

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN DIEGO**

**TEMPORARY JUDGE AND  
SETTLEMENT ATTORNEY  
APPLICATION PACKET**



<b>FORMS INCLUDED IN THIS PACKET</b>	
Application to Serve as a Temporary Judge and/or Settlement Attorney	SDSC Form #ADM-153
Criminal Background Investigation Form - Volunteers	SDSC Form #ADM-393
Temporary Judge and Settlement Attorney Policy	SDSC Form #ADM-009



## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

### APPLICATION TO SERVE AS A TEMPORARY JUDGE AND/OR SETTLEMENT ATTORNEY

Below is a quick-reference checklist for temporary judge and settlement attorney applicants which includes all items that must be submitted as part of an application to serve as a Temporary Judge or Settlement Attorney. For a complete list of requirements and additional information, refer to the Temporary Judge and Settlement Attorney Policy (SDSC Form #ADM-009), which may be found on the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov).

The required training courses should be completed prior to submitting an application. Once the required documents have been received and reviewed, the Temporary Judge Administrator will provide direction to complete Live Scan fingerprinting services through an authorized provider at no cost to the applicant.

#### Application Checklist

- Completed Application to Serve as a Temporary Judge and/or Settlement Attorney (SDSC Form #ADM-153).
- Completed Criminal Background Investigation Form - Volunteers (SDSC Form #ADM-393).
- Photocopy of driver license.
- Letter of recommendation from an active judicial officer.
- Certificate of Completion of Bench Conduct and Demeanor course, if applicable.
- Certificate of Completion of Ethics course, if applicable.
- Certificate(s) of Completion and/or appropriate proof of all required substantive training and any additional requirements [see the Superior Court's Temporary Judge and Settlement Attorney Policy (SDSC Form #ADM-009) for requirements and additional information].
- Proof of certification as a Legal Specialist, if applicable.

Return completed application and all required documentation to:

**Temporary Judge Administrator**  
**Superior Court of California, County of San Diego**  
**Post Office Box 120128**  
**San Diego, CA 92112-0128**

Or by email to:

[TempJudgeAdmin@sdcourt.ca.gov](mailto:TempJudgeAdmin@sdcourt.ca.gov)

APPLICANT'S NAME	STATE BAR NUMBER
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**1. Applicant Information**

- a. Name: \_\_\_\_\_ b. California State Bar number:
- c. Business address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Mailing address (if different): \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_
- d. Email: \_\_\_\_\_
- e. Telephone number: \_\_\_\_\_
- f. Emergency contact information:  
 Name: \_\_\_\_\_ Tel No.: \_\_\_\_\_ Relationship: \_\_\_\_\_

**2. Areas requesting to serve**

Mark each court location(s) and case type(s) for which you are willing to serve as a court-appointed temporary judge and/or settlement attorney.

- |   |  |  |  |  |
|---|--|--|--|--|
| <input type="checkbox"/> <u>CENTRAL (Downtown):</u><br><input type="checkbox"/> Civil Settlement<br><input type="checkbox"/> Family Settlement<br><input type="checkbox"/> Family Support<br><input type="checkbox"/> Probate Settlement<br><input type="checkbox"/> Small Claims | <input type="checkbox"/> <u>CENTRAL (KMF):</u><br><input type="checkbox"/> Traffic Trials<br><input type="checkbox"/> Small Claims | <input type="checkbox"/> <u>EAST COUNTY:</u><br><input type="checkbox"/> Family Settlement | <input type="checkbox"/> <u>NORTH COUNTY:</u><br><input type="checkbox"/> Family Settlement<br><input type="checkbox"/> Traffic Trials | <input type="checkbox"/> <u>SOUTH COUNTY:</u><br><input type="checkbox"/> Family Settlement<br><input type="checkbox"/> Traffic Trials |
|---|--|--|--|--|

**3. Qualifications**

- a. Date of admission to the State Bar of California: \_\_\_\_\_ Years of active membership: \_\_\_\_\_
- b. Are you also admitted to practice law in any other state?  Yes (complete section below)  No  
 State: \_\_\_\_\_ Date admitted: \_\_\_\_\_ Bar No: \_\_\_\_\_ Years of active membership: \_\_\_\_\_  
 State: \_\_\_\_\_ Date admitted: \_\_\_\_\_ Bar No: \_\_\_\_\_ Years of active membership: \_\_\_\_\_
- c. Are you in good standing in each state where you are licensed to practice law?  Yes  No  
 (If no, provide explanation): \_\_\_\_\_
- d. Have you ever been convicted or pleaded no contest to a felony or misdemeanor?  Yes  No  
 (If yes, provide an explanation): \_\_\_\_\_
- e. Are you a defendant in any pending felony or misdemeanor proceeding?  Yes  No  
 (If yes, provide an explanation): \_\_\_\_\_
- f. Have you ever been a party to any legal proceeding?  Yes  No  
 (If yes, provide explanation): \_\_\_\_\_
- g. Have you ever been disciplined by the State Bar of California or by a bar association or other professional licensing entity in any state or by a court of record, including being sanctioned or held in contempt?  
 Yes  No (If yes, provide explanation): \_\_\_\_\_

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- h. Do you have any disciplinary action pending against you by the State Bar of California or by a bar association or other professional licensing agency in any state or by a court of record, including any proceeding for the imposition of sanctions or for contempt?  Yes  No (If yes, provide explanation): \_\_\_\_\_
- i. Are you a debtor on any outstanding sanctions or civil judgments?  Yes  No  
(If yes, provide explanation): \_\_\_\_\_

**4. References**

List three professional references (a letter of recommendation from at least one active judicial officer must accompany the application):

	<u>Name and Title</u>	<u>Email</u>	<u>Phone</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

**5. Training**

In addition to attaching certificates of completion and/or appropriate proof of completion of training requirements in the Temporary Judge and Settlement Attorney Policy (SDSC Form # ADM-009), please answer the following:

- a. Describe any other relevant training that qualifies you under Cal. Rules of Court, rule 2.812, et seq. to serve as a court-appointed temporary judge and/or settlement attorney, including the subjects, the dates, and the name of the court or other provider of the training:  
\_\_\_\_\_  
\_\_\_\_\_
- b. Indicate if you are certified as a legal specialist by the State Bar of California Board of Legal Specialization or by an organization whose certification program has been accredited by the State Bar of California, and in what area you are specialized. Please submit/attach proof of the certification.  
Area of specialization: \_\_\_\_\_
- c. If you are certified as a legal specialist by other states or organizations, specify below:  
\_\_\_\_\_  
\_\_\_\_\_
- d. If the case-type for which you are applying requires that a certain percentage of your legal practice be in a particular area of law, you must self-certify that you are in compliance with that requirement. See the Superior Court's Temporary Judge and Settlement Attorney Policy (SDSC Form #ADM-009) for requirements.
- I certify that I have practiced law for \_\_\_\_\_ years and that \_\_\_\_\_% of that was in:  civil law  family law  
 probate law

**6. Practical Experience**

- a. List the court(s) in which the principal portion of your law practice is in California (specify state and federal courts, including trial and appellate courts, if applicable):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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b. List each subject area of law that occupies at least 10 percent of your time:

\_\_\_\_\_

\_\_\_\_\_

c. Do you hold yourself out publicly as representing exclusively one side in any area of litigation practice?  
 Yes  No (If yes, provide the following information):

<u>Area of Practice</u>	<u>Side Represented</u>
_____	_____
_____	_____

d. Do you represent one side in more than 90 percent of your cases in any area of litigation practice?  
 Yes  No (If yes, provide the following information):

<u>Area of Practice</u>	<u>Side Represented</u>
_____	_____
_____	_____

**7. Previous Experience as a Temporary Judge and/or Settlement Attorney**

a. Have you previously served as a temporary judge and/or settlement attorney?  Yes  No  
 (If yes, describe your prior service. Include the names of the courts and the locations where you served, the approximate number and types of matters heard, and the approximate dates of service):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. Have you been removed by a court as temporary judge and/or settlement attorney?  Yes  No  
 (If yes, describe the circumstances. Include the court, the date you were removed, and the reasons for your removal):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**8. Additional Information**

Respond to the following, if applicable:

a. Include any facts concerning your background, situation, or circumstances which may positively or negatively reflect on you or on your suitability for appointment and should be disclosed to the court.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. Include any additional facts you would like the court to consider in support of your appointment:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. I understand and acknowledge that the selection and appointment of a temporary judge and/or settlement attorney is solely at the discretion of the court for the purpose of assisting the public.  Yes  No

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10. I understand and agree that policies concerning defense and indemnification, as well as workers' compensation coverage, of temporary judges and/or settlement attorneys are set by the legislature and implemented by state organizations other than the San Diego Superior Court. I further understand and agree that my service as a volunteer temporary judge and/or settlement attorney does not constitute an employment relationship or entitle me to compensation or benefits from the San Diego Superior Court.  Yes  No

11. I am currently a superior court employee.  Yes  No  
 If Yes, I understand and acknowledge that all volunteer work I perform on behalf of the Superior Court's temporary judge/settlement attorney program is not required, is not part of my job duties, is outside my regular job classification as an employee, and is separate from any paid work responsibility.

12. I understand that before I am eligible to serve as a temporary judge and/or settlement attorney, I will be required to complete the Criminal Background Investigation Form - Volunteers (SDSC Form #ADM-393) and undergo a local background investigation. I will also be required to successfully complete a Live Scan background investigation before I am eligible to serve.  Yes  No

13. I am aware of and, if approved to serve, will comply with all provisions of the California Rules of Court and local court policies concerning temporary judges and/or settlement attorneys.  Yes  No

14. **Applicants for Temporary Judge Only:** I am aware of, and if approved to serve, will comply with all provisions of the Code of Judicial Ethics.  Yes  No

I declare under penalty of perjury under the laws of the State of California that the foregoing, including statements made in all attachments, is true and correct. I understand that any misstatement or omission of material fact may disqualify me from serving as a temporary judge and/or settlement attorney in this court.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Signature of Applicant

*(This application is not complete unless the Waiver and Authorization for Release of Information on the next page is signed.)*

For Office Use Only

Approved  Disapproved by Judge \_\_\_\_\_ on \_\_\_\_\_ (date)

**Application to Serve as Temporary Judge and/or  
Settlement Attorney**

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**WAIVER AND AUTHORIZATION FOR RELEASE OF INFORMATION**

I have applied to be appointed as a temporary judge and/or settlement attorney in the Superior Court of California, County of San Diego.

I hereby authorize the State Bar of California and the attorney-licensing authority in any other state where I am admitted to practice law to release to an authorized representative of the court information about the following matters: (1) whether I am in good standing or am otherwise authorized to practice law as a member of the State Bar of California or as an attorney in any other state where I am admitted to practice law; (2) whether I have a record of discipline with the State Bar of California or with the licensing authority for attorneys in any other state where I am admitted to practice law; and (3) whether any disciplinary investigation or proceeding is pending against me by the State Bar of California or by the licensing authority for attorneys in any other state where I am admitted to practice law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
California State Bar Number of Applicant



CONFIDENTIAL

## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

### CRIMINAL BACKGROUND INVESTIGATION FORM – VOLUNTEERS

The Superior Court has a policy that applicants must have a reputation for honesty and trustworthiness. Convictions, depending on the type, number and recency, may be disqualifying. Outstanding cases must be resolved to receive clearance.

All applicants for volunteer positions at the San Diego Superior Court are required to complete and submit a disclosure of past criminal convictions. This information will be maintained separately from the application and will be kept confidential.

#### Instructions for Completing this Form:

1. Complete Part 1, Identifying Information. Attach a copy of the applicant's driver license or identification card.
2. Complete Part 2, Convictions.  
Note: Applicants may omit:
  - Minor traffic infractions.
  - Offenses subject to the process and jurisdiction of the Juvenile Court.
  - Convictions for which the record has been resolved by referral to, and participation in, any pretrial or posttrial diversion program; or judicially dismissed, ordered sealed, expunged, or statutorily eradicated pursuant to law, including, but not limited to, Pen. Code §§ 1203.4, 1203.4a, 1203.425, 1203.45, and 1210.1.
  - Convictions for the following offenses, as they relate to cannabis, two years or more from the date of conviction: possession (Health & Saf. Code §§ 11357(b) or (c)); giving away or offering to give away, transporting, offering to transport, or attempting to transport not more than 28.5 grams (Health & Saf. Code § 11360 (b)); possession of paraphernalia (Health & Saf. Code § 11364); presence where controlled substances are being unlawfully used (Health & Saf. Code § 11365); or unlawfully using or being under the influence of controlled substances (Health & Saf. Code § 11550).
3. Complete Part 3, Public Records. The Superior Court considers conviction records as part of the background investigation process. The court will provide copies of such public records unless the applicant has waived the right to receive them. If the applicant is not approved to volunteer based on the information obtained, the court will provide the records even if the applicant has waived the right to receive them.  
Note: Information provided by the California Department of Justice (DOJ) is considered to be confidential and generally cannot be disclosed by the court. However, if the applicant is not approved to volunteer based on the information obtained from the DOJ, the court will provide to the applicant copies of the information it relied on in making its decision. If no adverse decision is made based on the DOJ information, the applicant will need to contact the DOJ to obtain this information. Information contained in the local records check is also confidential, but the court can provide a summary of the case information which was disqualifying, and, if desired, applicants can obtain copies of information in their case files at the court location where the case resides.
4. Sign and date the form at the bottom.
5. Submit this form, along with a copy of the applicant's driver license or identification card attached, with the application to volunteer.





# SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

## TEMPORARY JUDGE AND SETTLEMENT ATTORNEY POLICY

### I. Purpose

This document memorializes the San Diego Superior Court's policy regarding the appointment and service of temporary judges and settlement attorneys. A court-appointed temporary judge is an attorney who has satisfied the requirements for appointment under California Rules of Court, rule 2.812 and has been appointed by the court to serve as a temporary judge in that court. Settlement attorneys are attorneys who assist the court in settlement conferences.

### II. Policy

#### A. Appointment of Temporary Judges and Settlement Attorneys

1. Temporary judges and settlement attorneys are appointed by and serve solely at the discretion of the Presiding Judge.
2. Appointment and service of an attorney as a temporary judge or settlement attorney does not establish an employment relationship between the court and the attorney.

#### B. Authorized Case-Types

Temporary judges and settlement attorneys in the San Diego Superior Court may be appointed to hear the following types of cases.

1. Temporary Judges:
  - a. Family Support Matters
  - b. Small Claims Cases
  - c. Traffic Trials
2. Settlement Attorneys:
  - a. Civil Settlement Conferences
  - b. Family Settlement Conferences
  - c. Probate Settlement Conferences

#### C. Requirements for Appointment as Temporary Judge or Settlement Attorney

This section contains a comprehensive list of experience, conditions, education, training, and additional requirements that must be met prior to appointment as a temporary judge or settlement attorney. A Temporary Judge and Settlement Attorney Application Packet (SDSC #PKT-052), which contains all required forms and additional information for applying, may be found on the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov).

##### 1. Experience and Conditions for Appointment

To qualify for appointment as either a temporary judge or settlement attorney, the applicant must satisfy the following requirements:

- a. Be an active member of the California State Bar in good standing without any pending disciplinary action and have been a member for at least 10 years immediately preceding appointment.
- b. Must not have pled guilty or no contest to a felony; must not have been convicted of a felony that has not been reversed; and must not have any disqualifying convictions as determined by the Assistant Presiding Judge.
- c. Must not have any outstanding unpaid sanction with this court and must not be a debtor on any outstanding civil judgments.
- d. Must submit an Application to Serve as Temporary Judge and/or Settlement Attorney (SDSC Form #ADM-153).
- e. Must submit a Criminal Background Investigation Form – Volunteers (SDSC Form #ADM-393), provide a copy of a valid driver license, and successfully complete both the local and Live Scan background investigations. Direction to complete Live Scan fingerprinting services through an authorized provider at no cost to the applicant, and a copy of the Request for Live Scan Service form (DOJ Form #BCIA 8016) will be provided after the application is received and reviewed.

- f. Must submit one letter of recommendation from an active judicial officer and three professional references.
2. Education, Training, and Additional Requirements  
In addition to meeting the requirements listed in section C.1. above, before appointment as a temporary judge or settlement attorney, the applicant must complete the training and/or meet the requirements included below. Certificate(s) of completion must be submitted for all training requirements and proof, as applicable, is required for all additional requirements.
- a. Family Support Matters (Temporary Judge)
- (1) Bench Conduct and Demeanor. Within the previous three years, completed at least three hours of training covering all of the following subjects:
    - Bench conduct, demeanor, and decorum.
    - Access, fairness, and elimination of bias.
    - Adjudicating cases involving self-represented parties.
  - (2) Ethics. Within the previous three years, completed at least three hours of training covering all of the following subjects:
    - Judicial ethics generally.
    - Conflicts.
    - Disclosures, disqualifications, and limitations on appearances.
    - Ex parte communications.
  - (3) Be a Certified Family Law Specialist OR have practiced law for ten years, of which at least 75% was in family law and within the previous three years, completed at least three hours of court-approved substantive training covering determining income, and child and spousal support.
- b. Small Claims Cases (Temporary Judge)
- (1) Bench Conduct and Demeanor. Within the previous three years, completed at least three hours of training covering all of the following subjects:
    - Bench conduct, demeanor, and decorum.
    - Access, fairness, and elimination of bias.
    - Adjudicating cases involving self-represented parties.
  - (2) Ethics. Within the previous three years, completed at least three hours of training covering all of the following subjects:
    - Judicial ethics generally.
    - Conflicts.
    - Disclosures, disqualifications, and limitations on appearances.
    - Ex parte communications.
  - (3) Within the previous three years, completed at least three hours of court-approved substantive training covering the following subjects:
    - Small claims procedures and practices.
    - Consumer sales.
    - Vehicular sales, leasing, and repairs.
    - Credit and financing transactions.
    - Professional and occupational licensing.
    - Tenant rent deposit law.
    - Contract, warranty, tort, and negotiable instruments law.
  - (4) Be familiar with the publications identified in Code of Civ. Proc. section 116.930, including the Small Claims Court and Consumer Law California Judge's Benchbook.

- c. Traffic Trials (Temporary Judge)
    - (1) Bench Conduct and Demeanor. Within the previous three years, completed at least three hours of training covering all of the following subjects:
      - Bench conduct, demeanor, and decorum.
      - Access, fairness, and elimination of bias.
      - Adjudicating cases involving self-represented parties.
    - (2) Ethics. Within the previous three years, completed at least three hours of training covering all of the following subjects:
      - Judicial ethics generally.
      - Conflicts.
      - Disclosures, disqualifications, and limitations on appearances.
      - Ex parte communications.
    - (3) Within the previous three years, completed at least three hours of court-approved substantive training covering the following subjects:
      - Traffic court procedures and practices.
      - Correctable violations.
      - Discovery.
      - Driver licensing.
      - Failure to appear.
      - Mandatory insurance.
      - Notice to appear citation forms.
      - Red-light enforcement.
      - Sentencing and court-ordered traffic school.
      - Speed enforcement.
      - Settlement of the record.
      - Uniform bail and penalty schedules.
  - d. Civil Settlement Conference (Settlement Attorney)
    - (1) Practiced law for 10 years, of which at least 75% was in civil law.
  - e. Family Settlement Conferences (Settlement Attorney)
    - (1) Be a Certified Family Law Specialist; OR practiced law for ten years, of which at least 75% was in family law.  
For cases that have been deemed as complex by a family law judge, the applicant must be a Certified Family Law Specialist; OR practiced law for 15 years, of which at least 90% was in family law.
  - f. Probate Settlement Conferences (Settlement Attorney)
    - (1) Be a Certified Estate Planning, Trust and Probate Specialist OR practiced law for 10 years, of which at least 75% was in probate.
  - g. Case-type other than listed above
    - (1) Approval of the Assistant Presiding Judge.
    - (2) Any and all experience and training requirements determined by the court.
3. Continuing Education
- a. Every three years, attorneys appointed as temporary judges and settlement attorneys must complete the required training and/or recertification as specified in section II.C.2. Certificate(s) of completion and/or proof, as applicable, of other requirements, must be submitted to the Temporary Judge Administrator.
  - b. Any attorney appointed as a temporary judge or settlement attorney who does not submit the necessary certificate(s) of completion and/or proof of other requirements may be removed from the active list at the discretion of the Assistant Presiding Judge.

D. Application Review and Approval

1. The Temporary Judge and Settlement Attorney Application Packet (SDSC #PKT-052), which contains all required forms and information for applying, may be found on the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov).
2. Complete applications, including all forms, certification of required training, and/or proof, as applicable, of other requirements, must be submitted to the Temporary Judge Administrator.

US Mail:

San Diego Superior Court  
Attn: Temporary Judge Administrator  
Post Office Box 120128  
San Diego, CA 92112-0128

Email: [TempJudgeAdmin@sdcourt.ca.gov](mailto:TempJudgeAdmin@sdcourt.ca.gov)

3. Inquiries may be directed to the Temporary Judge Administrator at: [TempJudgeAdmin@sdcourt.ca.gov](mailto:TempJudgeAdmin@sdcourt.ca.gov)
4. If an attorney applies for and is approved to serve in a particular case-type and subsequently requests to serve in an additional area, the applicant must provide certificate(s) of completion for all required training and/or proof of other requirements with the request. The request must be approved prior to hearing any matters in the new area.

E. Oaths

Before serving as a temporary judge, the attorney must subscribe the oath of office and must certify that he or she is aware of and will comply with applicable provisions of Canon 6 of the Code of Judicial Ethics and the California Rules of Court.

F. Continuing Duty to Disclose

An attorney appointed by the court to serve as a temporary judge or settlement attorney has a continuing duty to disclose to the court any material changes in facts or circumstances that affect his or her ability to serve as a temporary judge or settlement attorney. The attorney must disclose the changes to the court before the next time the attorney is assigned to serve.

G. Performance and Removal

1. The performance of temporary judges and settlement attorneys appointed by the court will be monitored and reviewed.
2. A temporary judge or settlement attorney may be removed from the active list at any time, without notice, and without cause.