

**DIVISION V  
FAMILY LAW**

**CHAPTER 1  
GENERAL**

**Rule 5.1.1**

**Application of Rules and Sanctions.**

**A.** These rules apply in all departments of the San Diego Superior Court hearing family law matters (“Family Law Courts”). They must be read and applied in conjunction with the applicable law, including federal and state statutes, and the California Rules of Court.

**B.** Sanctions may be imposed for violation of and/or failure to comply with these local court rules in accordance with the applicable California Rules of Court.

(Adopted 1/1/2005; Renum. 1/1/2006; Rev. 1/1/2010; Rev. 1/1/2012; Rev. 1/1/2013; Rev. 1/1/2014; Rev. 1/1/2015)

**Rule 5.1.2**

**Definitions.** Unless the context otherwise requires, the following definitions govern the construction of these rules.

1. “party” includes a self-represented litigant or a person represented by an attorney.
2. “person” is as defined in California Rules of Court, rule 5.14.
3. “self-represented litigant” means any party who is representing himself or herself.
4. “must” is mandatory; “may” is permissive.

(Adopted 1/1/2005; Renum. 1/1/2006; Rev. 1/1/2008; Rev. 1/1/2012; Rev. 1/1/2013; Rev. 1/1/2014; Rev. & Renum. 1/1/2015)

**Rule 5.1.3**

**Abbreviations.** The following abbreviations are used throughout these rules:

- DCSS = Department of Child Support Services, County of San Diego  
DF = All actions under Title IV-D of the Social Security Act (See Chapter 9)  
FCS = Family Court Services  
FL# = Judicial Council state form  
FRC = Family Case Resolution Conference (when at least one party is represented by an attorney)  
FSD = Family Support Division  
MSC = Mandatory Settlement Conference  
RFO = Request for Order  
SDSC# = Local court form  
SFRC = Self-Represented Family Case Resolution Conference (when both parties are self-represented)  
SRL = Self-Represented Litigant

(Adopted 1/1/2005; Renum. 1/1/2006; Rev. 1/1/2008; Rev. 1/1/2009; Rev. 1/1/2012; Rev. 1/1/2013; Rev. 1/1/2014; Rev. & Renum. 1/1/2015)

**Rule 5.1.4**

**A. Website Information.**

1. The San Diego Superior Court’s website address is <http://www.sdcourt.ca.gov>. References to “online” throughout these rules generally refer to this court’s website.

2. The “California Courts Web Site” address is <http://www.courts.ca.gov>.

3. Both web sites contain extensive family law information and detailed self-help instructions.

**B. Other Resources.** Informational handouts are also available in the court’s business office, from the Family Law Facilitator and from Family Court Services.

**C. Disclaimer.** The San Diego Superior Court does not control or maintain the California Courts Web Site and is not responsible for the accuracy of the information or its content. Additionally, the court’s website is updated periodically. When using the San Diego Superior Court’s website, the user is subject to its terms of use and privacy policy.

(Adopted 1/1/2013; Rev. 1/1/2014; Del. & Reserved for Future Use 1/1/2014; Rev. & Renum. 1/1/2015)

### **Rule 5.1.5**

#### **Family Law Courts and Venue.**

**A. Proper Venue.** For purposes of filing, each of the Family Law Courts ("Central" in San Diego, "South County" in Chula Vista, "East County" in El Cajon, and "North County" in Vista) is a separate division and a separate venue with the exception of matters involving DCSS. For matters involving DCSS, refer to chapter nine of these rules. A list of filing districts by zip code is available online.

**B. Marvin Actions.** *Marvin* actions, or any similar family law related action not specifically authorized by the Family Code, must be filed as a separate proceeding in the Civil Division.

**C.** The Family Court does not handle matters of adoption or freedom from parental control.  
(Adopted 1/1/2005; Renum. 1/1/2006; Rev. 1/1/2008; Rev. 1/1/2009; Rev. 1/1/2010, Rev. 1/1/2012; Rev. 1/1/2013; Rev. 1/1/2014; Renum. 1/1/2015)

### **Rule 5.1.6**

#### **Notice to Court and Sanctions.**

**A.** Parties must immediately notify the court when circumstances arise that might cause any scheduled proceeding to be continued or taken off calendar; for example, inability to timely serve, a stipulation, or illness. The court may sanction a person who fails to promptly notify the court.

**B.** Notice to the court must be made on the on-line webform. If an SRL has no access to the internet, notice must be given to the courtroom clerk by telephone.  
(Adopted 1/1/2014; Rev. 1/1/2015)

### **Rule 5.1.7**

**Requirement for Current Mailing Address.** It is the obligation of all SRLs and attorneys to keep the court informed of their current mailing address by promptly filing a *Notice of Change of Address or Other Contact Information* (Judicial Council form MC-040) which is available online or in the business office of the court.  
(Adopted 1/1/2010; Rev. & Renum. 1/1/2012; Rev. 1/1/2013; Rev. 1/1/2015)

### **Rule 5.1.8**

#### **Official Court Reporters and Reporters Pro Tempore.**

**A.** The court's policy regarding the availability and unavailability of official court reporters can be read in full on the court's website. This policy is subject to change without notice.

**B.** Official court reporters will not be provided by the court in family law matters except for FSD matters, domestic violence restraining order hearings, contempt hearings and RFO hearings scheduled and lasting for 40 minutes or less.

**C.** For an RFO scheduled for 40 minutes or less, the moving party is charged the mandatory court reporter fee.

1. The fee must be paid at the time the RFO is filed.
2. If the matter is continued before the case is called, the fee continues over to the next hearing.
3. If the matter is continued after the case is called, the party requesting the continuance must pay a new and separate fee for the next hearing and submit proof of payment before the next hearing.
4. If a hearing is taken off-calendar before the case is called, the fee will be refunded.
  - a. Claiming a refund is solely the responsibility of the party.
  - b. Refunds may be requested by filing a *Request for Payment of Trust Funds/Refund* (form SDSC CIV-180).

**D.** Parties may arrange with a private provider for the appointment of an official court reporter pro tempore for hearings at which the court does not provide an official court reporter. The policies and mandatory procedures for a court appointed official reporter pro tempore are on the court's website.  
(Adopted 1/1/2013; Rev. 1/1/2014; Rev1/1/2015)