

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		
TELEPHONE NO.: FAX NO. (Optional):		
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO ☐ CENTRAL DIVISION, FAMILY COURT, 1555 6TH AVE., SAN DIEGO, CA 92101 ☐ CENTRAL DIVISION, MADGE BRADLEY, 1409 4TH AVE., SAN DIEGO, CA 92101 ☐ EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 ☐ NORTH COUNTY DIVISION, 325 S. MELROSE DR., SUITE 1100, VISTA, CA 92081 ☐ SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910		
PETITIONER(S)		CASE NUMBER
RESPONDENT(S)		
STIPULATION AND ORDER FOR APPOINTMENT OF PRIVATELY COMPENSATED TEMPORARY JUDGE; CONSENT AND OATH OF OFFICE ORDER		

In accordance with article VI, section 21 of the California Constitution and Cal. Rules of Court, rule 2.831, the parties personally and through their respective undersigned attorneys agree as follows:

1. Privately Compensated Temporary Judge

Name: _____
Address: _____
Telephone Number: _____
Office Contact: _____
is appointed in the above-captioned proceeding.

2. Parties

Petitioner: _____
Attorney for Petitioner: _____
Address and Telephone: _____

Respondent: _____
Attorney for Respondent: _____
Address and Telephone: _____

Other(s): _____

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3. Authority of Privately Compensated Temporary Judge

The privately compensated temporary judge shall have and exercise all powers and duties of a San Diego Superior Court Judge, including but not limited to those enumerated in Code Civ. Proc. §§ 166, 167, 177, 177.5 and 187. The privately compensated temporary judge must refer the following actions or motions to the assigned trial court judge: (1) any action for contempt which may result in actual imprisonment; (2) any action or proceeding for domestic violence temporary and/or permanent restraining orders; (3) any motion or application to seal records; and (4) a motion for leave to file a complaint in intervention. Any motion to withdraw a stipulation for the appointment of the temporary judge must be referred to the Supervising Family Law Judge. (Cal. Rules of Court, rules 2.831, 2.834)

In addition, the parties agree that the privately compensated temporary judge will not be compelled to testify as a witness in this proceeding and has judicial immunity to the same extent that a Judicial Officer of the California Superior Court would have.

4. Certified Shorthand Reporter

A certified shorthand reporter (CSR) ☐ *will* ☐ *will not* be present at all proceedings.

Optional: ☐ Except at ex parte hearings.

If a CSR is present at a proceeding, all orders and judgments rendered by the privately compensated temporary judge will be appealable in accordance with applicable statutes and rules.

If a CSR is not present at a proceeding, the parties waive their respective rights to the following: (1) statement of decision; (2) motion for a new trial; and (3) right to appeal.

5. Restrictions

- a. The case file may not be removed from the court.
- b. The parties are responsible for providing the privately compensated temporary judge with file stamped copies of all relevant pleadings, records and documents necessary to adjudicate the case at their own expense.
- c. All original pleadings must be filed with the court prior to submission of a filed stamped, conformed copy of the pleading to the privately compensated temporary judge.
- d. Parties must file one original and one copy of the "Notice of Pending Matter Before a Privately Compensated Temporary Judge" (SDSC Form #D-010) for all matters pending before the privately compensated temporary judge. The Clerk of the Court will post the notice in the lobby of the courthouse where the matter is pending.
- e. Signed orders of the privately compensated temporary judge must be presented for filing to the business office where the case was initiated.
- f. Minute orders will not be accepted unless they are signed by the privately compensated temporary judge. If the minute order format is used, the order must set forth the name, address, telephone number, and CSR number of any privately retained court reporter. If electronic reporting is used, the minute order shall so state.

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6. Compensation

The privately compensated temporary judge will be paid as follows: *(State the terms of compensation.)*

Optional: ☐ The CSR will be paid as follows: *(State the terms of compensation.)*

Optional: ☐ The privately compensated temporary judge may allocate the privately compensated temporary judge/CSR fees between the parties as follows:

7. Facsimile Signatures

☐ Signatures may be obtained via facsimile.

PARTY CONSENT

Date: _____

_____ Petitioner Signature

Date: _____

_____ Attorney for Petitioner Signature

Date: _____

_____ Respondent Signature

Date: _____

_____ Attorney for Respondent Signature

PRIVATELY COMPENSATED TEMPORARY JUDGE CONSENT

I, _____ *(name of the privately compensated temporary judge)*, an active member of the State Bar of California, hereby consent to act as ☐ a privately compensated temporary judge in the above-captioned proceeding in accordance with the terms and provisions of this stipulation.

Date: _____

_____ Signature

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OATH OF OFFICE

I, _____ (*name of privately compensated temporary judge*), do hereby solemnly swear that I am an active member of the State Bar of California and that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear truth and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties upon which I am about to undertake. I certify that I am aware of and will comply with applicable provisions of canon 6 of the Code of Judicial Ethics and these rules.

Date: _____ Signature _____

ORDER APPOINTING PRIVATELY COMPENSATED TEMPORARY JUDGE

The stipulation of the parties and their respective attorneys that _____ act as a privately compensated temporary judge in the above-captioned matter is approved.

Accordingly, for good cause shown, _____ is appointed and designated as the privately compensated temporary judge in the above-captioned proceeding and to make all orders necessary and proper to bring this case to judgment.

Case Classification Conference (CCC) and Case Management Conference (CMC):

- ☐ The CCC has been waived.
- ☐ This case is set for CMC on the following dates:
 - 1st CMC: _____
 - 2nd CMC: _____
 - 3rd CMC: _____
 - 4th CMC: _____

☐ Other orders: _____

IT IS SO ORDERED.

Date: _____ Judge/Commissioner of the Superior Court