

**Superior Court of California
County of Solano**

Rule 17 – Miscellaneous

17.1 PHOTOGRAPHY, VIDEOTAPING, AND ELECTRONIC RECORDINGS

a. PHOTOGRAPHY, VIDEOTAPING, AND ELECTRONIC RECORDINGS IN THE COURTHOUSE

- (1) There is no constitutional right to photograph or otherwise electronically record open judicial proceedings. (*Marin Independent Journal v. Municipal Court* (1993) 12 Cal.App.4th 1712, 1718 ["Electronic recording of judicial proceedings is subject to the discretion of the court"], citing *Nixon v. Warner Communications, Inc.* (1978) 435 U.S. 589, 610.) A courthouse facility qualifies as a nonpublic forum. (*United States v. Grace* (1983) 461 U.S. 171, 178)
- (2) Consistent with case law and California Rules of Court, rule 1.150, photography, filming, videotaping, or electronic recording by the media and general public is not permitted in any part of any courthouse, including but not limited to, entrances, exits, stairways, hallways, elevators, offices, or any other public area within the courthouse, unless by written order of the Presiding Judge.
- (3) Videotaping, photographing, or electronic recording devices may be brought into the courthouse by the media or members of the public, but must be turned off while being transported in any area of the courthouse. Devices that include videotaping, photographing, digital image capture, or electronic recording capabilities—such as cell phones, personal digital assistants (PDAs), or watches—may be brought into the courthouse, provided that the image capturing and recording features are not used.
- (4) Any photography, videotaping, or electronic recording of a courtroom or courtroom proceeding through the courtroom's windows or doors is prohibited.

(Subd. (a) adopted effective January 1, 2020.)

b. PHOTOGRAPHY, VIDEOTAPING, AND ELECTRONIC RECORDINGS IN COURTROOMS

Photography, filming, videotaping, or electronic recording within a courtroom is governed by California Rules of Court, rule 1.150. All requests for any type of video, still photography or audio coverage, including pool cameras, must be made in compliance with California Rules of Court, rule 1.150, and submitted to the judicial officer assigned to hear the case on the designated Judicial Council forms.

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(Subd. (b) adopted effective January 1, 2012.)

c. VIOLATIONS

Any violation of this rule or an order made under this rule is an unlawful interference with the proceedings of the court, and may be the basis for an order terminating media coverage, a citation for contempt of court, or an order imposing monetary or other sanctions as provided by law.

(Subd. (c) adopted effective January 1, 2012.)

(Rule 17.1 adopted effective January 1, 2012.)

~~**17.2 COURT REPORTER TRANSCRIPTS**~~

~~**a. MINIMUM TRANSCRIPT FORMAT STANDARDS**~~

~~A licensed Court Reporter or Pro Tem Reporter employed by the Superior Court of California, County of Solano, shall comply with the following transcript format standards when producing a transcript from a court proceeding:~~

- ~~(1) There shall be no fewer than 28 typed text lines per page;~~
- ~~(2) A full line of text shall be no less than 64 characters;~~
- ~~(3) Font shall be Courier, 12 pt;~~
- ~~(4) Each question and answer shall begin on a separate line;~~
- ~~(5) Text shall begin at the closest point to the left margin (left margin is defined as the first character of a line text);~~
- ~~(6) Q and A symbols shall appear within the first 3 spaces from the left hand margin;~~
- ~~(7) Beginning text shall appear 2 spaces after Q and A;~~
- ~~(8) Carry over Q and A lines shall begin at the left hand margin;~~
- ~~(9) Colloquy and paragraphed material shall begin no more than 7 spaces from the left hand margin with carry over colloquy to the left hand margin;~~

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~~(10) — Speaker identification and Q shall be on the same line; and;~~

~~(11) — There shall be no blank lines on the first page of the appearance drop-in/beginning paragraphs.~~

~~Failure to comply with the standards, as noted above, constitutes grounds for corrective action, up to and including termination and filing a report with the Court Reporters Board of California.~~

~~(Subd. (a) adopted effective January 1, 2013.)~~

~~**b. — REQUESTS FOR TRANSCRIPTS**~~

~~(1) — **Forms to be Submitted**~~

~~Subject to the exceptions set forth below, all court reporter transcripts shall be requested by submitting a request for transcript form designated by the court. The form is available on the court's website or in paper form at any clerk's office.~~

~~The form is not required in the following circumstances:~~

~~(a) — In cases where automatic preparation of a transcript is mandated by law.~~

~~(b) — In civil cases where the transcript is being requested in connection with an appeal. All appellate transcript designations shall be done as directed by the applicable Judicial Council form(s) and California Rules of Court.~~

~~(2) — **Cost of Transcripts**~~

~~(a) — Except as otherwise provided by law or by California Rules of Court:~~

~~1. — The party requesting a transcript is responsible for the costs associated with the preparation and printing of all transcripts requested by that party.~~

~~2. — If the proceeding has not previously been transcribed, a party's transcript request shall automatically include preparation of one original transcript plus one copy. The~~

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~~original transcript shall be retained by the court.~~

~~(b) — A party who believes he or she is unable to afford some or all of his or her transcription costs may contact the Court Reporters Board of California concerning his or her eligibility for assistance from the Transcript Reimbursement Fund.~~

~~(3) — Transcripts Requested by Non-Parties in Juvenile Matters~~

~~Any non-party requesting a reporter's transcript of a juvenile proceeding must file a *Petition for Disclosure* (Judicial Council form no. 570).~~

~~(Subd. (b) amended effective January 1, 2017; adopted effective January 1, 2013.)~~

~~(Rule 17.2 amended effective January 1, 2017; adopted effective January 1, 2013.)~~

17.2 EXPRESSIVE ACTIVITY

a. PURPOSE AND INTENT

It is the purpose and intent of the Court in adopting this local rule to ensure the safe and orderly use of court facilities; to minimize activities which unreasonably disrupt, interrupt, or interfere with the orderly and peaceable conduct of court business in a neutral forum free of actual or perceived partiality, bias, prejudice, or favoritism; to provide for the fair and orderly conduct of hearings and trials; to promote the free flow of pedestrian and vehicular traffic on sidewalks and streets around court facilities; and to maintain proper judicial decorum.

The Court further adopts this local rule to facilitate safe, peaceful, and orderly public access to courthouses unhindered by threats, confrontation, interference, noise pollution, or harassment that may be directed at court users including but not limited to those court users waiting in line outside a courthouse.

The Court intends this local rule to be enforced in a content-neutral fashion. The rule regulates only conduct occurring in and around court facilities without regard to the content of any particular message, idea, or form of speech. The Court does not intend to ban all expressive activities from the environs surrounding court facilities and intends that this local rule be construed so as to provide for ample alternative channels for communication of information near but not within court facilities nor on courthouse grounds. (*See Comfort v. MacLaughlin* (C.D. Cal. 2006) 473 F.Supp.2d 1026).

(Subd. (a) adopted effective January 1, 2018.)

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**b. DEMONSTRATIONS, DISTRIBUTIONS, SOLICITATION, AND OTHER EXPRESSIVE
ACTIVITY**

(1) Definitions

- (a) "Prohibited Activity" shall mean the acts of demonstrating, picketing, parading, proselytizing or preaching, posting written materials, distributing literature or other materials to the general public, soliciting sales or donations, engaging in commercial activity, or engaging in oral or demonstrative protest, education, or counseling, unless otherwise authorized by this local rule or the Court.
- (b) "Walkway" shall mean (a) the area of any corridor or sidewalk, or other path of pedestrian movement, directly from the edge of the public sidewalk nearest an entrance to any building containing a courtroom to that entrance; (b) the area of any corridor or sidewalk leading directly from any parking lot within a curtilage to an entrance to any building containing a courtroom; or (c) a corridor or passageway within a multi-purpose, commercial, or private building that leads directly to the part of the building containing a courtroom.
- (c) "Curtilage" shall mean the area between any building containing a courtroom and the nearest edge of the public sidewalk surrounding the building. It shall not include the area adjacent to that portion of a multi-purpose, commercial or private building that does not contain a courtroom.
- (d) "Courthouse" shall mean any building containing at least one courtroom. It shall also include that portion of a multi-purpose, commercial or private building that contains at least one courtroom.
- (e) "Courtroom" includes any space designated for judicial proceedings, whether permanently or temporarily.

(2) Prohibitions

- (a) No person shall engage in any prohibited activity within a courthouse.
- (b) No person shall engage in any prohibited activity within the curtilage of a courthouse.

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- (c) No person shall obstruct, harass, impede, or interfere with persons entering or leaving a courthouse, persons waiting in line to enter a courthouse, or persons inside a courthouse.
- (d) No person shall approach persons entering or leaving a courthouse, persons waiting in line to enter a courthouse, or persons inside a courthouse, for the purpose of engaging in any prohibited activity.
- (e) No person shall engage in any prohibited activity in or near a courthouse with the intent to interfere with, obstruct, or impede the administration of justice or with the intent to influence any judge, juror, witness, officer of the court, or court personnel in the discharge of his or her duty.
- (f) No person shall use amplification equipment to engage in prohibited activity in a manner that harasses or interferes with persons inside a courthouse, with persons entering or leaving a courthouse, or with persons waiting in line to enter a courthouse.
- (g) No person shall publish, post, or distribute any written material other than written material relating to official Court business published, posted or distributed by duly authorized Court personnel, inside any Court facility of this County, without the prior written approval of this Court.

(3) Exclusions

- (a) This local rule shall not apply to authorized court personnel or law enforcement officers in the performance of their official duties.
- (b) Subdivisions (a), (b), and (g) of Section (b)(2) above shall not apply to persons engaged in the stationary solicitation of sales as part of any commercial, primarily non-expressive activity

(including but not limited to the sale of newspapers, reading materials, sundries, or food stuffs) expressly authorized by a written use permit, license, or agreement from the County or the Court or the Judicial Council or other owner of a building containing a courtroom authorizing that activity in a specific space not dedicated to court functions.

(4) Severability Clause

If any provision of this local rule or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the local

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rule and the application of such provision to other persons and circumstances shall not be affected thereby.

(5) Delegation

To the extent the terms of this local rule do not accomplish its stated purpose at a courthouse, on delegation by the Presiding Judge, the Supervising Judge responsible for that courthouse or his or her designee is hereby authorized to issue an order to accomplish the stated purpose of this local rule.

(Subd. (b) adopted effective January 1, 2018.)

c. COMPLIANCE WITH LAW ENFORCEMENT

While on or in the premises of any courthouse, all persons shall comply with the lawful requests, directions, and orders of any law enforcement officers and their agents in the performance of their duties.

(Subd. (c) adopted effective January 1, 2018.)

d. POSTING AND SERVICE OF LOCAL RULE

This local rule shall be posted at each public entrance to a courthouse and at such other places that will reasonably provide notice of this local rule to persons entering such courthouse. The Sheriff of Solano County and his deputies and their agents are directed to serve a copy of this local rule personally on any person who appears to be in violation thereof, to advise such person of the apparent violation, and, if the apparent violation continues after such notice, to immediately notify the Court's Executive Officer, Presiding Judge, or Supervising Judge responsible for that courthouse, as may be available in that order, so that the Court can determine whether proceedings should be initiated to ensure compliance with the local rule.

This local rule shall not preclude any law enforcement officer from taking appropriate steps to ensure the orderly and peaceable conduct of court business at a courthouse.

(Subd. (d) adopted effective January 1, 2018.)

e. PENALTIES

Violation of this local rule may result in the imposition of sanctions as permitted by law and/or prosecution for criminal violations.

(Subd. (e) adopted effective January 1, 2018.)

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(Rule 17.2 adopted effective January 1, 2018.)

17.3 LODGING OF DOCUMENTS

a. PROPOSED ORDERS

(1) Receipt of Proposed Orders

For cases that are not kept in electronic form, proposed orders for a motion, application, or petition may be lodged with the court concurrently with the motion, application, or petition, or at any time thereafter.

For cases that are kept in electronic form, proposed orders for a motion, application, or petition may be lodged with the court up to a week prior to the scheduled hearing on the motion, application, or petition.

(2) Destruction of Proposed Orders

If a judicial officer adjudicates a motion, application, or petition at a hearing, a proposed order submitted in connection with that motion, application, or petition may be destroyed if it is not signed and filed within 30 days of the date of the hearing.

If a judicial officer takes a motion, application, or petition under submission, a proposed order submitted in connection with that motion, application, or petition may be removed and destroyed if the proposed

order is not signed and filed within 30 days of the date the judicial officer files a ruling or decision on the submitted matter.

If a litigant or attorney submits a proposed order that is clearly intended to replace an existing lodged proposed order, the existing lodged proposed order may be immediately removed and destroyed.

(Subd. (a) adopted eff. July 1, 2019.)

(Rule 17.3 adopted effective July 1, 2019.)

17.4 LODGING, STORAGE, AND RETURN OF TRIAL EXHIBITS [RESERVED]

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17.5 PAYMENT WITH COIN

The court is not required to accept coins as payment for fees or costs. (Gov. Code, § 68083.) However, the court may in its discretion elect to accept payment in coin in an amount up to \$10.00 (ten dollars). Coin equal to or in excess of the following amounts shall be wrapped in standard coin wrappers:

- (1) Fifty cents (\$0.50) in pennies.
- (2) Two dollars (\$2.00) in nickels.
- (3) Five dollars (\$5.00) in dimes.
- (4) Ten dollars (\$10.00) in quarters.

The person presenting wrapped coins for payment shall have their name and case number written on the wrapped coins. In the event the actual wrapped amount of coin is less than the amount stated on the wrapper, the person who tendered the coins for payment shall be liable to the court for the difference.

(Rule 17.5 adopted effective July 1, 2019.)

17.6 APPOINTMENT OF ELISOR

- A. Where one of the parties fails to execute a document necessary to carry out a court order, the Clerk of the Superior Court, or the Clerk’s authorized representative or designee, may be appointed as elisor to sign the document.
- B. When applying for an appointment of an elisor, the application and proposed order must designate “The Clerk of the Court or Designee” as the elisor and indicate for whom the elisor is being appointed and in what capacity they are to sign the document.
- C. An application for appointment of an elisor may be made ex parte or by emergency request in family law. The application must not set forth a specific court employee. The order must expressly identify the document(s) being signed and a copy of the document(s) must be attached to the proposed order. The original document, presented for signature by the elisor must match the copy of the document attached to the proposed order.
- D. The order shall clearly identify the documents: A deed must state the type of deed (i.e. grant deed, interspousal transfer deed, et cetera). Escrow documents must be listed separately (i.e. Escrow Instruction Dated, Disclosure Regarding Real Estate Agency Relationship, Hazard Report, et cetera). The sample copy shall be highlighted in the location(s) where the elisor is to sign his/her name. SUPERIOR COURT OF CALIFORNIA, IN AND FOR THE COUNTY OF SOLANO.

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- E. Beneath the signature line(s) on the sample copy the moving party shall print the language being requested to identify the elisor’s signature.
- F. The declaration supporting the application must include specific facts establishing the necessity for the appointment of an elisor.
- G. If the Court grants the application of an elisor, the moving party shall contact Court Administration to arrange for a time for the actual signing of the documents. The appointed elisor has up to three (3) court days to complete the actual signing of the documents. Any exceptions to the three day period shall be addressed on a case-by-case basis by the Court.
- H. If the elisor is signing documents requiring notarization, the applicant must arrange for a notary public to be present when the elisor signs the documents.

(Rule 17.6 adopted effective January 1, 2020.)

17.7 ELIMINATION OF BIAS COMMITTEE

Pursuant to California Rules of Court, rule 10.20, a committee shall be established for the purpose of addressing and remedying actual or perceived bias in connection with judicial proceedings or court operations to ensure access to justice in a manner that is fair and impartial to all participants. Bias includes, but is not limited to: discrimination or harassment based upon race, gender, disability, national origin, religion, sexual orientation and any other protected class identified by state or federal law.

The purpose of the committee is to advance Standard of Judicial Administration 10.20 and to promote inclusion and equity in the justice system through education and activities designed to address explicit and implicit bias.

The Presiding Judge shall appoint the members of the Committee who shall serve for a 2 year term coterminous with the term of the Presiding Judge. Membership of the Committee should include a minimum of two (2) judicial officers, two (2) court employees, two (2) members of a local bar association and two (2) community representatives.

(Rule 17.7 adopted effective July 1, 2022.)