

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

ORDER

Misc. No. 07CC00001

Subsection (b)(3) of Rule 2.818 of the California Rules of Court provides that “an attorney may not serve as a court-appointed temporary judge . . . in a family law [case where] one party is self-represented and the other party is represented by an attorney or is an attorney.” Rule 2.818 also provides that the Presiding Judge may waive this limitation upon a finding of good cause.

The Court hereby finds good cause exists to waive the limitations for temporary judges in family law cases as set forth in subsection (b)(3) of Rule 2.818. Good cause exists because of the continuing shortage of judicial assets in the Superior Court, resulting in the need to utilize temporary judges in order to enhance access to timely justice for the public. The Court finds further cause for this waiver in the fact that as of this date, by Court policy, temporary judges are not utilized to adjudicate matters in adversarial proceedings, but are exclusively utilized to assist in settlement and mediation activities. Only rarely does that activity result in the temporary judge sitting on the bench, and when that occurs, it is for the sole purpose of allowing a voluntary settlement to be recorded properly.

Therefore, despite the limitation set forth in Rule 2.818 subsection (b)(3), a duly appointed temporary judge is hereby authorized to hear a family law case wherein one party is self-represented and the other party is represented by counsel, as long as any required stipulation is received.

This Order is effective October 1, 2007 and will remain effective until such time as the Presiding Judge determines that good cause no longer exists.

Dated: September 18, 2007



HON. NANCY WIEBEN STOCK
PRESIDING JUDGE