


FILED

FEB 22 2017

Clerk of the Court
Superior Court of CA County of Santa Clara
BY  **DEPUTY**
David K. Walker

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**

**STANDING ORDER TO ALLOW FOR
TEMPORARY JUDGE POLICY EXCEPTIONS**


California Rule of Court 2.818(b) specifies limitations on attorneys acting as court appointed temporary judges. Pursuant to Rule 2.818(b), an attorney may not serve as a court-appointed temporary judge: “(1) If the attorney, in any type of case, is appearing on the same day in the same courthouse as an attorney or as a party; (2) If the attorney, in the same type of case, is presently a party to any action or proceeding in the court; or (3) If, in a family law or unlawful detainer case, one party is self-represented and the other party is represented by an attorney or is an attorney.” Subsection (b) also provides that, “[f]or good cause, the presiding judge may waive the limitations of the subsection.”

The Superior Court of Santa Clara County has historically relied on attorneys serving as temporary judges to enhance access to timely justice for the public. This reliance is particularly true in the Family Law division of the Superior Court in which temporary judges serve on a number of calendars, including but not limited to the following: Mandatory Settlement Conference, Settlement Officer Conference, Personal Property Binding Arbitration, Default Hearing, and Law and Motion. As of August 16, 2016, most family law related matters are now heard in one courthouse.

1 Rule 2.818(b) would place undue hardship on the Court's ability to recruit sufficient numbers
2 of temporary judges to adequately serve the public. Based on the above, the Court finds there
3 is good cause to waive the limitations in Rule 2.818(b) 1 and 3 for temporary judges in family
4 law matters. This waiver applies to all family law matters heard by temporary judges in Santa
5 Clara County.

6
7 **SO ORDERED.**

8
9 Dated: 2/22/17



Hon. Patricia M. Lucas
Presiding Judge of the Superior Court

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34