

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

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**CHAPTER ONE**

**DEFINITIONS AND GOVERNANCE**

**DEFINITIONS**

1.1 DEFINITIONS AND USE OF TERMS

As used in these Local Rules, unless the context or subject matter otherwise requires:

- a) The term “action” includes a special proceeding.
- b) The term “attorney” means a member of the State Bar of California and any lawyer admitted to practice *pro hac vice* before the court.
- c) The term “Canvassing Committee” means a committee composed of three judges who have the greatest seniority on the court and are available.
- d) The term “civil case” means a case prosecuted by one party against another for the declaration, enforcement, or protection of a right or the redress or prevention of a wrong. Civil cases include all cases except criminal cases and petitions for writ of habeas corpus.
- e) The term “clerk” means the Clerk of Court of the Superior Court of Los Angeles County and any deputy clerks, except that for purposes of service of a statement of disqualification for cause on the judge’s clerk, pursuant to Code of Civil Procedure section 170.3(c)(1), “clerk” means the judicial assistant serving in a courtroom as the judge’s clerk.
- f) The term “court” means the Superior Court of Los Angeles County.
- g) The term “court day” means a day on which the court is open.
- h) The term “counsel” means an attorney of record; when the Local Rules impose a duty, the term “counsel,” includes self-represented litigants.
- i) The term “County” means Los Angeles County.
- j) The term “criminal case” means a proceeding by which a party charged with a public offense is accused and prosecuted for the offense.
- k) The term “day” means calendar day.
- l) The term “declaration” means either a declaration that complies with Code of Civil Procedure section 2015.5 or an affidavit.
- m) The term “direct calendar judge” means a judge assigned to handle cases on an individual or all purpose calendar. “Direct calendar cases” means cases so assigned.
- n) The terms “Executive Officer” and “Executive Officer/Clerk of Court” mean the person appointed under Local Rule 1.6.
- o) The terms “judge” and “judicial officer” include judges, commissioners, and referees, except as used in this chapter for the election of (1) the Presiding Judge (Rule 1.5), (2) the Executive Officer (Rule 1.6), (3) the Executive Committee (Rule 1.7), and (4) commissioners (Rule 1.9).
- p) As used here, the terms “limited civil case” and “unlimited civil case” have the same definitions as in Code of Civil Procedure section 85 *et seq.*
- q) The term “Local Rules” means the “Los Angeles County Superior Court Rules.”

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- r) The term “majority” means more than one-half of the votes cast. To calculate a majority, the total of all votes cast is divided by two.
  - s) The term “master calendar assigned judge” means a judge who will handle cases assigned from a master calendar court. “Master calendar cases” means cases so assigned.
  - t) The term “party” is a person appearing in an action. Parties include both self-represented persons and persons represented by an attorney of record.
  - u) The term “person” includes a corporation or other legal entity as well as a natural person.
  - v) The terms “Presiding Judge” and “Assistant Presiding Judge” are those judges elected by the eligible judges of the court pursuant to Local Rule 1.2 *et seq.*
  - w) The term “Presiding Judge of the Appellate Division” means the judge so designated by the Chief Justice pursuant to California Rules of Court, rule 10.1100.
  - x) The term “Presiding Judge of the Juvenile Court” means the judge so designated by the Presiding Judge pursuant to Welfare and Institutions Code section 246 to exercise administrative authority over judicial administrative issues in the Juvenile Division as delegated by the Presiding Judge.
  - y) The term “self-represented litigant” or “*pro per*” means a party not represented by counsel.
  - z) The term “service” means service in the manner prescribed by a statute or rule.
  - aa) The term “site judge” means the judge appointed by the Presiding Judge under Local Rule 1.2.
  - ab) The term “subordinate judicial officer” means a commissioner or referee.
  - ac) The term “supervising judge” means a judge appointed by the Presiding Judge under Local Rule 1.2.
  - ad) Words of authority:
    - (1) “Must” is mandatory.
    - (2) “May” is permissive.
    - (3) “May not” and “must not” mean ‘is not permitted to.’
    - (4) “Will” expresses a future contingency or predicts action by a court or person in the ordinary course of events, but does not signify a mandatory duty.
    - (5) “Should” expresses a preference or a nonbinding recommendation.
    - (6) “Shall” means ‘has a duty to,’ but when referring to an action of a judge, does not signify a mandatory duty.
- (Rule 1.1 [7/1/2011, 7/1/2020, 7/1/2022] amended and effective July 1, 2024)

## GOVERNANCE

### 1.2 PRESIDING JUDGE

The business of the court shall be supervised by one of the judges who shall be elected by the eligible judges of the court, as provided in Local Rule 1.5, and designated as the Presiding Judge. The Presiding Judge shall be a member and chair of the Executive Committee. The Presiding Judge shall assign judges to sit in various departments of the court, other than the Appellate Division, pursuant to California Rules of Court, rule 10.603. In making judicial assignments, the Presiding Judge must take into account those factors listed in California Rules of Court, rule 10.603(c). The Presiding Judge shall designate a supervising judge for each division, supervising judges in each district other than the Central District, and site judges in courthouses without a supervising judge located at that courthouse.

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Supervising judges and site judges will exercise administrative authority over judicial administration issues as delegated by the Presiding Judge.

(Rule 1.2 [7/1/2011, 7/1/2020, 7/1/2022] amended and effective July 1, 2024)

1.3 ASSISTANT PRESIDING JUDGE

In the absence of the Presiding Judge, the Presiding Judge's powers will be exercised by the Assistant Presiding Judge, who shall be a member and vice-chair of the Executive Committee.

(Rule 1.3 [7/1/2011] amended and effective July 1, 2022)

1.4 ACTING PRESIDING JUDGE

In the absence of both the Presiding Judge and Assistant Presiding Judge, the powers of the Presiding Judge will be exercised by a judge designated by the Presiding Judge to be the Acting Presiding Judge.

(Rule 1.4 new and effective July 1, 2011)

1.5 ELECTION OF PRESIDING, ASSISTANT PRESIDING JUDGE

(a) Nomination. A judge meeting the qualifications for office defined in California Rules of Court, rule 10.602(b), may be nominated for election as either Presiding Judge or Assistant Presiding Judge when the following form is completed, signed by not less than eight nor more than ten judges of the court, and submitted to the Presiding Judge between noon on the first Wednesday in September and noon on the second Wednesday in September. The nominee shall designate the nominee's acceptance of nomination for one office only.

NOMINATION

We, the undersigned, nominate Judge \_\_\_\_\_ for election as Presiding Judge/Assistant Presiding Judge. (strike one)

DESIGNATION

I accept nomination for the office of (strike one) Presiding Judge/Assistant Presiding Judge only.

(b) Uncontested Offices. If, after the time for filing nomination forms has expired, only one nomination is received for either the Presiding Judge office or the Assistant Presiding Judge office, the Presiding Judge shall declare as elected by acclamation the nominee for the uncontested office, and ballots for that office need not be distributed.

(c) Distribution of Ballots for Contested Offices. On or before the fourth Wednesday in September, the Presiding Judge shall cause separate ballots for each contested office to be distributed electronically to each judge then holding office. Each separate ballot must contain in random order the names of the judges who have been nominated for election for that contested office.

(d) Voting. Each judge to whom ballots are distributed may vote for one nominee for Presiding Judge and one nominee for Assistant Presiding Judge. The ballot must be submitted electronically no later than noon on the first Wednesday in October.

(e) Count of Vote. The Canvassing Committee shall meet on the first Wednesday in October at noon to review the tabulation of the votes received.

(f) Majority Vote. If a nominee for either office receives a majority of the votes cast for that office, the nominee is elected. If there are only two nominees for an office, and the vote for that office is tied, the judge having the greater seniority is elected. The Canvassing Committee shall certify the results of the election to the judges of the court.

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(g) Less Than Majority Vote Run-off Election. If no nominee for an office obtains a majority of the votes cast, the Canvassing Committee shall certify to the Presiding Judge the names of the two judges receiving the highest and second highest number of votes without specification of the number of votes received. On or before the second Wednesday in October, the Presiding Judge shall cause a ballot containing those names in random order consistent with subdivision (c) to be distributed to the judges eligible to vote.

Each judge voting in the run-off election must electronically submit the judge's ballot as provided above in subdivision (d). Ballots must be electronically submitted no later than noon on the third Wednesday in October.

The Canvassing Committee shall meet at noon on the third Wednesday in October and review the tabulation of the votes received in the run-off election. The judge receiving the highest number of votes cast, or in case of a tie vote the judge having the greater seniority, is elected. The Canvassing Committee shall certify the results of the election to the judges of the court.

(h) Term of Office. The term of office of the Presiding Judge and Assistant Presiding Judge is two years commencing on January 1 following the election.

(i) Vacancy in Office of Presiding Judge. If, for any cause, the office of Presiding Judge becomes vacant during any year, it shall be filled by election in the manner provided above, but nominations shall be submitted no later than noon on the tenth court day following the date the Executive Committee declares the office vacant. The steps provided above shall then be taken at the time intervals indicated above without reference to the specific months named. A judge elected to fill a vacancy serves for the remainder of the incomplete term.

(j) Vacancy in Office of Assistant Presiding Judge. If, for any cause, the office of Assistant Presiding Judge becomes vacant during any year, the Presiding Judge may call for an election to fill that vacancy for the unexpired portion of the term. The election will be held on a date specified in the call for that election. The steps provided above shall then be taken at the time intervals indicated above without reference to the specific months named.

(k) Removal of Presiding Judge or Assistant Presiding Judge. A majority of the judges of the court at any time may, by written order, call a meeting of the judges at the time and place specified in the order for the purpose of considering whether the Presiding Judge or Assistant Presiding Judge should be removed from office. A copy of the order must be sent to each judge not a signatory to the order at least five days prior to the date of the meeting. An affirmative vote equal in number to the majority of the judges of the court removes the incumbent from office.

(Rule 1.5 [7/1/2011, 7/1/2022] amended and effective July 1, 2024)

## 1.6 EXECUTIVE OFFICER/CLERK OF COURT

(a) Intent of Rule. It is the intent of the court by adopting this rule to provide that the duties of the Executive Officer be performed by one individual who will not hold any other position in state or county government.

(b) Overall Administrative Supervision. All the court's trial court employees (Gov. Code, § 71601(1)), although treated as County employees for purposes of salary and benefits in accordance with Government Code section 69894.3 and the memorandum of understanding entered into with the County pursuant to Government Code section 71627(e)(2)(B), nevertheless serve and are responsible to the court, and the overall administrative supervisor of all trial court employees other than subordinate judicial officers is the Executive Officer.

(c) Selection.

(1) The Executive Officer serves at the pleasure of the judges of the court.

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(2) In filling the position of Executive Officer, or in the event of a vacancy in the office, the Presiding Judge shall appoint an “Executive Officer Selection Committee” and its chair, consisting of an odd number of members and no fewer than five for the purpose of identifying and recommending a proposed Executive Officer to fill the vacancy. The Executive Officer Selection Committee shall consist of sitting judges of the court.

(3) The Executive Officer Selection Committee shall review the background, experience and qualifications of the applicants and interview those best qualified for the position.

(4) The Executive Officer Selection Committee shall recommend the most qualified candidate(s) to the Executive Committee for nomination.

(5) The Executive Committee shall review the background, experience and qualifications of the candidate(s) recommended by the Executive Officer Selection Committee and vote on the candidate’s nomination to fill the position or vacancy. A majority vote of the Executive Committee is required to nominate the Executive Officer.

(6) Upon nomination by the Executive Committee, the Presiding Judge shall place the candidate’s name before the judges of the court for confirmation and appointment. The judges shall vote on the candidate by electronic ballot within the time specified by the Presiding Judge. A majority of the votes cast is required to confirm and appoint the Executive Officer.

(d) Qualifications. The qualifications of the Executive Officer are as follows:

(1) The Executive Officer must be a citizen of the United States;

(2) Preferably, the Executive Officer should have experience in a highly responsible administrative capacity in private or public employment; and

(3) Preferably, the Executive Officer should have substantial knowledge of government, judicial administration, personnel management, finance administration, and the legislative process, a working knowledge of systems and procedure analysis and technology, access and fairness, and public relations, either in private or public employment, and the ability to work with others.

(e) Powers and Duties. Pursuant to Government Code section 71620 and California Rules of Court, rule 10.610, under the direction of the Presiding Judge, the powers and duties of the Executive Officer include:

(1) To execute, on behalf of the court and subject to the supervision and direction of the Presiding Judge, the administrative supervision and control of the non-judicial activities of the court;

(2) To establish those divisions in the office of Executive Officer as may be deemed advisable;

(3) To delegate the Executive Officer’s duties where necessary, and to assign or supervise and direct the work of all non-judicial officers and employees of the court;

(4) To administer a system of personnel administration;

(5) To prepare and administer the budget of the court and to represent the court in any matters pertaining to the budget which may be under consideration by the Judicial Council of California and the Board of Supervisors;

(6) To negotiate contracts on behalf of the court, in accordance with established contracting procedures and all applicable laws;

(7) To maintain all accounting and property control records, including payroll records of the court;

(8) To purchase legal reference materials, supplies and equipment for the judges and for supporting court personnel, and to control their storage and distribution;

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(9) To develop and provide technology equipment, software, and services for the judges and supporting court personnel;

(10) To oversee the court's emergency preparedness and response activities;

(11) To represent the court in its negotiations relative to the establishment and maintenance of courtrooms, chambers and offices;

(12) To initiate studies and prepare appropriate recommendations and reports to the Presiding Judge, to committees of the court, and to the court relating to the business of the court and its administration, including studies relating to the operations of special departments and branches;

(13) To collect, compile and analyze statistical data on a continuing basis concerning the status of judicial and non-judicial business of the court, and the preparation of periodic reports based on such data;

(14) To prepare an annual report concerning the operation of the office of the Executive Officer during the preceding calendar year, together with recommendations to improve the administration of the court and the expeditious disposition of its business;

(15) To establish strategies for effective internal and external communications;

(16) To serve in a liaison capacity for the court with the Judicial Council, the Legislature, the Governor and other executive branch agencies, the Board of Supervisors, the County Chief Executive Officer and County departments, the County Sheriff, the District Attorney, mayors and other municipal government representatives, the State Bar of California, bar associations and civic groups, with reference to matters relative to the administration of the court;

(17) To make arrangements for and to attend all meetings of the judges of the court, assist the Presiding Judge in the preparation of agenda, and as Secretary of the Court, to prepare minutes of all meetings of the judges. The Executive Officer must also attend meetings of committees of the court upon request of the committee chair or the Presiding Judge;

(18) To serve as Jury Commissioner of the Court;

(19) To employ and assign officers or attachés to perform the duties outlined in Government Code sections 69894.5 and 71800 *et seq.* (Trial Court Interpreter Employment and Labor Relations Act);

(20) To exercise and perform all of the powers, duties and responsibilities of the County Clerk and Clerk of Court required or permitted by the court to be exercised or performed by the Executive Officer in connection with judicial actions, proceedings and records under Government Code section 69841 *et seq.* Those powers, duties and responsibilities include:

a) To accept, process and file papers in connection with any action or proceeding before the court, including but not limited to those relating to the court's original jurisdiction, appellate jurisdiction and appeals from the court; to maintain and manage court records; to image court records; to keep and dispose of papers, documents, files and exhibits in accordance with law;

b) To maintain indexes of all court files; to keep a register of actions or its alternate;

c) To issue process and notice; to accept service on parties; to enter defaults; to transmit transcripts on change of venue;

d) To be present at each session of court and with the judge in chambers when required; to administer oaths; to keep the minutes and other records of the court;

e) To enter orders, findings, judgments and decrees; to accept confessions of judgment for filing; to authenticate records; to certify abstracts of judgment; to keep a judgment book or its equivalent;



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f) To collect, receipt, deposit and account for fees for filing, for preparing or certifying copies and for other fees; to receive jury fees, bonds, undertakings, fines, forfeitures and revenues; to keep money deposited in court, including but not limited to funds received in connection with minor's compromises; to recover county costs in judicial commitment proceedings;

g) To maintain statistical and financial records; to prepare reports to the Judicial Council and other state and county offices as required by law or policy;

h) To prepare the clerk's transcript on appeal and transmit the record and exhibits to the reviewing court;

i) To receive wills of decedents;

j) To take bail and related matters as provided in the Penal Code;

k) To manage court calendars, including the calendaring of cases and hearings and the maintenance of court calendars and schedules;

l) To print and sell court forms and rules of court; to procure supplies;

m) To keep and affix the seal of the court to appropriate instruments;

n) To create and maintain a separate file for each action or proceeding pending in the court, in which the Executive Officer must include and retain, except as otherwise provided in these rules, the original of all pleadings and other documents on file in the action or proceeding, whether filed electronically or on paper;

o) To maintain a register of actions for all actions and proceedings pending in each department of the court;

p) To enter the minutes of the proceedings of the court in minute books or in electronic form;

q) To execute documents on order of the court (*See* Local Rule 3.213(c).);

r) To appoint those deputies pursuant to Government Code section 71620 as are necessary to ensure the prompt and faithful execution and discharge of the duties and responsibilities of the Executive Officer's office;

(21) To perform other duties as required by law or as the Presiding Judge directs.

(f) Directives to the Executive Officer. Except as otherwise authorized by the Presiding Judge, all orders and directives of the court to the Executive Officer shall be transmitted by the Presiding Judge. All requests by judges or by committees of the court for the assistance of the Executive Officer or of the Executive Officer's staff shall be directed to the Presiding Judge.

(g) Executive Officer *Pro Tempore*. In the temporary absence of the Executive Officer/Clerk of Court, the Executive Officer may, with the approval of the Presiding Judge, designate one of the Executive Officer's principal subordinates as Executive Officer *pro tempore*. In the event of a vacancy in the office or the temporary absence of the Executive Officer, without having designated a subordinate to act in the Executive Officer's place, the Presiding Judge may temporarily designate an Executive Officer *pro tempore*, who will have all the powers and duties of the Executive Officer.

(Rule 1.6 [7/1/2011, 1/1/2013, 7/1/2022] amended and effective July 1, 2024)

## 1.7 EXECUTIVE COMMITTEE

### (a) Powers.

(1) General Authority. There shall be an Executive Committee of the judges of the court. Unless otherwise ordered by the judges or provided by law, the California Rules of Court, or these Local Rules, the Executive Committee has authority to act for and on behalf of the judges on any matters affecting the court as to which the judges have the power to act, other than the adoption of amendments to the Local Rules.

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(2) Temporary Suspension. In addition, except for rules contained in Chapter One, the Executive Committee at the request of the Presiding Judge may temporarily suspend any of these Local Rules as may be necessary to permit the Presiding Judge to carry out the Presiding Judge's responsibilities under California Rules of Court, rule 10.603, to deal with budgetary shortfalls or other emergency situations, provided a formal amendment is promptly submitted to the judges for their consideration without unreasonable delay. Any temporary suspension will remain in effect only as long as is reasonably necessary for the formal amendment to be considered and become effective.

(3) Vacancy in Office of Presiding Judge. The Executive Committee shall declare a vacancy in the office of Presiding Judge following the resignation, assignment to another court, removal, or death of the Presiding Judge.

(b) Membership and Representation.

(1) The Executive Committee shall be comprised of 22 voting members.

(2) Eighteen members shall be elected by the judges for a term of one year.

a) One member shall be elected by and from among the judges assigned to each of the 11 outlying districts.

b) Seven members shall be elected by and from among the judges assigned to the Central District.

(3) The Presiding Judge and Assistant Presiding Judge are voting members.

(4) Two commissioners shall be elected by the court's commissioners as voting members. Commissioner members are not permitted to vote on matters concerning commissioners.

(c) Meetings.

(1) Timing and Procedure. The committee should meet at least once each calendar month and a majority of the members of the committee will constitute a quorum. The Presiding Judge or the Presiding Judge's designee shall act as chair. Meetings must be open to any judge or commissioner of the court, except under unanimous vote of the members present. A non-member of the committee may be heard only by the consent of the committee.

(2) Proxy Voting. Before or during a meeting, a voting member of the committee who cannot attend all or a portion of a meeting may designate any judicial officer to attend and exercise that member's vote in the member's absence by notifying the chair and requesting that the designation be recorded in the minutes.

(3) Remote Appearance. The chair may permit members to attend, vote, and participate remotely by means that reasonably permit participation in matters before the committee.

(4) Minutes. Minutes of each meeting must be kept and a copy made available in an electronic portal accessible to judicial officers in a timely manner.

(5) Request by Non-Member. Any judge, not a member of the committee, who desires the committee to consider any matter, shall submit a written request to the chair not less than three court days prior to the meeting of the committee.

(d) Eligibility. A judge may run to be, and may serve as, a representative of a district on the Executive Committee only if the judge is assigned to the district. A judge may vote for an Executive Committee representative only for the district in which the judge is assigned at the time the judge submits the vote. A judge who has been an elected member of the Executive Committee during any two of the three years preceding the election is not eligible for election by that judge's district.

The limitation on eligibility contained in this section does not apply to a judge who has been elected to fill an unexpired term on the Executive Committee of less than nine months.

(e) Nomination. A judge may self-nominate or nominate another judge for election to the Executive Committee by submitting that nomination to the Presiding Judge between noon on the first

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Monday in November and noon on the third Wednesday in November. If nominated, the nominee must submit acceptance of the nomination to the Presiding Judge by the deadline.

(f) Distribution of Ballots. On the first Wednesday following Thanksgiving, the Presiding Judge shall cause electronic ballots to be distributed to the members of each district containing the names of the nominated judges for the district. If more than one judge is nominated, each district ballot must randomly list the names of the judges who have been nominated for election as Executive Committee representative.

(g) Voting by Judges.

(1) Each eligible judge, in a district other than the Central District, may vote for one nominee.

(2) Each eligible judge in the Central District may vote for up to seven of the nominees.

(3) Ballots must be submitted electronically no later than noon on the second Wednesday after Thanksgiving.

(h) Count of Vote. The Canvassing Committee shall meet at noon on the second Wednesday after Thanksgiving to review the tabulation of the votes received.

(i) Election. The judge who receives a majority of the votes cast by judges in a district, other than the Central District, is elected the representative of that district on the Executive Committee. The seven candidates who receive the highest number of votes cast are elected as representatives of the Central District on the Executive Committee.

(j) Failure to Elect. In any district other than the Central District, if no nominee receives a majority vote, the Canvassing Committee shall give the Presiding Judge the names of the two judges receiving the highest and second highest number of votes from the district. In case of a tie vote in a two person contest, the committee shall give the Presiding Judge the names of the judges who received the tie vote.

(k) Second Ballot. On or before the third Monday after Thanksgiving, the Presiding Judge shall cause to be electronically distributed to the members of each district with representative positions remaining unfilled a second ballot containing only the names of the judges who are on the list of remaining candidates for unfilled positions in the district(s) as determined pursuant to subdivision (j). The names shall appear in random order. Judges eligible to vote may vote for one nominee. Ballots must be submitted electronically no later than noon on the fourth Monday after Thanksgiving, at which time the Canvassing Committee shall review the tabulation of the votes.

(l) Certification. The Canvassing Committee shall certify to the Presiding Judge the names of the individuals who are elected.

(m) Vacancies. A vacancy on the Executive Committee occurs if a member is assigned to another department outside the boundaries of the district the member was elected to represent. The Executive Committee may declare that a vacancy on the Executive Committee exists for other causes including, but not limited to, extended illness, leave, or assignment to another court.

A vacancy on the Executive Committee will be filled by a vote of the district from which the member was originally elected. The election must be held and completed within 40 days after the vacancy is declared by the Executive Committee. The voting shall conform to the procedures set forth in this section except that (1) the Presiding Judge shall electronically distribute the ballots to the members of the district within ten days following the date the vacancy is declared; (2) the electronic ballot must be submitted before the 20<sup>th</sup> day; (3) if no judge receives a majority vote, a second ballot shall be electronically distributed before the 30<sup>th</sup> day, and within ten days thereafter the electronic ballots shall be submitted to the senior judge at which time the Canvassing Committee shall review the tabulation of the votes and certify to the Presiding Judge the name of the judge elected.

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(n) Ex officio Members. The Presiding Judge of the Juvenile Court, the Supervising Judge of the Criminal Division, the Supervising Judge of the Civil Division, the Supervising Judge of the Family Law Division, the Supervising Judge of the Probate and Mental Health Division, and the Presiding Judge of the Appellate Division are *ex officio* members of the Executive Committee. An *ex officio* member may vote only when serving as chair of the committee as the Presiding Judge's designee, and then only when a vote is required to break a tie.

(o) Commissioner Members. The two commissioner members will be elected at-large to one year terms by the commissioners of the court in the same manner as other Executive Committee members are elected as set forth above.

(p) Cumulative Voting Not Permitted. Cumulative voting is not permitted for election of Executive Committee members.

(Rule 1.7 [7/1/2011, 7/1/2012, 7/1/2022] amended and effective July 1, 2024)

### 1.8 STANDING COMMITTEES

At the beginning of each year, the Presiding Judge shall appoint the following standing committees, each to consist of not less than five judges:

Anti-Bias Committee;  
Budget Committee;  
Education Committee;  
Grand Jurors Committee; and  
Rules Committee.

(Rule 1.8 [7/1/2011, 7/1/2012, 1/1/2017] amended and effective July 1, 2024)

### 1.9 COURT COMMISSIONERS

(a) Eligibility. An applicant for appointment as a court commissioner must be a member in good standing of the State Bar and must have been admitted to practice law in California for at least ten years. (Cal. Rules of Court, rule 10.701.)

(b) Selection Process. The Presiding Judge shall appoint a Commissioner Selection Committee ("Selection Committee") of not less than ten judges to review the application of each applicant for court commissioner. The Selection Committee shall prescribe the form of application for appointment as a court commissioner. The Selection Committee shall designate which applicants it approves and rank them in the order of preference.

(c) Vacancy. When the Presiding Judge determines that a vacancy is to be filled in the office of court commissioner, the Presiding Judge shall designate the date by which all judges must cast their votes. Not less than ten days prior to that date, a ballot containing the names of all approved applicants in the order in which they have been ranked shall be delivered electronically to each judge of the court.

(d) Optional Procedure. After distribution of the ballot and prior to the last day for casting ballots, the Presiding Judge may call a special meeting of the judges at which the approved applicants are introduced.

(e) Voting. Each judge voting to fill a vacancy in the office of court commissioner shall electronically submit the ballot no later than 4:00 p.m. on the date previously designated by the Presiding Judge. The Canvassing Committee shall meet to review the tabulation of the votes and certify to the Presiding Judge the name of the applicant or applicants, not exceeding the number of vacancies to be filled, who received the highest votes. Those persons are selected as commissioners.

If two candidates receive the same number of votes, the candidate with the highest ranking established by the Selection Committee will be appointed to the court commissioner position.

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(f) Removal from the List. The Presiding Judge may remove a candidate's name from the list of approved candidates for good cause, and the candidate will not be eligible for appointment from the current list.

(g) Order of Appointment. The Presiding Judge shall issue a written order appointing each applicant certified to be a court commissioner.

(h) Expiration of List. The list of approved applicants will expire and a call for applicants shall be made when the list has fewer than three names or when the Executive Committee or a majority of the judges of the court so orders.

(i) Status and Benefits.

(1) Status. Commissioners are elected by the judges of the court and appointed to the office of commissioner in which they exercise the constitutional judicial power of the state. Commissioners serve at the pleasure of the court and are not subject to other vested terms of service. Commissioners are judges within the meaning of the Code of Judicial Conduct (Canon 6A) and must comply with that Code, as well as with these Local Rules and such policies and procedures related to their service as commissioners as the court adopts.

(2) Benefits. The County of Los Angeles serves as the pay master for judicial officers and court employees. Under that system, commissioners are eligible for the health and welfare benefits that other "L" sub-item classifications receive. As provided in Los Angeles County Code section 5.27.200, participation in the MegaFlex plan is in lieu of any similar court-provided benefits, including specified amounts of vacation and sick leave days. Although there is no vested right to vacation leave, commissioners are subject to the guidelines set forth in the court's judicial vacation plan.

(3) Medical and Disability Leave. The Presiding Judge shall appoint a Commissioner Leave Review Committee ("Leave Review Committee"). The members of the Leave Review Committee will be (1) the Assistant Presiding Judge; (2) two Supervising Judges selected by the Presiding Judge in consultation with the Assistant Presiding Judge; (3) three judges with an employment law background (subject matter experts) selected by the Presiding Judge in consultation with the Assistant Presiding Judge; (4) the Chief Human Resources Officer; and (5) the Chief Deputy, Legal Services/Court Counsel. The Leave Review Committee will be an ad hoc committee, and its subject matter expert committee members will serve staggered four-year terms. The inaugural three subject matter expert members of the Leave Review Committee will be appointed to respective terms of two, three, and four years.

Commissioners who are absent due to illness, injury, or disability shall promptly notify their Supervising or Site Judge. When a commissioner is absent due to illness, injury, or disability for more than five consecutive court days, they must notify the Judicial Benefits Manager of the court's Human Resources Administration office. If a commissioner is absent due to illness, injury, or disability for more than 20 court days in a 12-month period, the supervising judge must promptly notify the Leave Review Committee.

The Leave Review Committee will gather available information about the commissioner's medical condition and, in consultation with the commissioner or the commissioner's health care provider, determine the anticipated duration of the absence. If the commissioner requests a reasonable accommodation to perform the essential functions of the job or the supervising judge and/or the site judge has information to suggest the commissioner may require a reasonable accommodation to perform the essential functions of the commissioner's job, the Leave Review Committee will invite the commissioner to an interactive process meeting. The purpose of such a meeting is to endeavor to identify a reasonable accommodation that will enable the commissioner to perform the essential functions of the job. The Leave Review Committee shall treat as confidential any medical information

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it receives about commissioners. During that process, Leave Review Committee members may consult with Court Counsel, court employees with expertise in identifying workplace accommodations, or other experts outside the court. The Leave Review Committee must transmit any medical documents it receives to the Judicial Benefits Unit of the Human Resources Administration office where they will be maintained according to the laws governing the confidentiality of medical information.

If the medical documentation or other information gathered reflects that the commissioner is likely to require a leave in excess of 90 court days in a 12-month period, the Leave Review Committee must recommend to the Presiding Judge: (1) that the Presiding Judge approve a continued leave of absence; (2) that the court apply for disability retirement with the Los Angeles County Employees Retirement Association on behalf of an eligible commissioner; (3) that the commissioner be separated from court service; or (4) that the court take other appropriate action designed to enable the court to fulfill its mission and comply with governing laws.

(4) Workplace Illness or Injury. If a commissioner is injured or becomes ill at the workplace, the supervising judge will promptly contact the Judicial Benefits Manager and request that the commissioner be provided a workers' compensation packet.

(j) Ninety Days to Determine Matters.

(1) It is the duty of a commissioner to determine promptly all matters pending before the commissioner and in all cases to do so within 90 days after a matter has been submitted for decision.

(2) Each subordinate judicial officer shall monthly make and subscribe an affidavit stating that no cause before the subordinate judicial officer remains pending and undetermined for 90 days after it has been submitted for ruling or decision.

(3) Any subordinate judicial officer who fails to comply with any provision of this subsection shall be reported to the Presiding Judge who shall take appropriate action including, but not limited to, suspension of salary or any other appropriate disciplinary action.

(k) Duties.

(1) Temporary Telephonic Restraining Orders/Emergency Protective Orders (TRO/EPO). Each commissioner, in rotation, may be required to serve in hearing requests for temporary telephonic restraining orders and emergency protective orders after court hours, on Saturdays, Sundays, legal holidays, and during court hours when the judicial officer assigned to this duty is unavailable. The commissioner will not be required to attend to the commissioner's regular duties on days assigned to this service. No compensatory pay or time will be afforded for this service.

(2) Bail Setting Duty. Each commissioner, in rotation, may be required to serve in setting bail both during and after court hours and on Saturdays, Sundays, and legal holidays. No compensatory pay or time will be afforded for this service. This service may be concurrent with TRO/EPO service.

(l) Complaints Regarding Commissioners. Complaints regarding commissioners will be processed pursuant to California Rules of Court, rule 10.703.

(m) Procedures for Suspension or Removal. The Presiding Judge shall initiate and carry out suspension or termination of services of a commissioner in accordance with the following procedures.

The Presiding Judge may:

(1) Suspend a commissioner with or without pay and advise the commissioner of the reason(s) for the action in writing;

(2) Place the commissioner on administrative leave pending further review; or

(3) Terminate the services of the commissioner.

(Rule 1.9 [7/1/2011, 7/1/2019, 7/1/2022, 7/1/2023] amended and effective July 1, 2024)

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1.10 MEETING OF JUDGES

Meetings of the judges, other than ones called to remove a Presiding Judge or Assistant Presiding Judge, shall be held at the call of the Presiding Judge or at the written request of 20 judges. The Presiding Judge must designate the time and place of the meeting and cause notice of the meeting to be given to each judge electronically. Except for a meeting called to remove a Presiding Judge, notice of the meeting must be given at least three days before the day of the meeting. A judge who attends the meeting waives notice of the meeting for any purpose. A majority of all the judges of the court will constitute a quorum at any meeting of judges.

(Rule 1.10 [7/1/2011] amended and effective July 1, 2024)

1.11 BENEFITS

In accordance with Government Code sections 68220 and 69894.3, and the memorandum of understanding between the court and the County entered pursuant to Government Code section 71627(e)(2)(B), all County benefits extended to employees and local officers by local ordinance are applicable to the court's trial court employees, judges, and jurors.

(Rule 1.11 [as Rule 1.13 7/1/2011] amended and effective July 1, 2024)

1.12 SENIORITY

A judge's seniority will be determined based on the judge's original oath date as a judge in the County. The seniority of municipal court judges who became judges of the superior court as a result of unification of the municipal and superior courts will be based on the date of unification, and amongst those judges, their relative seniority will be based on the date of their oath of office as a municipal court judge in the County without regard to judicial district.

(Rule 1.12 [as Rule 1.14 7/1/2011] amended and effective July 1, 2024)

1.13 ELIMINATION OF BIAS

The Superior Court of Los Angeles County is committed to ensuring that every interaction with the court, in courtroom proceedings or outside of them, is fair and impartial to all participants. The court, its judicial officers, and employees shall refrain from engaging in conduct and shall take action to prevent others from engaging in conduct that exhibits bias, including but not limited to, bias based on age, religion, ancestry, race, color, ethnicity, national origin, gender, gender expression, gender identity, sexual orientation, marital status, military or veteran status, physical or mental disability, socioeconomic status, and any other classification protected by federal or state law, including Government Code section 12940(a) and Code of Judicial Ethics, canon 3(B)(5).

In compliance with Standard 10.20 of the Standards of Judicial Administration, the Anti-Bias Committee must collaborate with justice partners, bar associations, and other stakeholders to improve dialogue and engagement with all communities in the County to identify concerns about bias in the court, to address those concerns, and to support and publicize educational programs and activities designed to prevent bias in the court.

Any complaints of bias by a judicial officer may be directed to the Presiding Judge. Any complaints of bias by a court employee may be directed to the Executive Officer.

(Rule 1.13 [as Rule 1.15 1/1/2024] amended and effective July 1, 2024)