

CHAPTER 12
SETTING OF CONTESTED FAMILY LAW, ADOPTION,
AND UNLAWFUL DETAINER ACTIONS

12.01 CONTESTED LAW AND ADOPTION

Contested Family Law and Adoption actions will be set for trial only upon the filing of an At-Issue Memorandum, which is located in the forms section of the court's website.

(Adopted October 1, 1998; Amended January 1, 2011; Amended July 1, 2015)

12.02 AT-ISSUE MEMORANDUM

The setting of cases for trial shall be in accordance with rule 10.901 of the California Rules of Court and these rules.

- A. Any At-Issue Memorandum filed shall be on the form provided by the clerk of the court.
- B. Approximately fifteen (15) days after the filing of an At-Issue Memorandum the court shall set the case for trial without a trial setting conference.
- C. Petitioner and respondent must have complied with Family Code section 2104, subdivision (a), and, prior to, or concurrently with, submission of the At-Issue Memorandum, must have filed a Declaration Regarding Service of Declaration of Disclosure and Income and Expense Declaration. (Judicial Council form FL-141.)

If the non-submitting party has failed to file a Declaration Regarding Service of Declaration of Disclosure and Income and Expense Declaration, the submitting party must demonstrate compliance with Family Code section 2107 by:

- 1. Filing a Request for Order (Judicial Council form FL-300) regarding non-compliance with disclosure requirements prior to or concurrently with the At-Issue Memorandum.

(Adopted October 1, 1998; Amended January 1, 2007; Amended January 1, 2008; Amended January 1, 2011; Amended July 1, 2014)

12.03 COUNTER AT-ISSUE MEMORANDUM

- A. Any party not in agreement with any other representation made in an At-Issue Memorandum shall within ten (10) days after the service thereof, serve and file a "Counter At-Issue Memorandum" on his or her behalf.

(Adopted October 1, 1998)

12.04 SHORT CAUSE

In short cause cases (one (1) day or less), in addition to the information required by rules 10.900 of the California Rules of Court, the At-Issue Memorandum shall indicate those dates, not less than thirty (30) days nor more than ninety (90) days from the date the At-Issue Memorandum is filed, during which trial counsel is not available for trial.

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12.05 LONG CAUSE

In long cause cases (more than one (1) day), in addition to the information required by rules 3.714 and 10.900 of the California Rules of Court, the At-Issue Memorandum shall indicate those dates, not less than three (3) months nor more than six (6) months from the date the At-Issue Memorandum is filed, during which the trial counsel is not available for trial.

(Adopted October 1, 1998; Amended January 1, 2007; Amended January 1, 2008)

12.06 REPEALED

(Settlement conferences - Repealed July 1, 2003)

12.07 UNLAWFUL DETAINER ACTIONS

Unlawful detainer actions will be set for trial no later than twenty (20) days from the date the Request to Set Case For Trial (Judicial Council form UD-150) is filed pursuant to Code of Civil Procedure section 1170.5, subdivision (a).

(Adopted January 1, 2011)