

## **TITLE 1 GENERAL**

### **RULE 1001 WHERE TO FILE DOCUMENTS**

(Adopted 1-1-86; Moved to "Court Organization" 11-7-92, effective 1-1-93; Reinstated to Title 1 and Amended 9-29-01, effective 1-1-02; amended 1-1-03; amended 7-1-03; area code correction 1-1-05; designation correction 1-1-06; amended 4-17-09, effective 7-1-09; amended 5-3-10, effective 8-1-10; Renumbered from Rule 1.0015, 8-1-11, effective 1-1-12; Deleted 11-4-11; effective 1-1-12)

### **RULE 1005 PAYMENT OF FEES**

All fees shall be paid and all pleadings and papers shall be filed with the Clerk, before they will be considered by the Court.

(Adopted 1-1-86; Renumbered from Rule 1.0025, 8-1-11, effective 1-1-12)

### **RULE 1010 APPLICATION BY VEXATIOUS LITIGANT TO FILE COMPLAINT**

A person who has been found to be a vexatious litigant and is subject to a pre-filing order pursuant to California Code of Civil Procedure section 391.7(a) must file a written request to the Presiding Judge for leave to file any new litigation with the court. Pursuant to California Code of Civil Procedure section 391.7(b), the Presiding Judge shall permit the filing of said litigation only if it appears that the litigation has merit and has not been filed for the purposes of harassment or delay. Any person subject to this rule must file the written request on the most recent version of Judicial Council of California Form MC-701. Failure to use Form MC-701 may result in denial of the request.

(Adopted 5-4-11; Renumbered from Rule 1.0026, 8-1-11, effective 1-1-12)

### **RULE 1015 CUSTODY OF PAPERS**

- A. Restriction on Taking. No papers, documents or exhibits on file in the office of the Clerk of this Court shall be allowed to be taken from the custody of the Clerk except as hereinafter provided.
- B. Order. By order of a Judge of this Court entered in the minutes, any exhibit may be returned to the witness or party by whom it was produced, after the substitution of a photostatic copy thereof; provided, however, that such order may dispense with such substitution in the case of an original record, paper or object taken from the custody of a public officer which is being returned to such officer, or in the case

of an exhibit used only in making proof against a party whose default has been entered, or when a photostatic copy is impracticable, in which case a receipt shall be given, or when a written stipulation of all the parties consenting thereto is filed. The application for such an order shall be supported by an affidavit stating all the pertinent facts, except where it is made on stipulation.

(Adopted 1-1-86; Amended 10-17-98, effective 1-1-99; Renumbered from Rule 1.0035, 8-1-11, effective 1-1-12)

## **RULE 1020 JUROR LISTS**

- A. As sessions of the superior court are held in locations other than the county seat, pursuant to Code of Civil Procedure § 198.5 the names for master jury lists and qualified jury lists to serve in a session may be selected from the area in which the session is held, pursuant to a local rule that divides the county in a manner that provides all qualified persons in the county an equal opportunity to be considered for jury service.
- B. Jury lists for court locations shall be drawn from residents of the following postal zip codes (cities and unincorporated areas thereof) within the County of Riverside:
1. Western Region: Corona (92860, 92877-92883), Mira Loma (91752), Moreno Valley (92551-92557), Riverside (92501-92509, 92513-92519, 92521, 92522), Perris (92570-92572, 92599).
  2. Banning Justice Center: Banning (92220), Beaumont (92223), Cabazon (92230), Calimesa (92320), Hemet (92543-92546), San Jacinto (92581-92583), Whitewater (92282).
  3. Mid County Region: Aguanga (92536), Anza (92539), Homeland (92548), Idyllwild (92549), Lake Elsinore (92530-92532), Menifee (92584), Mountain Center (92561), Murrieta (92562-92564), Nuevo (92567), Sun City (92585-92587), Temecula (92589- 92593), Wildomar (92595), Winchester (92596).
  4. Desert Region: Cathedral City (92234-92235), Coachella (92236), Desert Hot Springs (92240-92241), Indian Wells (92210), Indio (92201-92203), La Quinta (92247-92248, 92253), Mecca (92254), Palm Desert (92211, 92255, 92260-92261), Palm Springs (92258, 92262-92264, 92292), Rancho Mirage (92270), Thermal (92274), Desert Center (92239), Thousand Palms (92276).
  5. Blythe: Blythe (92225-92226).

- C. If, after the commencement of jury selection, the number of jurors in a court region shall prove insufficient for the jury trial, the Presiding Judge must provide approval for the transfer of jurors between regions.

(Added 10-30-99; effective 1-1-00; amended 4-25-03, effective 7-1-03; Renumbered from Rule 1.0056, 8-1-11, effective 1-1-12; amended 4-24-15, effective 7-1-15)

## **RULE 1025 INTERPRETERS AND TRANSLATORS**

### **A. General Information – All Languages**

1. Interpreters shall be provided by the Court in criminal, traffic, juvenile, and family law domestic violence actions. Parties shall make necessary arrangements to provide their own interpreter in all other matters. The Court shall schedule and pay the costs of interpreters interpreting for prosecution witnesses during the witness' testimony only.
2. In instances wherein the Court provides interpreters, parties must provide the Court with either a minimum forty-eight (48) hour (two business days) notice (for Spanish and Sign) or five (5) business days notice (for all other languages) to ensure that an interpreter will be available.
3. Requests to the Court for interpreter services are to include the following information: date, time, and place interpreter is needed, case number, name of requesting attorney, whether requirement is for a trial, for a full day or a half day, or for a short hearing such as pronouncement of judgment, etc.
4. If a court proceeding's time and/or date are changed or canceled by the parties, and interpreter services have been arranged by the Court for that proceeding, the party that requested the interpreter must notify the Court twenty-four (24) hours in advance of the change or cancellation. Timely notice of changes are absolutely necessary in order to cancel or reschedule an interpreter, thus precluding a needless trip by the interpreter and a fee payment by the Court.
5. Court-appointed interpreters shall be available and remain on call for those portions of either half or full day of retained service when initial assignments are completed.
6. In the event that an interpreter has two separate assignments in different court locations in Riverside County on the same day, that interpreter shall bill the Court at the full day rate rather than multiple half days.
7. Court-scheduled interpreters shall be compensated at the rate established by the Court.

8. A copy of the Interpreters' Fee Schedule shall be maintained in the Courts' Executive Office.

B. Interpreters for Deaf and Hearing Impaired Persons

The Court shall provide an interpreter for deaf or hearing impaired individuals for all court proceedings pursuant to Evidence Code 754.

(Adopted 1-1-86; Amended 10-16-98, effective 1-1-99; Renumbered from Rule 1.0060, 8-1-11, effective 1-1-12)

**RULE 1030**

**COURT COMMUNICATION PROTOCOL FOR PROTECTIVE ORDERS AND CHILD CUSTODY AND VISITATION ORDERS**

This Rule sets forth the court communication protocol for protective orders and child custody and visitation orders as required by California Rule of Court 5.445.

A. "Protective Order" as used in this section means:

1. Any court order issued pursuant to Family Code Sections regarding protective orders or restraining orders including, but not limited to, Sections 6320, 6321, and 6322;
2. Any court order issued pursuant to Code of Civil Procedure Sections regarding protective orders or restraining orders including, but not limited to, Sections 527.6, 527.8 and 527.85;
3. Any court order issued pursuant to Welfare and Institutions Code Sections regarding protective orders or restraining orders including, but not limited to, Section 15657.03;
4. Any court order issued pursuant to Penal Code Sections regarding protective orders or restraining orders including, but not limited to, Section 136.2; or
5. Any order issued by another state, tribe, or jurisdiction that is recognized under Section 6400 et seq. of the Family Code.
6. For purposes of this rule, the terms "restraining order" and "protective order" are used interchangeably and this rule applies equally to an order issued using either term.

B. Communication and coordination regarding Protective Orders and child custody and visitation orders:

1. At any hearing involving a Protective Order, child custody, visitation or guardianship, all parties or their attorneys must inform the judicial officer of any preexisting Protective Order, or order regarding child custody and visitation that involves any party to the case pending before the Court. The parties or their attorneys must also provide the court with a copy of any such preexisting orders, and must update the Court regarding the status of all

such orders at any subsequent hearings, should the status of the preexisting orders change.

2. Before issuing a Protective Order, the issuing Court shall make reasonable efforts to determine whether there are minor children of the relationship between the victim and the restrained person, and shall review available databases to determine whether there are existing orders, including custody and/or visitation orders, involving the defendant/restrained person, the victim/protected person, and/or the minor children. The issuing Court shall also consider whether peaceful contact with the protected person(s) should be allowed so the restrained person may have custody of and/or visitation with the minor children. In setting the terms of the Protective Order, the issuing Court may consider the existence and/or terms of any child custody or visitation orders involving the minor children co-parented by the protected person(s) and the defendant/restrained person.
3. Before setting terms of child custody or visitation, the family, juvenile or probate court setting such terms shall make reasonable efforts to determine whether any person seeking custody or visitation is subject to a Protective Order involving a co-parent or another person seeking custody/visitation, and/or the children. The family, juvenile, or probate court setting such terms shall also make reasonable efforts to determine whether there are pre-existing custody or visitation orders involving the children.
4. The Court shall maintain a procedure to be used when a request for a Protective Order is filed, to help determine whether the party to be restrained is involved in other cases involving Protective Orders or custody or visitation orders. This internal Court procedure is not a substitute for the requirement that the parties inform the Court of preexisting orders involving any party to the newly filed case pending before the Court.

#### C. Modification of Criminal Protective Orders

1. Modification of an existing Protective Order issued by the Criminal Court may be sought by a person named in the subject Protective Order, or by a judicial officer presiding over a family, juvenile, or probate case involving persons named in the subject Protective Order.
  - a. A person seeking to modify an existing Protective Order issued by the Criminal Court in which that person is named may calendar the matter for hearing with the Criminal Court. The person seeking modification shall provide written notice of the request for modification to the Court, the District Attorney, the Defendant, and Defendant's counsel.
  - b. If a judicial officer presiding over a family, juvenile, or probate case involving persons named in a Protective Order issued by the Criminal Court determines it is appropriate to permit visitation or contact differing

from that allowed by an existing Protective Order issued by a criminal court, the family, juvenile, or probate judicial officer can request the criminal judicial officer who issued the criminal protective order set a hearing entitled "Further Proceedings to Modify the Criminal Protective Order." Upon this request, the criminal judicial officer may set the hearing re: modification of the existing Criminal Protective Order. Such hearing shall be set no less than fifteen (15) court days after the family, juvenile, or probate judicial officer requests the hearing, unless there is good cause to shorten time. If such a hearing is set on the Court's own motion, the courtroom clerk for the Criminal Department in which the hearing is set shall provide written notice to the District Attorney, the Defendant, and Defendant's counsel.

- c. Upon receiving notice of a requested modification to an existing Protective Order, the District Attorney shall give notice to all protected persons, all counsel for the protected person(s), and the parents, guardians, conservators, and/or persons having legal custody of the protected person(s).
2. Upon receiving notice of a motion or request to modify an existing Protective Order, the criminal judicial officer shall make reasonable efforts to determine whether child custody and/or visitation orders were entered after the entry of the Protective Order involving the restrained and protected persons. Upon request from the criminal judicial officer, the family, juvenile or probate court shall provide the criminal court with copies of existing or proposed Orders re: protection, custody and/or visitation in the pending family, juvenile or probate matter. In determining whether and how to modify a Protective Order, the criminal judicial officer may consider the existence and/or terms of any current or proposed child custody or visitation orders involving the protected person(s) and the defendant/restrained person.
- D. Any order permitting contact between the restrained person and his or her child(ren) shall comply with Cal. Penal Code Section 136.2(f)(1) and (2), and Cal. Family Code Section 3100.

(Adopted 4-20-18, effective 7-1-18)

**RULE 1035  
ATTORNEY FEES IN MINOR'S  
COMPROMISE CASES**

- A. A petition to compromise a minor's claim should contain the following information:
  1. A brief statement which sets forth the facts which establish liability.

2. A statement which outlines all medical treatment furnished, to date, what future medical, if any, is expected to be required and the nature and extent of any permanent injuries sustained by the minor.
3. The total medical expenses incurred by the minor to date and the estimated cost of any anticipated medical attention which will be required in the future.
4. A reasonably detailed declaration setting forth all effort expended on behalf of the minor in obtaining the settlement and how it was expended. The declaration should address any or all of the following factors:
  - a. Was the case an obvious liability and policy limits case that just needed processing?
  - b. What was the degree of difficulty involved:
  - c. How much skill was needed and employed?
  - d. How much risk was there of a poor result for the amount of work done?
  - e. How much money did the attorney advance?
  - f. How many hours of work did the attorney do?
  - g. What result was achieved?
  - h. What time elapsed between the work and getting paid the attorney fees?
  - i. The fact that the attorney's fee is contingent on recovery.

For additional information see Niederer v. Ferriera, [1987] 189 Cal. App. 3d 1485.

5. Where the injuries (damages) clearly exceed the amount of the insurance policy being offered, the statement should also include a recitation of all steps taken to determine if any additional coverage or assets are available from which the minor could seek compensation.

Any additional information that may be of assistance to the court in determining if the petition should be granted or would assist the court in determining reasonable compensation for the attorney in the case.

- B. Structured Settlement. If the petition for approval of a claim under Section 3500(b) of the Probate Code relates to a structured settlement calling for future periodic payments, the petition shall state the cost of the annuity.

(Adopted 1-1-86; Amended 4-4-92, effective 7-1-92; Amended 4-1-95, effective 7-1-95; Amended effective 7-1-07; Renumbered from Rule 1.0070, 8-1-11, effective 1-1-12)

**RULE 1040**  
**VIDEO RECORDATION (Blythe Branch Only)**

(Added 10-21-89, effective 1-1-90; Amended 10-19-96, effective 1-1-97; correction 1-1-06; Renumbered from Rule 1.0073, 8-1-11, effective 1-1-12; Deleted 10-19-12, effective 1-1-13)

**RULE 1045**  
**ENTRY OF JUDGMENT, COSTS AND FEES**

(a) Entry of judgment

The clerk of this court does not maintain a judgment book. Therefore, in this court all judgments and amendments thereto are entered as of the date on which they are filed, pursuant to Code of Civil Procedure section 668.5.

(b) Entry of costs and fees

No entries of the particular amounts of costs and fees shall be made by alterations or additions on the face of a judgment. No party shall propose to amend a judgment solely to reflect the entry of the amount of any costs or fees. The entry of costs and fees shall be in accordance with the provisions of Code of Civil Procedure section 685.090, California Rules of Court rules 8.104 and 8.751 describing what constitutes entry, and any other applicable provision of law. In cases where a party is entitled to costs because a motion to tax or strike a cost memo was not brought, such costs shall be deemed entered upon the expiration of the time for making the motion. The party entitled to such costs may file and serve a "notice of entry" of such costs. If requested by any party, costs and fees that the judgment creditor is entitled to collect shall be reflected in any abstract of judgment, writ of execution, writ of possession, or other appropriate post judgment forms issued by the clerk.

(Adopted effective 7-1-07; Renumbered from Rule 1.0086, 8-1-11, effective 1-1-12)

**RULE 1050**  
**DIRECT FAX FILING**

Pursuant to California Rules of Court, Rule 2.304 et. Seq., a party may file by fax directly with the appropriate court location using the facsimile numbers located on the court's website at <http://riverside.courts.ca.gov/faxlist.shtml>. The first sheet transmitted shall be the Judicial Council *Facsimile Transmission Cover Sheet (Fax Filing)* (form MC-005), followed by any special handling instructions. Each document transmitted for direct filing



with the court shall contain the phrase "BY FAX," and if represented by an attorney, the attorney shall also include his or her facsimile machine telephone number, designated as a "fax" number, and his or her e-mail address immediately below the title of the document.

Individuals representing themselves or attorneys representing clients may register on-line at <http://riverside.courts.ca.gov/faxregister.shtml> or may complete form RI-M01 to register for the court's direct fax filing program. The form is located on the court's website at <http://riverside.courts.ca.gov/localfrms/ri-m01.pdf>

**Court Locations Accepting  
Direct Fax Filings**

**Case Types Heard**

**Desert Region**

Blythe  
265 N. Broadway  
Blythe, CA 92225

Civil, Criminal, Family Law, Small Claims,  
Traffic, Unlawful Detainers

Larson Justice Center  
46-200 Oasis Street  
Indio, CA 92201

Civil, Criminal, Family Law, Adoptions,  
Small Claims, Traffic, Unlawful Detainers

Indio Juvenile  
47-671 Oasis Street  
Indio, CA 92201

Juvenile

Palm Springs  
3255 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Civil, Unlawful Detainers

**Mid County Region**

Hemet  
880 N. State Street  
Hemet, CA 92543

Civil, Family Law, Adoptions, Small Claims,  
Traffic, Unlawful Detainers

Southwest Justice Center  
30755-D Auld Road  
Murrieta, CA 92563

Criminal, Juvenile, Unlawful Detainers

Temecula  
41002 County Center Drive #100  
Temecula, CA 92591

Probate

## **Western Region**

Banning  
135 N. Alessandro Road  
Banning, CA 92220

Civil, Criminal, Small Claims, Traffic,  
Unlawful Detainers

Hall of Justice  
4100 Main Street  
Riverside, CA 92501

Appeals, Criminal

Historic Courthouse  
4050 Main Street  
Riverside, CA 92501

Civil, Probate, Guardianships

Moreno Valley  
13800 Heacock Street  
Building D, #201  
Moreno Valley, CA 92553

Small Claims, Traffic, Unlawful Detainers

Riverside Family Law  
4175 Main Street  
Riverside, CA 92501

Family Law, Adoptions

Riverside Juvenile  
9991 County Farm Road  
Riverside, CA 92503

Juvenile

(Added 4-4-92, effective 7-1-92; amended 4-3-93, effective 7-1-93; amended 10-19-96, effective 1-1-97; amended 4-19-97, effective 7-1-97; amended 10-17-98, effective 1-1-99; amended 1-1-03; amended 7-1-03; area code correction 1-1-05; amended effective 7-1-09; Renumbered from Rule 1.0091, 8-1-11, effective 1-1-12; amended administratively to reflect the correct case types heard at the Palm Springs and Temecula locations, 11-8-14, effective 1-1-15)

### **RULE 1055 EXHIBITS/LODGED DOCUMENTS**

Prior to expiration of time for appeal, “exhibits” and/or “lodged documents” shall not be released to attorneys or any other parties without order of the Court.

(Added 4-25-98, effective 7-1-98; amend. 10-17-98, effective 1-1-99; Renumbered from Rule 1.0092, 8-1-11, effective 1-1-12)

### **RULE 1060 COMMISSIONERS AS TEMPORARY JUDGES**

All Commissioners are appointed as Temporary Judges. Their Oaths of Office are available at the Executive Office of the Court.

(Adopted 4-28-06, effective 7-1-06; Renumbered from Rule 1.0115, 8-1-11, effective 1-1-12)

**RULE 1065**  
**CASE MANAGEMENT POLICY**

(Added 10-23-93, effective 1-1-94; Moved from Title 7 (Rule 7.0005) and Title 11 (Rule 11.0030), 10-17-98, effective 1-1-99; amend. 10-18-02, effective 1-1-03; Renumbered from Rule 1.0200, 8-1-11, effective 1-1-12; Deleted 11-4-11, effective 1-1-12)

**RULE 1070**  
**COLLECTIONS OF FINES**

On July 1, 1992, the Executive Officer/Clerk shall assume responsibility for management of the Revenue and Recovery Unit (now called Enhanced Collections Division) presently assigned to the County Executive Office. Also, on this date, the Executive Officer/Clerk shall assume responsibility for the collection of all fines ordered in criminal proceedings.

- A. Effective July 1, 1992, all fines ordered on criminal matters as a part of Terms and Conditions of Probation shall be ordered paid to the Clerk of the Court.
- B. The Probation Officer and Executive Officer/Clerk shall establish procedures to insure the Court is properly informed of compliance or failures to comply with the payment of court ordered fines.

(Added 4-25-98; effective 7-1-98; moved from Title 7 (Rule 7.0039) 10-17-98, effective 1-1-99; Renumbered from Rule 1.0210, 8-1-11, effective 1-1-12)

**RULE 1075**  
**STATEMENT OF FINANCIAL CONDITION**

- A. In all cases in which a defendant requests court appointed counsel at public expense, defendant shall be required to complete a financial statement, under penalty of perjury, disclosing all assets and liabilities, incomes from any and all sources, and expenses in a form approved by this Court. After receipt by the Court, a finding will be made in accordance with the guidelines set forth by Administrative Order.

A defendant's failure to comply with the provisions of this rule shall be sufficient ground for denial of court appointed counsel at public expense.

- B. If an in custody defendant at the time of his/her arraignment requests court appointed counsel at public expense, his/her custodial status shall constitute a prima facie showing of his/her indigency. No further showing pursuant to

paragraph A, above, need be made. However, this appointment is deemed conditional and upon the release of the defendant, or upon request of appointed counsel or the court, he/she shall be required to fully comply with this rule, no later than his/her next court appearance.

Failure to comply with this subsection shall be sufficient ground for denial of court appointed counsel at public expense.

(Adopted 1-1-86; Amended 10-23-93, effective 1-1-94; moved from Title 7 (Rule 7.0040) 10-17-98, effective 1-1-99; Renumbered from Rule 1.0215, 8-1-11, effective 1-1-12)

## **RULE 1080 PAYMENT OF COURT ORDERED FINANCIAL OBLIGATIONS**

All court ordered financial obligations, including fines, fees, cost of probation and victim restitution, are to be paid forthwith or in a manner to be determined by the courts' Enhanced Collections Division.

(Added 4-25-98, effective 7-1-98; moved from Title 7 (Rule 7.0041) 10-17-98, effective 1-1-99; Renumbered from Rule 1.0220, 8-1-11, effective 1-1-12)

## **RULE 1090 APPLICATION FOR ORDER FOR PUBLICATION OF SUMMONS**

A party requesting an order directing that a summons, citation or notice be served by publication must make such request by submitting an Application for Order for Publication Riverside Superior Court form, approved for mandatory use and available from the clerk of court. Failure to use the mandatory court form may result in the rejection of the application.

(Adopted 11-7-12, effective 1-1-13)

## **RULE 1095 COURT REPORTING SERVICES**

### **Reported Matters**

The court's policy concerning court reporter availability is set forth in accordance with California Rule of Court 2.956, and posted on the court's website ("Notice of Availability of Court Reporting Services").

### **Notice of Availability**

Court reporters will not be provided at court expense in misdemeanor and Department of Child Support Services calendar courtrooms, or in limited civil cases. Electronic recording equipment will be used for traffic court trials and in unlawful detainer proceedings.

(Adopted 10-15-13, effective 1-1-14)