SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT

GUIDE TO CASE MANAGEMENT

NOTE: ***The information in this document is not legal advice.*** It is intended to provide general information, primarily for the self-represented litigant (SRL) on what to expect at a Family Law Case Management Conference.

California family courts manage cases through the "family centered case resolution" process. This court's process is the Family Law Case Management Program. This case management procedure is aimed at early settlement, quicker trial dates, reduced expense of litigation, and better assistance to families. Cases will be managed through two or more Case Management Conferences (CMC) at which the parties, attorneys and a judicial officer will discuss a "case resolution plan". The family centered case resolution plan may be set forth on Form FL-174 (Family Centered Case Resolution Order), which is available on the California Court's Website at www.courts.ca.gov. The Notice of Case Management Conferences (Local Form-CM-8.2), which sets two mandatory Case Management Conferences (the first at 180 days and the second at 360 days from the date the petition is filed), must be served with the summons and petition. Other Case Management Conferences may be set by the court as needed or if requested by a party. A party may request additional Case Management Conferences by filing a Request for Order (Form FL-300) with the Court Clerk's Office at 421 I Street in Eureka California. Additional information can be found in Family Code sections 2550 and 2541, California Rule of Court 5.83, the Humboldt County Superior Court's Local Rules and website at www.humboldt.courts.ca.gov and on the California Court's Website at www.courts.ca.gov.

FAMILY LAW CASE MANAGEMENT CONFERENCE

What is it? A Family Law Case Management Conference (CMC) is a meeting of the parties and the attorneys with a judicial officer to develop a case resolution plan for managing the case and resolving issues as quickly, fairly and efficiently as possible. It is not an evidentiary hearing or a settlement conference.

Attendance and Orders. Each party's attorney or the self-represented litigant must attend the CMC in person, unless the court orders otherwise. Both attorneys and self-represented litigants must be familiar with the case and be prepared to discuss the party's position on all issues as well as potential agreements or stipulations regarding compliance with required legal procedures. The case resolution plan will become a written case resolution order signed by the judicial officer. This order will provide an easily accessible written record of the decisions made at the CMC, facilitate future case management planning, and minimize disputes over previous decisions.

CASE MANAGEMENT PROGRAM TIMELINES

Cases should proceed in an effective and timely manner. Litigants should comply with the following timelines in processing their case:

(a) A proof of service of summons and petition should be filed within 60 days of case initiation;
(b) If no response has been filed, and the parties have not agreed on an extension of time to respond, a request to enter default should be submitted within 60 days after the date the response was due;
(c) The petitioner's preliminary declaration of disclosure should be served within 60 days of the filing of the petition;
(d) When a default has been entered, a judgment should be submitted within 60 days of the entry of default;
(e) If a response has been filed and this is a contested matter, an at-issue memorandum should be filed as soon as pre-trial procedures have been completed, including discovery;
(f) When the parties have notified the court that they are actively negotiating or mediating their case, a written agreement for judgment should be submitted within six months of the date the petition was filed, or a request for trial date is submitted.

FAMILY LAW FACILITATOR SERVICES

Self-represented litigants are encouraged to meet with Family Law Facilitator staff or attend a workshop before their first CMC to help prepare their case. For more information about Family Law Facilitator services, visit www.humboldt.courts.ca.gov.

CHANGE OF ADDRESS

Litigants must keep the court informed of their current mailing address and telephone number. If you move, you must file a Notice of Change of Address (Form MC-040) with the Court Clerk's Office immediately. This form is available at the Court Clerk's Office or online at www.courts.ca.gov.

FAMILY LAW CASE RESOURCE INFORMATION

Family Law cases include dissolution of marriage (divorce) or domestic partnership, legal separation, annulment of marriage (nullity), paternity, and domestic violence. Detailed information about each type of family law case can be found on the court's website www.humboldt.courts.ca.gov and the California Court's Website: www.courts.ca.gov. Among other information, these websites provide answers to frequently asked questions, terms and definitions used in family law cases, forms with step-by-step instructions, local rules, California Rules of Court, and information on where to find help. Judicial Council Form FL-107-INFO

(Legal Steps for a Divorce) is available on the California Court's website, which provides an overview of the legal steps for a divorce, important notices, statewide resources, and services

available at all California courts. The following topics contain general information specific to the Humboldt County Superior Court.

SELF-REPRESENTED LITIGANTS)

Individuals who represent themselves may get help through the Family Law Facilitator's Office, which is located in room 305 on the third floor of the Humboldt County Courthouse located at 825 Fifth Street in Eureka, California. The facilitator provides both one-on-one services and group workshops. The services are free and they are usually offered on a first-come, first served basis; although, some appointments are available. The court's website (www.humboldt.courts.ca.gov), under "Self Help" provides contact information and information about services offered by the Facilitator's Office.

Procedural Assistance: If you do not have an attorney, you can get help with filling out forms and information about filing documents, serving papers and other types of procedural assistance from the Family Law Facilitator's Office.

LOCAL RESOURCES

Legal Advice and Information: If you would like to consult with an attorney but cannot afford one there may be free services available through Redwood Legal Services, 123 Third Street, Eureka, CA 95502 (707) 445-0866 or for Senior Legal Assistance call (707) 443-9747. Legal information is available through the Humboldt County Law Library, which is located in the ground floor of the courthouse at 812 4th Street, Eureka, CA (707) 476-2356, including access to legal reference materials; however, law library staff cannot give legal advice.

Settlement Opportunities:

- ***Child Custody:*** Before a court order can be made on a dispute over child custody and visitation, the parties must participate in a child custody recommending counseling session facilitated by a Child Custody Recommending Counselor, who will help both parents work together toward a mutually acceptable agreement that is in the best interest of the children. The parties may also stipulate to private mediation at their own expense. The recommending counseling session allows both parents to work together toward a mutually acceptable agreement which is in the best interest of the child(ren). For additional information, view the Mediation Orientation Presentation available on the court's website www.humboldt.courts.ca.gov.

- ***Private Resources:*** Mediation and other types of settlement resolutions may be available from private providers at the parties' own cost. The Family Law Facilitator's Office may

- have brochures or other referral information; however, the court cannot recommend or endorse any private business.

Domestic Violence Victim Services: The Family Law Facilitator's Office provides help preparing applications for restraining orders. Comprehensive information about domestic violence is available on the court's website at www.humboldt.courts.ca.gov, including forms.

Victims of domestic violence may contact **Humboldt Domestic Violence Services' 24 hour crisis line at (707) 443-6042. The** National Domestic Violence Hotline (24 hours) can be reached at 1-800-799-7233. Victims of crime may contact the Humboldt County Victim/Witness program at 707-445-7417.

The Humboldt Community Switchboard: This is a free service that offers a comprehensive database of information on resources available in Humboldt County. You can search the database on their website https://211humboldt.org/ or call their help line at **(707) 441-1001**.

DISCLAIMER:

This information sheet is intended to provide general information for litigants in family law cases. It may not include all information that is legally required, it is not legal advice, and it should not be used as a substitute for legal advice from an attorney licensed by the State Bar of California. If you should have any questions about your legal rights, you should talk to an attorney.

With the exception of the Humboldt County Superior Court's website, the Humboldt County Superior Court does not control or maintain the websites referred to in this information sheet and cannot be responsible for the accuracy of the information or content they contain. In addition, the content of a website may change, and the court would not necessarily be made aware of the change. When you access one of these websites, you are subject to the terms of use and privacy policies of that website.