

**FILED**

Superior Court of California

County of Los Angeles

**OCTOBER 14, 2026**

David W. Slayton, Executive Officer/Clerk of Court

By: R. Mina, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**

ORDER REGARDING CODE OF CIVIL  
PROCEDURE SECTION 170.6 CHALLENGES

**AMENDED GENERAL ORDER**

Code of Civil Procedure section 170.6 states that any party or attorney can compel the disqualification of a judge simply by signing an affidavit or orally stating under oath that the judge is “prejudiced” against the party, attorney, or their respective interests. If the motion is timely and properly presented, the disqualification is automatic, and a new judge must be assigned without any judicial inquiry into the veracity of the affidavit or oral statement.

The Supreme Court of California has observed that, since the enactment of Section 170.6, “reports of its abuse have been well chronicled” and invoked for the purposes of judge shopping; to delay proceedings; to disqualify a judge based on the judge’s views on the law or on the exercise of judicial discretion, or the judge’s personality traits; to intimidate, punish, and/or silence a judge for an adverse ruling and warn other judges not to rule similarly; or even as a vehicle for racial discrimination. (See *J.O. v. Superior Court* (2026) 19 Cal.5th 753, 761. (“*J.O.*”).)

These problems caused by the misuse of Section 170.6 challenges are particularly pronounced when such challenges are improperly lodged in a blanket fashion where a party engages in the practice of removing a judge from all cases or a substantial portion of cases on a bad-faith basis, or all cases or a substantial portion of cases of a particular type. (See *id.*, 19 Cal. 5th at p. 753.) When Section 170.6 is abused to challenge a particular judge in all or a substantial

portion of the judge’s assigned cases, or all or a substantial portion of cases of a particular type, without a good faith belief in the judge’s prejudice, such abuse of the statute materially impairs judicial operations. (*Id.* at 19 Cal. 5th at p. 780.)

The California Supreme Court has identified factors that may establish that a Section 170.6 challenge proponent is lodging bad-faith blanket challenges against a particular judge, as opposed to a good faith belief that the judge is prejudiced in a specific case, including, but not limited to: (1) the party has lodged persistent strikes against the same judge “in all or a substantial portion of cases assigned to that judge,” or “all or a substantial portion of cases of a particular type;” (2) an uptick in Section 170.6 challenges following an adverse ruling; or (3) an explicit blanket challenge policy.

This General Order sets forth the procedure for promptly determining whether a Code of Civil Procedure section 170.6 challenge constitutes a bad-faith blanket challenge under *J.O.* To assist the Court and litigants and their counsel in promptly making such a determination, the Court orders that any party or attorney, as defined below, who makes a Section 170.6 challenge shall choose one of the two alternatives below listed in Sections (2) and (3). However, any party and any attorney who has filed two or fewer Section 170.6 challenges against the challenged judge in the preceding year is exempt from the requirements of this General Order.

**(1) Definitions:**

- a. “Attorney” means any lawyer, law firm with which a lawyer is affiliated, or legal office, government agency, public defender, prosecutor, institutional legal department, or other authorized legal representative that provides legal advice or representation to a party in a legal matter or court action. However, government agencies exercising a Section 170.6 challenge need not account for Section 170.6 challenges made on their behalf by outside law firms;
- b. “Challenged judge” means the judge against whom a Section 170.6 challenge is directed;

- c. “Objection” means an objection pursuant to *J.O.* that a Section 170.6 challenge is made pursuant to a bad-faith blanket policy;
- d. “Party” means any named person, organization, or business that is directly involved in the lawsuit and whose legal rights or obligations may be determined by the Court;
- e. “Portal” refers to the Judicial Peremptory Challenge Portal developed by the Clerk of the Court to assist parties, their attorneys, and the Court in evaluating an objection made pursuant to *J.O.* The Portal is updated daily and posted on the Court’s Case Access Portal and contains case, party, attorney, and judicial officer data for the preceding year compiled from court records on Section 170.6 challenges. Juvenile, confidential, and sealed cases are not included in the Portal, except that in confidential unlawful detainer cases, the party names will not be included.
- f. “Section 170.6 challenge” means a motion filed or orally made pursuant to Code of Civil Procedure section 170.6.

**(2) Alternative One: Verified Written Declaration or Oral Attestation Under Penalty of Perjury.** Any party or attorney who makes a Section 170.6 challenge shall provide a verified written declaration or oral attestation under penalty of perjury as described in this General Order.

- a. **Contents of Verified Written Declaration or Oral Attestation Under Penalty of Perjury:** The written declaration or oral attestation shall include: (1) the case number of all cases in which that party has made a Section 170.6 challenge to the challenged judge within the preceding one year and the total number of cases that party has had assigned to the challenged judge within the preceding year; and (2) for parties represented by an attorney, the case number of all cases in which the attorney has made a Section 170.6 challenge to the challenged judge within the preceding year and the total number of cases that attorney has had assigned to the

challenged judge within the preceding year. This information may be included in the Court's revised Form SCLAC XLIT 035 NEW 10/26 (Peremptory Challenge to Judicial Officer), available on the Court's website.

**b. Time to Make Verified Written Declaration or Oral Attestation Under**

**Penalty of Perjury:** The written declaration or oral attestation shall be provided contemporaneously with the making of the Section 170.6 challenge, unless the Court finds good cause to extend this deadline.

- (3) **Alternative Two:** The party or attorney making the Section 170.6 challenge may satisfy their obligations under this General Order by stating, concurrently with making the written or oral Section 170.6 challenge, or such additional time as the Court may allow, that the party or attorney accepts the Court's data as reflected in the Portal relative to the party's or attorney's prior Section 170.6 challenges. Any party or attorney that exercises Alternative Two shall, upon timely oral or written request, be provided an opportunity to contest the Portal data concerning the particular Section 170.6 challenge at issue.
- (4) **Service Requirements:** Pursuant to subdivision (a)(3) of Section 170.6, the party or attorney making the Section 170.6 challenge shall serve notice of the Section 170.6 challenge on all parties as soon as practicable, but no later than five days after making the Section 170.6 challenge. The declaration or a writing summarizing the oral attestation required by Alternative One, or a writing indicating the exercise of Alternative Two, shall be served with the Section 170.6 challenge or as soon thereafter as possible. If all parties to the action or their attorney are present in court when an oral challenge is made, no further service of notice shall be necessary.
- (5) **Compliance with Order:** The failure to comply with this General Order does not affect the validity of a timely and otherwise proper Section 170.6 challenge.
- (6) **Time to Make Objection:** Any objection shall be made within a reasonable time of notice of the Section 170.6 challenge.

- (7) **Superseding Order:** This Amended General Order supersedes and vacates General Order 2026-GEN-010-00 dated July 28, 2026.

IT IS SO ORDERED.

Dated: October 14, 2026



  
SERGIO C. TAPIA II  
Presiding Judge