

LOCAL RULES – SUPERIOR COURT of CALIFORNIA, COUNTY of ORANGE

DIVISION 2

SUPERIOR COURT PERSONNEL

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Chapter 1

Executive Officer/Clerk of the Court

Rule 200. Executive Officer/Clerk of the Court

- A. The Executive Officer/Clerk of the Court shall, under the direction of the Presiding Judge, organize and administer the nonjudicial activities of the Court. He/she shall assist in the dispatch of judicial business, particularly in calendar management; supervise administrative services in the selection and supervision of jurors; assist in arranging for court accommodations and be responsible for procuring necessary books, equipment and supplies; assist in the preparation and administration of the Court budget; prepare judicial statistics, maintain accounting, personnel and judicial assignment record; assist in providing information services to news media and other groups; assist in maintaining liaison with other public or private agencies concerned with the Court; evaluate and recommend improvements in the Court's administrative system and procedures; prepare an annual report and such other reports as directed by the Court; prepare and submit for Court approval a personnel plan or merit system for the classification, recruitment, promotion, discipline and removal of persons employed by the Court.
- B. The Executive Officer/Clerk of the Court is also appointed ex officio Jury Commissioner pursuant to Section 195(a) of the Code of Civil Procedure, and he/she and duly appointed deputies are authorized to grant excuses from jury service to prospective jurors pursuant to Section 204(b) of the Code of Civil Procedure. As Jury Commissioner he/she is empowered to issue and serve jury summons as provided in Sections 208 et seq. of the Code of Civil Procedure.
- C. The Executive Officer shall serve as the Clerk of the Court and shall assume all the powers, duties and responsibilities permitted to be exercised or performed by the County Clerk in connection with judicial actions, proceedings and records. The County Clerk is relieved of any obligation imposed by law with respect to the above powers, duties and responsibilities. This rule does not transfer from the County Clerk to the Court Executive Officer obligations in reference to the issuance of marriage licenses or the filing of fictitious business name statements.
- D. Any reference in these rules, California Rules of Court or statute, to Executive Officer, Clerk of the Superior Court or Jury Commissioner refers to the Executive Officer who shall function in each of the above-mentioned capacities.

(Revised effective May 10, 1984; revised effective January 1, 1986; revised effective March 1, 1992; revised effective January 1, 1994; revised effective September 1, 1998)

Rule 204. (Vacated)

(Adopted effective April 1, 1991; revised eff. July 1, 1996; revised eff. January 1, 1997; vacated eff. September 1, 2000)

Chapter 2

Court Reporter Services

Rule 222. (Repealed)

(Adopted eff. January 1, 1988; revised eff. September 1, 1998; repealed eff. January 1, 2008)

Chapter 3

Compensation - Court Personnel

Rule 230. (Repealed)

(Revised September 11, 1984, effective retroactive to September 1, 1984; repealed effective January 1, 2008)

Rule 232. (Vacated)

(Revised effective July 1, 1985; revised effective October 1, 1985; revised August 1, 1989; revised effective July 1, 1996; revised effective September 1, 1998; revised effective April 2, 1999; vacated effective July 1, 2000)

Rule 234. Professional Dues

Employees holding a regular position in the Attorney-Superior Court Series, and who are on the Court's payroll as of January 1 of each year, shall be reimbursed for the current year's State Bar dues.

Superior Court Commissioners and Juvenile Court Referees shall be reimbursed for inactive State Bar dues upon request.

(Rule 234 amended effective July 1, 2015; Renumbered effective March 15, 1984; revised eff. January 1, 1995; revised eff. July 1, 1995; revised eff. October 1, 1996; revised eff. September 1, 1998)

Chapter 4

Disciplinary/Grievance Proceedings

Rule 240. (Vacated)

(Revised and renumbered effective March 15, 1984; revised effective October 1, 1990; revised effective January 1, 1994; revised effective September 1, 1998)

Rule 242. (Vacated)

(Revised and renumbered effective March 15, 1984; revised effective October 1, 1990; revised effective January 1, 1994; vacated effective September 1, 1998)

Rule 244. Complaints, Procedures Concerning Superior Court Commissioners, Referees, and Temporary Judges

A. Complaints against Superior Court Commissioners and Referees

All complaints against Superior Court Commissioners and Referees shall be submitted in writing to the Presiding Judge. California Rules of Court, Title Ten, Judicial Administration, Chapter 2, Trial Court Management of Human Resources, rule 10.703 describes the process for filing a complaint and the procedures the Court will follow to resolve the complaint. This rule may be found on-line at the Judicial Council's website www.courts.ca.gov/rules or a copy may be obtained from Superior Court's Human Resources Office located at 700 Civic Center Drive West, Santa Ana, CA.

B. Complaints against Voluntary Temporary Judges

At the discretion of the Court, volunteer Temporary Judges (attorneys in private practice) may be assigned to hear cases submitted to the Court. Complaints involving the conduct of a volunteer temporary judge shall be submitted to the Presiding Judge in writing. The Presiding Judge, or his/her designee, shall conduct a prompt and appropriate investigation into the allegations of the complaint. Except for the Presiding Judge's response to the complainant, all documents, papers, reports, correspondence, and proceedings pertaining to a complaint regarding a volunteer temporary judge shall be treated as confidential. The Presiding Judge, or designee, shall notify the complainant at the conclusion of the investigation regarding the general outcome of the investigation consistent with applicable laws related to privacy and confidentiality.

C. Complaints against Court-employed Attorneys acting as Temporary Judges

At the discretion of the Court, Court-employed attorneys, other than those referred to in paragraphs A and B above, may act as Temporary Judges and hear cases submitted to the Court. Complaints involving the conduct of a Court-

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employed attorney acting as a Temporary Judge shall be submitted to the Presiding Judge in writing. The Presiding Judge, or his/her designee, shall follow the procedures in the Court's personnel plan for conducting a prompt and appropriate investigation into the allegations of the complaint. Except for the Presiding Judge's response to the complainant, all documents, papers, reports, correspondence, and proceedings pertaining to a complaint regarding a Court-employed attorney acting as a Temporary Judge shall be treated as confidential. The Presiding Judge, or designee, shall notify the complainant of at the conclusion of the investigation regarding the general outcome of the investigation consistent with applicable laws related to privacy and confidentiality.

D. Complaints against Voluntary Mediators

Parties in probate, family, small claims, civil harassment, and unlawful detainer cases may choose to mediate their cases with voluntary mediators available at the court who are **not** court employees.

These voluntary mediators must comply with the impartiality, disclosure, and withdrawal rules set forth in California Rules of Court, rule 3.855.

Complaints involving the conduct of a volunteer mediator shall be submitted to the Presiding Judge in writing. The Presiding Judge, or his/her designee, shall conduct a prompt and appropriate investigation into the allegations of the complaint. Except for the Presiding Judge's response to the complainant, all documents, papers, reports, correspondence, and proceedings pertaining to a complaint regarding a volunteer mediator shall be treated as confidential. The Presiding Judge, or designee, shall notify the complainant at the conclusion of the investigation regarding the general outcome of the investigation consistent with applicable laws related to privacy and confidentiality.

(Revised effective July 1, 2019; revised effective January 1, 1990; revised eff. January 1, 1994; revised eff. October 1, 1996; revised eff. September 1, 1998; revised eff. May 1, 2001; revised eff. January 1, 2007)

Chapter 5

Conflict of Interest Code

RULE 250 CONFLICT OF INTEREST CODE

A. Adoption of Code

The Superior Court of the State of California, County of Orange, adopts this Conflict of Interest Code under Article 3, Sections 87300-87500 of the California Government Code and incorporates by reference California Code of Regulations, Title 2, Section 18730, and any amendments thereto.

B. Distribution, Completion and Processing of forms

1. The California Fair Political Practices Commission supplies the Court with the required Statement of Economic Interests forms required by this Rule, and instructions for completion. The Court's Human Resources staff will distribute the forms to designated employees. Designated employees are responsible for completing their own forms and ensuring they are returned to Human Resources timely.
2. Employees must complete the economic interests disclosure form when they assume and terminate employment from a designated classification or position. All designated employees, must also file a completed form annually
3. All designated employees, regardless of their reportable economic interest status, are required to file a completed Statement of Economic Interests.

C. Disclosure Categories for Conflict of Interest Codes

The following disclosure categories are adopted by the Court:

Category 1: All investments, business positions (excluding nonprofit organizations), and sources of income.

Category 2: All interests in real property located in or within two miles of Orange County. "Interest in real property" as used in this category does not include the principal residence of the filer or any other property which the filer utilizes exclusively as a personal residence.

Category 3: Investments and positions in business entities and income from sources which, within the previous two years, did or in the

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foreseeable future might contract with the Orange County Superior Court to provide services, equipment or supplies of the type used by the Orange County Superior Court for which the designated employee has discretionary authority.

D. Designated employees who must file a Statement of Economic Interests

Employees in the below listed job classifications or who are designated as Cost Center Managers may make or participate in the making of decisions which may foreseeably have a material effect on their financial interests. Therefore, employees with the following classification titles or working titles/designations shall file a Statement of Economic Interests, reporting financial interests designated by their disclosure category:

<u>Title</u>	<u>Category</u>
Associate Research Attorney	1, 2
Chief Executive Officer	1, 2
Contracts Manager	3
Cost Center Manager	3
Court Referee	1, 2
Court Technology Director	3
Deputy Court Executive Officer	1, 2
Deputy General Counsel	1, 2
Facilities Services Officer	3
Family Court Services Manager	1, 2
Procurement Specialist/Buyer	3
Research Attorney	1, 2
Senior Research Attorney	1, 2
Superior Court Director	1, 2

Consultants and persons appointed to newly created positions that make or participate in making governmental decisions that may foreseeably have a material effect on any financial interest shall file an initial Statement of Economic Interests within 30 days of assuming office in accordance with Disclosure Categories 1 and 2, subject to the following limitation: the Chief Executive Officer or designee may determine in writing that a particular project/position has a range of duties that is limited in scope and thus the consultant or employee is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant/employee's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Chief Executive Officer or designee is a matter of public record and shall be retained for public inspection in the same manner and location as this Code. Persons so appointed shall continue to file annually in the same manner and location specified in this Code.

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E. Temporary or Part-Time Court Commissioners, Referees, and Persons Serving as Temporary Judges

Individuals serving in these positions shall file Statements of Economic Interests pursuant to Government Code, sections 87200 et. seq., if they serve or expect to serve 30 days or more in any calendar year. “Day” includes any day where 4 or more hours, including preparation time, are spent serving as a temporary judge. Persons serving as temporary judges shall sign a declaration at the time of each assignment attesting to hours served as temporary judges.

F. Disqualification

Employees who are required to file Statements of Economic Interests under this code must disqualify themselves from making, participating in the making, or using their official position to influence the making of any decision by, for, or on behalf of the court when the employee has a financial interest which it is reasonably foreseeable may be affected materially by the decision.

G. Filing Officer

The Chief Executive Officer is designated as the Filing Officer for all Statement of Economic Interests filed under this rule.

H. Public Record

All Statements of Economic Interests are retained in the Court’s Human Resources office for seven years. The statements are public record and shall be made available to the public upon request.

I. Revisions to Rule 250

Government Code Section 87306 requires public agencies to amend their conflict of interest code when changes occur. Such changes include the establishment of new or deletion of existing “designated employee” classifications or positions or changes to disclosure categories. Proposed revisions to this rule shall be submitted to the Presiding Judge (code reviewing body) or designee(s) within 90 days after the changed circumstances. The judges of the court then have 90 days from receiving the changes to approve, revise or return the code for additional changes.

J. Ethics Orientation

Each designated employee and consultant is required to complete a mandatory ethics orientation course every two years. Persons who are subject to this requirement must complete the course within six months of their appointment date. Certificates of completion must be submitted to the Chief Human Resources Officer or designee within six months of appointment/employment and every two years thereafter during

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the period of appointment/employment. (Government Code, § 11146 and Cal. Rules of Court, Rule 10.455.)

(Revised effective July 1, 2016; adopted effective January 1, 1986; revised effective July 1, 1991; revised effective July 1, 1995; revised effective July 1, 2000; revised effective July 1, 2006; revised effective July 1, 2013)

Rule 252. (Vacated)

(Adopted January 1, 1987; revised eff. January 1, 1995; vacated eff. September 1, 1998)

Rule 254. (Vacated)

(Adopted effective July 1, 1991; vacated effective September 1, 1998)

Chapter 6

Emergencies and Evacuations

Rule 256. (Repealed)

(Adopted effective September 1, 1993; repealed effective July 1, 2007)

DIVISION 2

APPENDIX A

(Adopted effective January 1, 1988; revised eff. September 1, 1998; revised eff. July 1, 2006; revised eff. January 1, 2007; repealed eff. January 1, 2008)