



**Superior Court of California, County of San Joaquin**

180 E. Weber Avenue, Ste. 1306J

Stockton, CA 95202

Telephone: (209) 992-5695

[www.sjcourts.org](http://www.sjcourts.org)

March 26, 2026

To All Interested Persons,

Re: Letter of Circulation Re: Local Rule Revisions Effective July 1, 2026.

Attached, you will find the revisions/additions to the following local rules:  
(**Red** indicates changes; text **lined-out** indicates deletions)

- Rule 1**            **General – 1-108**
- Rule 2**            **Criminal– 2-105**
- Rule 3**            **Civil – 3-102, 3-103, 3-113**
- Rule 4**            **Probate – 4-110**

We are submitting the revised rules to you in compliance with the Local Rules filing requirements under Government Code section 68071 and California Rules of Court Rule 10.613(c) and (d). We encourage your comments.

You may send your comments to [localrules@sjcourts.org](mailto:localrules@sjcourts.org) with a subject line stating “Comments on Proposed Rule changes.”

Comments must be received in our office no later than 5 p.m., Monday, May 11, 2026.

Sincerely,

*Ruby Atwal*  
Executive Assistant



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PROPOSED CHANGES TO SAN JOAQUIN COURT LOCAL RULES –  
EFFECTIVE 7/1//2026

### **Rule 1 – General**

#### **1-108. USE OF CAMERA PHONES, OTHER PHOTOGRAPHIC EQUIPMENT AND AUDIO RECORDING EQUIPMENT (Eff. 01/01/23)**

A. This local rule covers the use of any photographic, video and audio recording or transmission equipment by people not working in a media capacity. For purposes of this rule, photographic equipment includes, but is not limited to: cameras, camera phones, and video recording cameras.

B. The use of photographic equipment and audio recording or transmission equipment in any Superior Court of California, County of San Joaquin courtroom, including through a courtroom door window, into any ~~Superior Court of California for the County of San Joaquin-16~~ courtroom, or from an entryway into a courtroom, is prohibited without the advance permission of the judge.

C. The use of photographic equipment or audio recording or transmission equipment in any jury assembly room or juror deliberation room, through a window into such rooms, or into any such rooms from any vantage point outside of such rooms is prohibited without advance permission of the Presiding Judge, Jury Commissioner, or their designees.

D. Photographing, videotaping, filming, and electronic recording of anyone wearing a juror badge anywhere inside a courthouse is prohibited. Photographing, videotaping, filming, and electronic recording of anyone standing in line awaiting entry into a jury assembly room is also prohibited.

~~E. Photographing, videotaping, filming, and electronic recording of anyone involved in any case, including litigants, witnesses, and spectators, anywhere inside a courthouse is prohibited.~~

~~F~~E. Unless approved by written order of the presiding ~~juvenile~~ judge or a judicial officer designated by the presiding ~~juvenile~~ judge, photographing, videotaping, filming, broadcasting, and electronic recording is prohibited anywhere in the Juvenile Justice Center. and in all other branch locations, except in the public corridors of the Stockton, Manteca and Lodi branches.



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~~G.F.~~ The prohibitions against photographing, videotaping, filming, and electronic recording outside of a courtroom any persons listed in section B through E of this rule, do not apply if such person consents. Nothing in this rule shall be read to prohibit photography associated with weddings as long as persons who are prohibited from being photographed in this rule are not depicted in such photos.

~~H.G.~~ The use of any device to photograph, videotape, film, or electronic record to copy, reproduce, or transmit official Court records and exhibits in the Clerk's Office is ~~prohibited~~, permitted as defined in this rule and Government Code §68150. A member of the public who seeks to use their own device must first inform the clerk of this intended purpose. ~~No one may use a device with the ability to photograph, videotape, film, or electronic record to copy, reproduce, or transmit Court records and exhibits without prior written approval from the Presiding Judge, Judicial Officer, Court Executive Officer or designee.~~ Personal devices may be used in the clerks' offices solely to make a digital copy of the official public court file, consisting of court documents as defined in Government Code §68151(A)(1). Violation of this rule may result in the confiscation of the device, and the Court Clerk or designee may request that the recording/photograph on the device be erased by the owner.

~~I.H.~~ Photography, video and electronic recording equipment used in violation of this rule is subject to confiscation. Any person who is a party, witness, or attorney of a party and who violates this rule is subject to punishment under Code of Civil Procedure section 177.5. Any other person who violates this rule is subject to punishment for contempt of court. (Eff. 07/01/05)

### **Rule 2 – Criminal**

#### 2-105. PRE-TRIAL CONFERENCES (Eff. 01/01/98)

##### A. Preparation of Attorneys

In felony and misdemeanor cases, the attorneys appearing at the conference shall be familiar with the case including but not limited to investigative reports, preliminary hearing testimony, possible defenses, and rap sheets of key witnesses and the defendant.



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#### B. Felony Cases – Pretrial Statement

In felony cases the People and Defendant shall file with the court, and serve on opposing counsel, a pretrial statement two (2) ~~court~~ days prior to the scheduled pretrial conference. The pretrial statement shall include a brief statement of the case, the maximum exposure the defendant faces, and the pretrial offer, and defendant's counteroffer, if any is offered.

### **Rule 3 – Civil**

#### 3-102. ADMINISTRATION OF GENERAL CIVIL LITIGATION (Eff. 01/01/20)

##### NOT APPLICABLE TO LIMITED CIVIL CASES

#### A. Policy:

It is the policy of the San Joaquin Superior Court:

1. To manage all cases except civil petitions, probate, mental health, domestic and paternity actions from the time of filing the first document invoking court jurisdiction through final disposition.
2. The time frame for unlimited civil cases is 75% within 12 months, 85% within 18 months and 100% within 24 months.
3. To use these rules as outside limits in the management of civil cases. Parties are encouraged to proceed at a more accelerated pace, especially in those cases involving promissory notes, simple breach of contract, money due and other cases susceptible to early disposition. In such cases, a party may file its own at-issue memorandum prior to case management conference to secure an early trial date.
4. Nothing in this section shall prevent the court from issuing an exception order based on a specific finding that the interest of justice requires a modification of the routine processes as prescribed.



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5. Uninsured motorist (California Insurance Code Section 11580.2) and eminent domain cases shall be deemed exempt from this rule upon the filing by plaintiff of a Declaration of Exemption (Form Sup. Ct.56). The Case Management Conference for these matters will be scheduled 180 days out at case initiation. If the Declaration of Exemption is filed after case initiation, the CMC date will be vacated and rescheduled for 180 days out from the filing date of the declaration. (CRC 3.712.) Plaintiff is required to file a dismissal within ten (10) days after receipt of monies or 60 days after the arbitration hearing in all uninsured motorist cases.
6. All civil cases filed which are statutorily limited civil cases shall remain subject to the “Economic Litigation Rules” (CCP Section 90, et seq.) regardless of which department or commissioner handles such case.

#### B. Procedure

1. Any party seeking a change of hearing date set under this section must file a written application containing a showing of good cause together with a proposed order five (5) court days in advance of the hearing.
2. Order to show cause hearings for violations of these rules will be held by the assigned judge approximately 20 days from the mailing of the order to show cause.
3. Written response to orders to show cause must be filed at least five (5) calendar days before the hearing.
4. All stipulations for request to continue any proceeding shall be signed by all attorneys involved in the case.

#### C. Responsive Pleadings

1. If a Certificate of Inability to Respond is timely filed the court will conduct a hearing to determine a date on which a response must be filed.



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2. If the responsive pleading is a demurrer and the demurrer is overruled, the court shall fix the time for filing a further response. If a demurrer is sustained with leave to amend, the court shall fix the time for filing an amended pleading and may fix the time for filing a response.

Pursuant to C.R.C 3.110(g), if a responsive pleading is not served within the applicable time limits, and no extension of time has been granted, the plaintiff is required, within 10 days after the time for services has elapsed, to file a request for entry of default.

#### D. Stays of Action/Alternative Dispute Resolution Requirements

1. To stay any action pending any type of alternative dispute resolution (ADR), stipulations and proposed orders must provide that the ADR shall be binding and that a dismissal of the entire action will be filed.
2. The stay provided by 11 U.S.C. Section 362 shall not affect this section.

#### E. Extensions by the Court

1. The court may extend any time standard set forth in these rules upon a showing of good cause on noticed motion or ex-parte appointment with the assigned judge.  
  
"Good cause" includes the existence of those conditions stated in C.C.P. section 583.240. When applying to the court to extend time for service of process based on the conditions stated in C.C.P. section 583.240, plaintiff shall suggest to the court the earliest time within which the impediment to service may reasonably be eliminated so that the court is able to continue its supervision of the case on a date certain.
2. Further, in all civil actions, "good cause" for an extension of time to serve the defendant with process is established where plaintiff's declaration affirmatively shows that defendant's insurance carrier or



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other authorized representative has been advised that an action has been filed and that settlement negotiations are in progress which could resolve the case without further litigation. Upon such showing, it is the policy of the court to extend the time for service of the complaint to a date certain, within which time it appears reasonable that negotiations can be concluded.

#### F. Case Management Conference (CMC)

1. Upon filing a complaint, the plaintiff shall receive the following from the clerk:

- (a) Summons and complaint, and
- (b) Notice and date of the first case management conference (the first conference will be set within 180 days of the filing date or within 180 days after an Answer is filed in collection cases governed by California Rule of Court 3.740). and

~~(c) — A blank Case Management Conference Statement (CMCS).~~

~~Any cross-complainant naming new parties will also receive a notice of case management conference and a blank CMCS.~~

If a case is transferred from another jurisdiction after a responsive pleading has been filed, the first status conference will be set within 45 days from the order of transfer. If no responsive pleading has been filed, the first case management conference will be set within 90 days from the Order of Transfer. In all other particulars, the plaintiff in a transfer case will receive the same information and items as described above.

2. At the time of serving the summons and complaint (and a cross-complaint upon a new party) the responding party shall be served with the notice of the case management conference and a blank CMCS by the plaintiff.



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3. Each appearing party shall file and serve the completed Case Management Conference Statement at least fifteen (15) calendar days prior to the hearing.
4. The assigned judge shall conduct the case management conference, at which each trial attorney, or attorney familiar with the case, and each self-represented party must appear. At the CMC, the court may make all orders it deems appropriate, including but not limited to any one or more of the following:
  - (a) A preliminary determination regarding judicial arbitration or Alternative Dispute Resolution (ADR);
  - (b) Transfer to another court;
  - (c) Designating the case as "complex litigation";
  - (d) Order an early settlement conference;
  - (e) Order a trial setting conference; or
  - (f) Order the setting of a "short cause" court trial.
5. If none of the parties object to the court referring the matter to arbitration (and therefore without limit) and both sides have initiated discovery, no appearances will be required at the case management conference.
6. If a case is not ordered to judicial arbitration, the court will order a trial setting conference date.
7. Any attorney may appear at the case management conference telephonically and, when this occurs, local attorneys have the same option.
8. The court will consider those factors outlined in Judicial Council Rule 2106 in evaluating a management plan for each individual case.



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#### G. Complex Litigation

1. A complex case is one which involves complex issues, difficult legal questions or unusual proof problems.
2. The court, on its own motion, may at any time declare an action a complex case, or may do so pursuant to motion by a party.
3. Once a case is designated as complex by the court, it shall be assigned to a judge for all purposes, including trial.

#### H. Arbitration Determination

1. Cases are ordered to arbitration at the case management conference.
2. Parties shall be noticed with a trial setting conference date once a request for trial de novo has been filed. The trial setting conference will be held approximately 21 days from the request for trial de novo.

#### I. Trial Setting Conference

1. If a case is not ordered to arbitration at the case management conference, the assigned judge will set the case for a trial setting conference.
2. Each trial attorney or attorney familiar with the case and self-represented party must attend, at which time the assigned judge will set any final deadlines for completion of discovery. A trial date shall be assigned with a mandatory settlement conference being set 15 to 30 days prior to trial. Settlement conferences will be governed by Rule 3-104.
3. All trial attorneys or attorneys familiar with the case and self-represented parties shall attend trial setting conference, unless a Declaration in Lieu of Personal Appearance has been filed. Said



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declaration must be filed with the Court Clerk's Office at least ten (10) days prior to the trial setting conference.

#### J. Non-Availability of Official Court Reporting Services in Civil Departments

San Joaquin Superior Court's Official Court Reporters are "not available" within the meaning of California Rules of Court, Rule 2.956, for court reporting of civil cases. As provided in Rule 2.956(e)(1), the term "civil cases" includes all matters other than criminal and juvenile matters. This non-availability extends to all civil cases hearings or proceedings of any kind or nature, including but not limited to law and motion hearings, ex parte applications, long-cause hearings and trials. Effective ~~July 31, 2017~~ September 10, 2024, the departments which normally hear civil cases are Departments 10A, 10B, 10C, 10D, 11A, and 11B.

As provided in Rule 2.956(c), parties may arrange for the presence of a certified shorthand reporter to serve as an official pro tempore reporter. It is the party's responsibility to pay the reporter's fee for attendance at the proceedings, but the expense may be recoverable as part of the costs, as provided by law.

If a party arranges and pays for the attendance of the certified shorthand reporter, none of the parties will be charged the reporter's attendance fee provided for in Government Code section 68086, subdivisions (a)(1) or (b)(1).

The stenographic notes of the certified shorthand reporter are the official records of the court and shall be secured by the court in either paper and/or electronic format in accordance with Government Code section 69955(a), (b), (c) and (d).

In all cases, the plaintiff shall serve "Notice of "Non-Availability of Official Court Reporting Services in Civil Departments" ("Notice") with the complaint. Likewise, the cross-complainant must serve the Notice on any new parties to the action. The service information must be



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included on the Proof of Service of Summons. In addition, parties that file motions must serve the Notice on all parties in the case. The service information must be included on the Proof of Services by Mail. (Rev 1/1/2022)

#### 3-103. REMOTE APPEARANCES (Eff. 01/01/22)

- A. This Local Rule is adopted pursuant to Civil Code of Procedure section 367.75 and California Rule of Court, rule 3.672. Notice requirements are set forth in rule 3.672 and below.
- B. For Case Management Conferences, Law and Motion hearings, and Ex Parte hearings, parties may appear remotely pursuant to Civil Code of Procedure section 367.75 and California Rule of Court, rule 3.672.
  - a) Parties may stipulate either orally or in writing to waive notice of other participants' appearing remotely for Case Management Conferences, Law and Motion hearings, and Ex Parte hearings.
  - b) This Court waives notice of parties appearing remotely for Case Management Conferences, Law and Motion hearings, and Ex Parte hearings.
  - c) Nothing limits the discretion of the judicial officer to require parties to appear in person for Case Management Conferences, Law and Motion hearings, and Ex Parte hearings.
  - d) A remote appearance for Case Management Conferences, Law and Motion hearings, and Ex Parte hearings will not be permitted if the tentative ruling posted for the hearing states that an in-person appearance is required, or the court advises the person requesting to appear remotely that the judicial officer has determined that an in-person appearance is necessary.
- C. For Case Management Conferences, Law and Motion hearings, and Ex Parte hearings, the Court has a telephone Bridge Conference Line platform that supports audio only.
  - 1. The Bridge Conference Line call in numbers are listed on the Court's website.



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2. At the discretion of the Judicial Officer, a Zoom video platform may be provided for the parties to appear. The Court will provide the video access meeting link, or require a party to provide notice of the video access meeting link.
  3. Any recording, reproduction, or re-broadcasting of a court proceeding held remotely, including screenshots or other visual or audio copying of a hearing, is prohibited.
- D. For Evidentiary Hearings, Settlement Conferences, Bench or Court Trials, Jury Trials, and hearings on Orders to Show Cause, parties must appear in person, unless the party or attorney requests and receives express written authorization to appear remotely by the judicial officer.
- a. A party may request to appear remotely by filing and serving a Notice of Remote Appearance Form RA-010 with the Court no later than 10 court days before the Evidentiary Hearing, Settlement Conference, Bench or Court Trial, Jury Trial, or Order to Show Cause.
  - b. In response to notice of remote appearance, any party may file and serve an Opposition to Remote Proceedings Form RA-015 no later than ~~5 court days before the hearing in question~~ than 2 court days from date of service of a party's notice of remote appearance.
  - c. A party must deliver a courtesy copy of any written Notice or Opposition under (a) or (b) to the department in which the proceeding is to be held.
- E. Even when a remote appearance is authorized and commences, the judicial officer may terminate a remote appearance and continue the matter so that an in-person appearance can occur if technology or audibility issues interfere with the judicial officer's ability to make a determination required by the hearing, the in-person appearance is necessary to assist in the determination of the specific hearing, the court reporter's ability to make an accurate record is in question, counsel's ability to provide effective representation is in question, an interpreter's ability to provide language access is in question, or for any other reason which constitutes good cause under the circumstances.



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#### 3-113. CIVIL LAW AND MOTION Eff. 01/01/20)

- A. Except where there is an order setting the date, the moving party may schedule the Law and Motion hearing in the Superior Court Clerk's office when the moving papers are filed (subject to mandatory time provisions of statutes and Rules of Court). Motions are heard Tuesdays through Fridays at 9:00 a.m. When submitting the moving papers for filing, please have at least three (3) dates (within the proper time provisions) for the clerk to check for availability. Proof of service must be on file with the Superior Court Clerk's office prior to the scheduled hearing.

#### **(STOCKTON COURTHOUSE ONLY)**

- B. Matters not requiring more than fifteen (15) minutes may be set for the 9:00 a.m. calendar on Tuesdays through Fridays. Special settings may be made by the courtroom clerk with prior approval.
- C. Other than in contempt matters or where allowed by statute, evidence shall be presented by matters of which the court may or must take judicial notice, affidavits, and declarations, unless prior arrangements are made with the court for the taking of oral testimony.

#### **(STOCKTON COURTHOUSE ONLY)**

- D. Judges assigned to civil law and motion matters will prepare a tentative ruling for each matter on calendar and a ruling will be available to counsel and litigants on the first court day before the scheduled hearing. If the tentative ruling is satisfactory to counsel, he or she need not appear and the tentative ruling will become final. If counsel or self-represented litigants (SRL) wish to appear, he or she may do so only after appropriately notifying the court and other counsel or SRL of that intent.

The tentative ruling shall become the ruling of the court unless there is opposition by counsel or SRL. Any party wishing to contest or argue the tentative ruling must email the court at [civilcourtclerks@sjcourts.org](mailto:civilcourtclerks@sjcourts.org) that they intend to appear remotely or in person no later than 4:00 PM on the first court day before the scheduled



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hearing. The Department, Case number, Case Name, and party's name must be in the header of the email. The email must include the Department, Case number, Case Name, Motion, party's name and email, date and time of the hearing, issues they plan to argue, and that they have informed the opposing party. The party must also notify affected counsel or unrepresented parties that they intend to appear, no later than 4:00 PM on the day before the scheduled hearing.

The tentative rulings will be posted to the court's website: [www.sjcourts.org](http://www.sjcourts.org). Counsel or self-represented litigants may access the court's website beginning at 1:30 p.m. on the first court day immediately preceding the date for which a matter is calendared.

Matters may be continued by filing a stipulation up to five court days before the hearing date. To prevent the judges from unnecessarily preparing matters to be continued, court approval will be required before a continuance will be allowed when the request for continuance is made within five court days of the scheduled hearing.

#### **(LODI BRANCH ONLY)**

- E. The same will apply as listed in Rule 3-113 (D) for the Stockton Courthouse with the exception that the Lodi Branch Civil phone number for calling in by 4:00 p.m. on the day preceding the scheduled hearing of his or her intent to appear to argue is (209) 992-5522. (Subd. (E) amended January 1, 2018); previously amended (deleted) effective July 1, 2015. (Eff. 01/01/20) (Subd (F) amended (deleted) effective July 1, 2015.



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### **Rule 4 – Probate**

#### 4-110. LAW AND MOTION; TENTATIVE RULINGS

- A. A tentative ruling for each law and motion matter on calendar will be available to counsel and litigants on the first court day before the scheduled hearing. The tentative rulings will be posted to the court's website and can be accessed at: <https://www.sjcourts.org/online-services/probate-notes-tentative-rulings/>
- B. The tentative ruling shall become the ruling of the court unless there is opposition by counsel or self-represented litigants (SRL). Counsel or SRL is responsible for reviewing the tentative ruling and notifying the superior court and all other counsel and SRL no later than 4:00 p.m. on the first court day preceding the scheduled hearing of his or her intent to appear to argue and shall include the item(s) he or she is contesting. The procedures for noticing all parties is provided on the Court's website at <https://www.sjcourts.org/online-services/probate-notes-tentative-rulings/> (Eff.01/01/2023; Rev. 07/01/23 [Former 4-110 Repealed 01/01/20])