to

Four Hundred Dollars ($400), or by both imprisonment and fine. (Pen. Code § 602.1, subd. (b).) (Effective 1/1/27)

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RULE 3: DOCUMENTS PRESENTED FOR FILING

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3.7 Lodging of Non-California Authority

Pursuant to California Rules of Court, rule 3.1113(i)(1), parties shall not lodge or file copies of cited non-California authorities unless specifically requested by the Court, other than as provided in Local Rule 6.14. (Effective 1/1/12; renumbered 1/1/16; revised 1/1/27)

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RULE 6: CIVIL RULES

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6.5 Trial Procedures

A. Exhibits. All exhibits, except for those anticipated in good-faith to be used solely for impeachment purposes, must be exchanged between counsel no later than five (5) Court days prior to the Trial Management Conference.

Unless otherwise ordered by the Court, all exhibits the parties intend to introduce at trial, except those to be solely used for impeachment purposes, must be marked by counsel as exhibits and lodged with the Court on the date of the Trial Management Conference. If the trial date is continued, the parties shall retain possession of their own exhibits until the next scheduled Trial Management Conference. Marking consists of placing the exhibit tag on the exhibit with the case number written on the bottom center of the tag. Plaintiffs/petitioners must use tags designated "Plaintiff" or "Petitioner". Defendants/respondents must use tags designated "Defendant" or "Respondent". The parties may mark joint exhibits, which shall be designated "Joint".

The parties shall meet and confer and agree on the manner of marking their exhibits. Options include, but are not limited to the following: plaintiffs/petitioners mark their exhibits numerically and defendants/respondents mark their exhibits alphabetically (more than one letter per exhibit is not permitted); the use of numerals in which each party is allocated a block of numbers to be used sequentially, *e.g.*, plaintiff may be allocated numbers 1 to 200, the first defendant numbers 201 to 400, and the second defendant numbers 401 to 600; the use of deposition exhibit numbers. Documentary exhibits consisting of more than one page must be internally paginated in sequential numerical order to facilitate reference to the document during interrogation of witnesses. If there are questions

concerning the manner of marking exhibits, please contact the appropriate judicial officer's judicial assistant.

The parties shall meet and confer regarding the authenticity and admissibility of exchanged exhibits. All exhibits that the parties agree are authentic and admissible shall be identified on a "Joint Exhibits List." The Joint Exhibits List shall bear the following statement:

"The parties hereby stipulate and agree that the exhibits identified on this Joint Exhibits List are authentic and admissible at trial in the action."

The Joint Exhibits List must be signed by counsel for all parties and shall be filed with the Court no later than three ~~two~~ (~~2~~3) Court days prior to the date of the Trial Management Conference.

~~At the Trial Management Conference, p~~Parties shall also submit to the Court, no later than three (3) Court days prior to the date of the Trial Management Conference, an index of exhibits with their corresponding numbers or letters. ~~If the trial date is continued, the parties shall retain possession of their own exhibits until the next scheduled Trial Management Conference.~~

(Revised 7/1/11, 1/1/17, 1/1/23, and 1/1/27)

B. **Witness Lists.** The parties shall, no later than five (5) Court days prior to the Trial Management Conference, exchange a list of all witnesses they anticipate calling at trial, except for those anticipated in good-faith to be called solely for impeachment purposes. Witness lists must be filed no later than three (3) Court days prior to the Trial Management Conference. Witness lists shall include a brief description of the anticipated testimony of each witness.

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F. **Statement of the Case.** For a jury trial, the parties must, in advance of the Trial Management Conference, meet and confer for the purpose of agreeing upon a brief non-argumentative summary of the factual nature of the case that will be read to the jury. The agreed upon Statement of the Case is to be lodged with the Clerk of the Court no later than three (3) Court days prior to the Trial Management Conference. (Effective 1/1/17; revised 1/1/27)

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6.6.3 Cases Stayed Under California Rule of Court, Rule 3.650~~(d)~~

Once notification is received regarding said stay, the Court shall issue an Order to Show Cause re ~~Removed Case~~ Status of Stay with a review date approximately 180 days from

the date of notification. The party who requested or caused the stay shall file and serve, at least ten (10) Court days prior to the Order to Show Cause Hearing, a Declaration reporting on the status of the matter and an estimate of the continued duration of the stay. Compliance with the foregoing may result in the Order to Show Cause Hearing being continued through a Tentative Ruling without appearances needed. In lieu of a Declaration, the parties may file, at least ten (10) Court days prior to the hearing, a joint status report and proposed order continuing the hearing date on the matter. (Effective 7/1/02; revised 1/1/27)

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6.14 Non-California Authority

If a party cites, in any papers submitted for Court review, authority emanating from a jurisdiction other than the United States Supreme Court, federal or California caselaw, statutes, constitutional provisions, or the California Rules of Court, the party must lodge a copy of the cited authority with the papers containing the citation. (Effective 1/1/27)

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RULE 11: APPELLATE DIVISION

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11.6 Use of Court File Instead of Clerk's Transcript

A. In an appeal from a limited civil case, the appellate division or an appellant may elect to use the original trial court file as the record on appeal in lieu of a clerk's transcript, pursuant to California Rules of Court, rule 8.833. An appellant electing to use the trial court file in a limited civil appeal must provide notice of the election when designating the record on appeal, pursuant to California Rules of Court, rule 8.831. (Revised 1/1/27)

Please submit any comments in writing to:

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The complete text of the proposed revisions may be viewed and downloaded from www.napa.courts.ca.gov. A hard copy of the proposed revised rules is available on request.