

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

GENERAL COURT AND ADMINISTRATION RULES

RULE 10 APPLICATION BY VEXATIOUS LITIGANT TO FILE NEW LITIGATION.

A person who has been found to be a vexatious litigant and is subject to a prefiling order pursuant to CCP § 391.7(a) may apply to the Presiding Judge for leave to file new litigation pursuant to CCP § 391.7(a). The application for such leave must include:

A. A copy of the proposed new litigation.

B. A declaration setting forth:

(1) The reason(s) the proposed new litigation has merit; and

(2) The applicant's reason(s) why leave to file the proposed new litigation is not requested for the purposes of harassment or delay; and

(3) A proposed order with a blank to be completed by the Presiding Judge indicating that the application is granted or denied, and a second blank indicating the amount of security, if any, that must be furnished for the benefit of the defendant(s) as a condition of filing the proposed new litigation, pursuant to CCP § 391.7 (b).

C. Use of optional Judicial Council Forms VL-110 (Request to File New Litigation by Vexatious Litigant) and VL-115 (Order to File New Litigation by Vexatious Litigant) is strongly encouraged.

D. If the application is granted and the applicant furnishes any required security, the application, all supporting papers and the order granting the application must be filed by the clerk. If the application is denied, or if the application is granted upon the condition that security be furnished and the applicant fails to furnish the required security, the application, all supporting papers and the order, initialed by the Presiding Judge or the clerk, will not be filed and must be returned to the applicant.