



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
SELF-HELP CENTER**

www.occourts.org

HOW TO START A CIVIL CASE

All documents must be typed or printed neatly.

Please use black ink.

Self-Help Center Locations:

Lamoreaux Justice Center

1st Floor

341 The City Drive

Orange, CA



Central Justice Center

Room G-100

700 Civic Center Drive

Santa Ana, CA



Superior Court

Service Center

27573 Puerta Real

Mission Viejo, CA

Harbor Justice Center

Room 150

4601 Jamboree Rd

Newport Beach, CA

North Justice Center

Room 360

1275 N. Berkeley Ave.

Fullerton, CA



Court Designation List

The Presiding Judge has designated cases to be heard and tried according to the following matrix below. In order to expedite the processing of your case documents please file them at the assigned justice center. (Local Rule 365)

Limited Civil, Unlimited Civil cases will heard/tried at the Center Justice Center (CJC). Complex Civil cases will be heard/tried at the Complex Center (CXC).

Probate, Mental Health and Elder Abuse and Dependent Adult Abuse Restraining Orders cases will be heard/tried at the Central Justice Center (CJC).

Small Claims, Unlawful Detainer (i.e., landlord-tenant) and Civil Harassment matters will be heard/tried as designated according to the city in which the action arose or where a defendant resides. If the defendant is a business, use the city where the business is located. If the action concerns real property, use the city where the real property is located. (See matrix below)

Juvenile Delinquency, Dependency, Family Law, Domestic Violence will be heard/tried at the Lamoreaux Justice Center (LJC).

Criminal cases will be filed according to the matrix below. Unless otherwise designated by the Court, misdemeanor cases will be tried as designated below. Felony trials will be assigned based on availability of open trial courtrooms at any of the justice centers.

Traffic cases will be filed and trials heard according to the matrix below. Traffic case payments or other inquiries may be handled at any of the justice centers with a Criminal/Traffic Clerk's Office.

City	Unlimited Civil	Limited Civil	Probate	Mental Health	Small Claims Unlawful Detainer Civil Harassment	Family	Juvenile**	Traffic**	Criminal
Aliso Viejo	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Anaheim	CJC	CJC	CJC	CJC	NJC	LJC	LJC	NJC	NJC
Brea	CJC	CJC	CJC	CJC	NJC	LJC	LJC	NJC	NJC
Buena Park	CJC	CJC	CJC	CJC	NJC	LJC	LJC	NJC	NJC
Costa Mesa	CJC	CJC	CJC	CJC	HJC	LJC	LJC	WJC	WJC
Cypress	CJC	CJC	CJC	CJC	NJC	LJC	LJC	WJC	WJC
Dana Point	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Fountain Valley	CJC	CJC	CJC	CJC	CJC	LJC	LJC	WJC	WJC
Fullerton	CJC	CJC	CJC	CJC	NJC	LJC	LJC	NJC	NJC
Garden Grove	CJC	CJC	CJC	CJC	CJC	LJC	LJC	WJC	WJC
Huntington Beach	CJC	CJC	CJC	CJC	CJC	LJC	LJC	WJC	WJC
Irvine	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
La Habra	CJC	CJC	CJC	CJC	NJC	LJC	LJC	NJC	NJC
La Palma	CJC	CJC	CJC	CJC	NJC	LJC	LJC	NJC	NJC
Laguna Beach	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Laguna Hills	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Laguna Niguel	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Laguna Woods	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Lake Forest	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Los Alamitos	CJC	CJC	CJC	CJC	NJC	LJC	LJC	WJC	WJC
Mission Viejo	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Newport Beach	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Orange	CJC	CJC	CJC	CJC	CJC	LJC	LJC	CJC	CJC
Placentia	CJC	CJC	CJC	CJC	NJC	LJC	LJC	NJC	NJC
Rancho Santa Margarita	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
San Clemente	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
San Juan Capistrano	CJC	CJC	CJC	CJC	HJC	LJC	LJC	HJC	HJC
Santa Ana	CJC	CJC	CJC	CJC	CJC	LJC	LJC	CJC	CJC
Seal Beach	CJC	CJC	CJC	CJC	CJC	LJC	LJC	WJC	WJC
Stanton	CJC	CJC	CJC	CJC	NJC	LJC	LJC	WJC	WJC
Tustin	CJC	CJC	CJC	CJC	CJC	LJC	LJC	CJC	CJC
Villa Park	CJC	CJC	CJC	CJC	CJC	LJC	LJC	CJC	CJC
Westminster	CJC	CJC	CJC	CJC	CJC	LJC	LJC	WJC	WJC
Yorba Linda	CJC	CJC	CJC	CJC	NJC	LJC	LJC	NJC	NJC

CJC - Central Justice Center: 700 Civic Center Drive, Santa Ana 92701; CXC/Civil Complex Center: 751 W. Santa Ana Blvd., Santa Ana, CA 92701
HJC - Harbor Justice Center: 4601 Jamboree Road, Newport Beach, CA 92660; LJC - Lamoreaux Justice Center: 341 The City Drive, Orange, CA 92870;
NJC - North Justice Center: 1275 North Berkeley, Fullerton, CA 92838; WJC - West Justice Center: 8141 13th Street, Westminster, CA 92683

*Civil and Probate actions must be eFiled. <http://www.occourts.org/online-services/efiling/>.

** For filing Juvenile citations, Law Enforcement should refer to the Superior Court of Orange County Juvenile Violation Filing Guidelines.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
CIVIL CASE TIME SCHEDULE**

UNLIMITED (OVER \$25,000)			
Day	Event	Comment	Authority
1	Complaint filed with Civil Case Cover Sheet	Judicial Officer is assigned for all purposes.	SCOC rule 303 CRC 3.220
Varies	Request for Entry of Default filed.	10 days after expiration of response time.	CRC 3.110(g)
Varies	Deadline for filing responsive pleading	Parties may stipulate to 15 day extension.	CRC 3.110
Varies	Service of cross-complaint that names new parties	Proof of service filed within 30 days of filing of cross-complaint.	CRC 3.110(c)
60	Deadline for filing proof(s) of service on the complaint.	Failure to meet deadline may result in the court scheduling an Order to Show Cause Hearing.	CRC 3.110(b)
Varies	Meet and Confer	Parties must meet and confer within 20 days after service of the responsive pleading. Joint Meet and Confer Statement (local form #L-964) must be filed within 30 days after service of the responsive pleading.	SCOC rule 315 CRC 3.724
Anytime	Stipulation to Arbitration, Mediation, or Early Neutral Evaluation		SCOC rule 360
180	Deadline for Case Management Conference and Case Management Order	Court must give minimum of 45 days notice. Parties must file Case Management Statement 15 calendar days <u>prior</u> to hearing (Judicial Council Form #CM-110).	CRC 3.722(b) SCOC rule 317 CRC 3.725(a)
Varies	Mandatory Settlement Conference	May be scheduled at the Case Management Conference. Settlement Conference Statement (local form #L-52) lodged 5 court days prior to Mandatory Settlement Conference.	SCOC rule 316
10 days prior to trial	Issue Conference and trial related documents	Counsel required to meet and confer. Statement of Compliance and trial related documents (local form #L-81) submitted by noon, Friday prior to trial.	SCOC rule 317
LIMITED (\$25,000 OR LESS)			
1	Complaint filed with Civil Case Cover Sheet		CRC 3.220
Varies	Request for Entry of Default filed.	10 days after expiration of response time.	CRC 3.110(g)
Varies	Deadline for filing responsive pleading	Parties may stipulate to 15 day extension.	CRC 3.110
Varies	Service of cross-complaint that names new parties.	Proof of service filed within 30 days of filing of cross-complaint.	CRC 3.110(c)
Varies	File At-Issue Memorandum For Trial Setting (local form #L-31)	May be filed when the case is at issue any time before the Case Management Conference. Case Management Conference will be taken off calendar.	SCOC rule 339
60	Deadline for filing proof(s) of service on the complaint	Failure to meet deadline may result in the court scheduling an Order to Show Cause Hearing.	CRC 3.110(b)
Varies	Meet and Confer	Parties must meet no later than 30 calendar days before the Case Management Conference.	CRC 3.724
180	Deadline for Case Management Conference and Case Management Order	Court must give minimum of 45 days notice. Parties must file Case Management Statement 15 calendar days <u>prior</u> to hearing (Judicial Council Form #CM-110).	CRC 3.722(b) SCOC rule 321 CRC 3.725(a)
Varies	Pretrial Settlement Conference	May be set by the court when jury trial or court trial is estimated to last one day or more. Parties must submit a Pretrial Conference Brief/Statement at the time of the conference.	SCOC rule 332

Note: Superior Court of Orange County is abbreviated as "SCOC"

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
TIPS FOR FILING IN CIVIL COURT - FAQ

www.occourts.org

Question	Answer
Will the Court accept my personal check?	Yes, providing your name and address is imprinted on check. Make checks payable to: Clerk of the Court
How long does it take for my document to be filed?	Most new cases and responses are filed on the same day received. Documents, such as defaults and motions, may take several days to process. Documents which must be presented to the Judge for review or signature may take longer to process and file. If you have not received your document back within two weeks, you may want to call the court for a "status check" of your filing. Please have your case number ready when you call.
How do I know if my document was accepted for filing?	Submit your original document plus one copy along with a self, addressed, stamped envelope. The clerk will return your document in one of two ways: 1. If your copy has a "file stamp" in the top right corner of your document, then it was accepted for filing. This stamp indicates the actual date of filing. 2. If your document was rejected, the clerk will return to you the original document and any copies along with a "rejection" sheet stating the reason your document was not filed.
What does the file stamp mean?	The file date stamp indicates the date your document was accepted for filing by the Court. If your document shows a canceled file date, this means your document was received on that date; however, it was necessary to reject the document for reasons stated on the "rejection" sheet.
The statute time for filing my complaint will soon expire. How can I ensure a timely file date?	File the document in person at the correct Justice Center. It is your responsibility to file your documents timely.
Are footers required on all documents?	Yes. Review Rule 2.100 et seq. California Rules of Court.
What is required to file a complaint?	Original complaint. In Limited Civil actions, a copy of the face page is also required. 2. Correct fees. 3. Civil Case Cover Sheet. (Check Judicial Council forms listing.) 4. In Limited Civil actions, the amount of prayer in complaint and jurisdiction must be typed under caption of case. 5. Cases that are \$25,000 and under, must state "Limited Civil" in the caption of the complaint. (CCP 422.30(b)). 6. If Unlawful Detainer action, a 5-day summons must be provided to the clerk for issuance. (CCP 1166).
Is my hearing STILL on calendar tomorrow?	If you have not heard from the court, you may assume your case is still on calendar. If you have submitted a continuance request it may be considered by the court at the time of the hearing, not before. Therefore, the clerk's office will not be able to advise you of the status of your continuance request. If the hearing is for a Case Management Conference on a Limited Civil action and you filed a correct and timely Memorandum to Set Case for Trial, a dismissal or judgment, then your case will not proceed to hearing.
Do the parties need to be present at the Case Management Conference?	Review Rule 3.722(c) of the California Rules of Court.
We have a Case Management Conference coming up. Does the attorney need to appear?	Yes. Appearance is mandatory unless previously waived by the court. Review Rule 3.722(d) of the California Rules of Court.
What is the likelihood of our case going to trial on the scheduled trial date?	VERY likely! The Judicial Officer makes that determination on the morning of your scheduled trial date. Counsel should be ready to go to trial. The clerk has no information prior to that date.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY
TELEPHONE NO.:	FAX NO.:	
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
CASE NAME:		
CIVIL CASE COVER SHEET	Complex Case Designation	CASE NUMBER:
<input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	JUDGE:
<input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		DEPT:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (<i>not specified above</i>) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (<i>not specified above</i>) (43)
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2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (*check all that apply*): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
4. Number of causes of action (*specify*):
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (*You may use form CM-015.*)

Date: _____

(TYPE OR PRINT NAME)
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on **all** other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
 - Asbestos Property Damage
 - Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
 - Medical Malpractice—Physicians & Surgeons
 - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
 - Premises Liability (e.g., slip and fall)
 - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
 - Intentional Infliction of Emotional Distress
 - Negligent Infliction of Emotional Distress
 - Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
 - Legal Malpractice
 - Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

Employment

- Wrongful Termination (36)
- Other Employment (15)

Contract

- Breach of Contract/Warranty (06)
 - Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
- Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
 - Collection Case—Seller Plaintiff
 - Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
 - Auto Subrogation
 - Other Coverage
- Other Contract (37)
 - Contractual Fraud
 - Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
 - Writ of Possession of Real Property
 - Mortgage Foreclosure
 - Quiet Title
 - Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
 - Writ—Administrative Mandamus
 - Writ—Mandamus on Limited Court Case Matter
 - Writ—Other Limited Court Case Review
- Other Judicial Review (39)
 - Review of Health Officer Order
 - Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
 - Abstract of Judgment (Out of County)
 - Confession of Judgment (*non-domestic relations*)
 - Sister State Judgment
 - Administrative Agency Award (*not unpaid taxes*)
 - Petition/Certification of Entry of Judgment on Unpaid Taxes
 - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint (*not specified above*) (42)
 - Declaratory Relief Only
 - Injunctive Relief Only (*non-harassment*)
 - Mechanics Lien
 - Other Commercial Complaint Case (*non-tort/non-complex*)
 - Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
 - Civil Harassment
 - Workplace Violence
 - Elder/Dependent Adult Abuse
 - Election Contest
 - Petition for Name Change
 - Petition for Relief From Late Claim
 - Other Civil Petition

**SUMMONS
(CITACION JUDICIAL)**

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

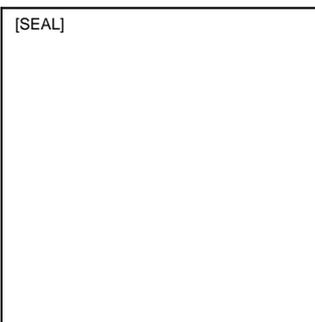
The name and address of the court is:
(El nombre y dirección de la corte es):

CASE NUMBER:
(Número del Caso):

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

DATE: _____ Clerk, by _____, Deputy
(Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.
2. as the person sued under the fictitious name of (specify):
3. on behalf of (specify):
 - under: CCP 416.10 (corporation) CCP 416.60 (minor)
 - CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 - CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 - other (specify):
4. by personal delivery on (date):

1 [YOUR FULL NAME]

2 [YOUR ADDRESS]

3 [CITY, STATE & ZIP CODE]

4 [YOUR TELEPHONE NUMBER]

5 **In Pro Per**

SAMPLE PLEADING For Information Only

Links to Pleading Paper (www.occourts.org):

- Forms & Filing
- Forms
- Locally Approved Forms
- Civil
- L-0930 - "Pleading Paper"

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF ORANGE**

11 [Plaintiff's Name],

12 Plaintiff,

13 v.

14 [Defendant's Name],

15 Defendant.

) Case No.: [YOUR CASE NUMBER]

) **COMPLAINT FOR [ENTER YOUR TITLE HERE]**

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25 Date: [ENTER DATE]

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28 _____
(TYPE OR PRINT NAME)

(SIGNATURE)

COMPLAINT FOR [ENTER YOUR TITLE HERE]

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE**

**ALTERNATIVE DISPUTE RESOLUTION (ADR)
INFORMATION PACKAGE**

NOTICE TO PLAINTIFF(S) AND/OR CROSS-COMPLAINANT(S):

Rule 3.221(c) of the California Rules of Court requires you to serve a copy of the ADR Information Package along with the complaint and/or cross-complaint.

California Rules of Court – Rule 3.221
Information about Alternative Dispute Resolution (ADR)

(a) Each court shall make available to the plaintiff, at the time of filing of the complaint, an ADR Information Package that includes, at a minimum, all of the following:

(1) General information about the potential advantages and disadvantages of ADR and descriptions of the principal ADR processes.

(2) Information about the ADR programs available in that court, including citations to any applicable local court rules and directions for contacting any court staff responsible for providing parties with assistance regarding ADR.

(3) Information about the availability of local dispute resolution programs funded under the Dispute Resolutions Program Act (DRPA), in counties that are participating in the DRPA. This information may take the form of a list of the applicable programs or directions for contacting the county's DRPA coordinator.

(4) An ADR stipulation form that parties may use to stipulate to the use of an ADR process.

(b) A court may make the ADR Information Package available on its Web site as long as paper copies are also made available in the clerk's office.

(c) The plaintiff must serve a copy of the ADR Information Package on each defendant along with the complaint. Cross-complainants must serve a copy of the ADR Information Package on any new parties to the action along with the cross-complaint.

SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE

ADR Information

Introduction.

Most civil disputes are resolved without filing a lawsuit, and most civil lawsuits are resolved without a trial. The courts and others offer a variety of Alternative Dispute Resolution (ADR) processes to help people resolve disputes without a trial. ADR is usually less formal, less expensive, and less time-consuming than a trial. ADR can also give people more opportunity to determine when and how their dispute will be resolved.

BENEFITS OF ADR.

Using ADR may have a variety of benefits, depending on the type of ADR process used and the circumstances of the particular case. Some potential benefits of ADR are summarized below.

Save Time. A dispute often can be settled or decided much sooner with ADR; often in a matter of months, even weeks, while bringing a lawsuit to trial can take a year or more.

Save Money. When cases are resolved earlier through ADR, the parties may save some of the money they would have spent on attorney fees, court costs, experts' fees, and other litigation expenses.

Increase Control Over the Process and the Outcome. In ADR, parties typically play a greater role in shaping both the process and its outcome. In most ADR processes, parties have more opportunity to tell their side of the story than they do at trial. Some ADR processes, such as mediation, allow the parties to fashion creative resolutions that are not available in a trial. Other ADR processes, such as arbitration, allow the parties to choose an expert in a particular field to decide the dispute.

Preserve Relationships. ADR can be a less adversarial and hostile way to resolve a dispute. For example, an experienced mediator can help the parties effectively communicate their needs and point of view to the other side. This can be an important advantage where the parties have a relationship to preserve.

Increase Satisfaction. In a trial, there is typically a winner and a loser. The loser is not likely to be happy, and even the winner may not be completely satisfied with the outcome. ADR can help the parties find win-win solutions and achieve their real goals. This, along with all of ADR's other potential advantages, may increase the parties' overall satisfaction with both the dispute resolution process and the outcome.

Improve Attorney-Client Relationships. Attorneys may also benefit from ADR by being seen as problem-solvers rather than combatants. Quick, cost-effective, and satisfying resolutions are likely to produce happier clients and thus generate repeat business from clients and referrals of their friends and associates.

DISADVANTAGES OF ADR.

ADR may not be suitable for every dispute.

Loss of protections. If ADR is binding, the parties normally give up most court protections, including a decision by a judge or jury under formal rules of evidence and procedure, and review for legal error by an appellate court.

Less discovery. There generally is less opportunity to find out about the other side's case with ADR than with litigation. ADR may not be effective if it takes place before the parties have sufficient information to resolve the dispute.

Additional costs. The neutral may charge a fee for his or her services. If a dispute is not resolved through ADR, the parties may have to put time and money into both ADR and a lawsuit.

Effect of delays if the dispute is not resolved. Lawsuits must be brought within specified periods of time, known as statutes of limitation. Parties must be careful not to let a statute of limitations run out while a dispute is in an ADR process.

TYPES OF ADR IN CIVIL CASES.

The most commonly used ADR processes are arbitration, mediation, neutral evaluation and settlement conferences.

Arbitration. In arbitration, a neutral person called an "arbitrator" hears arguments and evidence from each side and then decides the outcome of the dispute. Arbitration is less formal than a trial, and the rules of evidence are often relaxed. Arbitration may be either "binding" or "nonbinding." *Binding arbitration* means that the parties waive their right to a trial and agree to accept the arbitrator's decision as final. Generally, there is no right to appeal an arbitrator's decision. *Nonbinding* arbitration means that the parties are free to request a trial if they do not accept the arbitrator's decision.

Cases for Which Arbitration May Be Appropriate. Arbitration is best for cases where the parties want another person to decide the outcome of their dispute for them but would like to avoid the formality, time, and expense of a trial. It may also be appropriate for complex matters where the parties want a decision-maker who has training or experience in the subject matter of the dispute.

Cases for Which Arbitration May Not Be Appropriate. If parties want to retain control over how their dispute is resolved, arbitration, particularly binding arbitration, is not appropriate. In binding arbitration, the parties generally cannot appeal the arbitrator's award, even if it is not supported by the evidence or the law. Even in nonbinding arbitration, if a party requests a trial and does not receive a more favorable result at trial than in arbitration, there may be penalties.

Mediation. In mediation, an impartial person called a "mediator" helps the parties try to reach a mutually acceptable resolution of the dispute. The mediator does not decide the dispute but helps the parties communicate so they can try to settle the dispute themselves. Mediation leaves control of the outcome with the parties.

Cases for Which Mediation May Be Appropriate. Mediation may be particularly useful when parties have a relationship they want to preserve. So when family members, neighbors, or business partners have a dispute, mediation may be the ADR process to use. Mediation is also effective when emotions are getting in the way of resolution. An effective mediator can hear the parties out and help them communicate with each other in an effective and nondestructive manner.

Cases for Which Mediation May Not Be Appropriate. Mediation may not be effective if one of the parties is unwilling to cooperate or compromise. Mediation also may not be effective if one of the parties has a significant advantage in power over the other. Therefore, it may not be a good choice if the parties have a history of abuse or victimization.

Neutral Evaluation. In neutral evaluation, each party gets a chance to present the case to a neutral person called an "evaluator." The evaluator then gives an opinion on the strengths and weaknesses of each party's evidence and arguments and about how the dispute could be resolved. The evaluator is

often an expert in the subject matter of the dispute. Although the evaluator's opinion is not binding, the parties typically use it as a basis for trying to negotiate a resolution of the dispute.

Cases for Which Neutral Evaluation May Be Appropriate. Neutral evaluation may be most appropriate in cases in which there are technical issues that require special expertise to resolve or the only significant issue in the case is the amount of damages.

Cases for Which Neutral Evaluation May Not Be Appropriate. Neutral evaluation may not be appropriate when there are significant personal or emotional barriers to resolving the dispute.

Settlement Conferences. Settlement conferences may be either mandatory or voluntary. In both types of settlement conferences, the parties and their attorneys meet with a judge or a neutral person called a "settlement officer" to discuss possible settlement of their dispute. The judge or settlement officer does not make a decision in the case but assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. Settlement conferences are appropriate in any case where settlement is an option. Mandatory settlement conferences are often held close to the date a case is set for trial.

ADDITIONAL INFORMATION.

In addition to mediation, arbitration, neutral evaluation, and settlement conferences, there are other types of ADR, including conciliation, fact finding, mini-trials, and summary jury trials. Sometimes parties will try a combination of ADR types. The important thing is to try to find the type or types of ADR that are most likely to resolve your dispute.

To locate a dispute resolution program or neutral in your community:

- Contact the California Department of Consumer Affairs, Consumer Information Center, toll free, 1-800-852-5210
- Contact the Orange County Bar Association at (949) 440-6700
- Look in the telephone directories under "Arbitrators" or "Mediators"

Free mediation services are provided under the Orange County Dispute Resolution Program Act (DRPA) For information regarding DRPA, contact:

- Community Service Programs, Inc. (949) 250-4058
- Orange County Human Relations (714) 480-6572

For information on the Superior Court of California, County of Orange court ordered arbitration program, refer to Local Rule 360.

The Orange County Superior Court offers programs for Civil Mediation and Early Neutral Evaluation (ENE). For the Civil Mediation program, mediators on the Court's panel have agreed to accept a fee of \$300 for up to the first two hours of a mediation session. For the ENE program, members of the Court's panel have agreed to accept a fee of \$300 for up to three hours of an ENE session. Additional information on the Orange County Superior Court Civil Mediation and Early Neutral Evaluation (ENE) programs is available on the Court's website at www.occourts.org.

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name & Address</i>): Telephone No.: _____ Fax No. (Optional): _____ E-Mail Address (Optional): _____ ATTORNEY FOR (<i>Name</i>): _____ Bar No: _____	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE JUSTICE CENTER: <input type="checkbox"/> Central - 700 Civic Center Dr. West, Santa Ana, CA 92701-4045 <input type="checkbox"/> Civil Complex Center - 751 W. Santa Ana Blvd., Santa Ana, CA 92701-4512 <input type="checkbox"/> Harbor – Newport Beach Facility – 4601 Jamboree Rd., Newport Beach, CA 92660-2595 <input type="checkbox"/> North – 1275 N. Berkeley Ave., P.O. Box 5000, Fullerton, CA 92838-0500	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
ALTERNATIVE DISPUTE RESOLUTION (ADR) STIPULATION	CASE NUMBER: _____

Plaintiff(s)/Petitioner(s), _____

and defendant(s)/respondent(s), _____

agree to the following dispute resolution process:

- Mediation
- Arbitration (must specify code)
 - Under section 1141.11 of the Code of Civil Procedure
 - Under section 1280 of the Code of Civil Procedure
- Neutral Case Evaluation

The ADR process must be completed no later than 90 days after the date of this Stipulation or the date the case was referred, whichever is sooner.

- I have an *Order on Court Fee Waiver* (FW-003) on file, and the selected ADR Neutral(s) are eligible to provide pro bono services.
- The ADR Neutral Selection and Party List is attached to this Stipulation.

We understand that there may be a charge for services provided by neutrals. We understand that participating in an ADR process does not extend the time periods specified in California Rules of Court rule 3.720 et seq.

Date: _____ (SIGNATURE OF PLAINTIFF OR ATTORNEY) _____ (SIGNATURE OF PLAINTIFF OR ATTORNEY)

Date: _____ (SIGNATURE OF DEFENDANT OR ATTORNEY) _____ (SIGNATURE OF DEFENDANT OR ATTORNEY)

ALTERNATIVE DISPUTE RESOLUTION (ADR) STIPULATION

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 Civic Center Drive West MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: CENTRAL JUSTICE CENTER	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. summons
 - b. complaint
 - c. Alternative Dispute Resolution (ADR) package
 - d. Civil Case Cover Sheet *(served in complex cases only)*
 - e. cross-complaint
 - f. other *(specify documents):*
3. a. Party served *(specify name of party as shown on documents served):*

 b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) *(specify name and relationship to the party named in item 3a):*
4. Address where the party was served:
5. I served the party *(check proper box)*
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on *(date):* _____ (2) at *(time):* _____
 - b. **by substituted service.** On *(date):* _____ at *(time):* _____ I left the documents listed in item 2 with or in the presence of *(name and title or relationship to person indicated in item 3):*
 - (1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on *(date):* _____ from *(city):* _____ or a declaration of mailing is attached.
 - (5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: <hr style="border: none; border-top: 1px solid black; margin: 5px 0;"/> DEFENDANT/RESPONDENT:	CASE NUMBER:
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5. c. **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on *(date)*: _____ (2) from *(city)*: _____
- (3) with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgment of Receipt.*) (Code Civ. Proc., § 415.30.)
- (4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. **by other means** (*specify means of service and authorizing code section*):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. as an individual defendant.
- b. as the person sued under the fictitious name of (*specify*):
- c. as occupant.
- d. On behalf of (*specify*):

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. **Person who served papers**

- a. Name:
- b. Address:
- c. Telephone number:
- d. **The fee** for service was: \$
- e. I am:

- (1) not a registered California process server.
- (2) exempt from registration under Business and Professions Code section 22350(b).
- (3) a registered California process server:
- (i) owner employee independent contractor.
- (ii) Registration No.:
- (iii) County:

8. **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date:

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)	▶	(SIGNATURE)
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SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE LEGAL RESOURCES INFORMATION SHEET

You may use the following resources for legal assistance:

ASIAN AMERICANS ADVANCING JUSTICE

(213) 977-7500

www.apalc.org

BOOKSTORES

Look in the legal section for self-help publications.

CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS CONSUMER INFORMATION CENTER

(800) 952-5210

www.dca.ca.gov

CHILD SUPPORT SERVICES

- Public Service Center
1055 Main Street, 1st floor
Santa Ana, CA 92701
(866) 901-3212 (866) 399-4096
TDD (714) 347-4815
Ombudsman Team (714) 347-4818
E-mail: childsupport@css.ocgov.com
Website: www.css.ocgov.com

DOMESTIC VIOLENCE ASSISTANCE PROGRAM

Superior Court of California
Lamoreaux Justice Center
341 The City Drive, 7th Floor, Room 705
Orange, CA 92868
(714) 935-7956

FAIR HOUSING COUNCIL OF ORANGE COUNTY

(714) 569-0823 or (800) 698-FAIR

www.fairhousingoc.org

FAMILY LAW FACILITATOR

Lamoreaux Justice Center
341 The City Drive, 1st Fl., Rm. 101
Orange, CA 92868

Court attorneys assist self-represented family law litigants with child support issues.

Local: (657) 622-5076

Out-of-State: (657) 622-5077

JUDICIAL COUNCIL

California Courts Self-Help Center:

<http://www.courts.ca.gov/selfhelp.htm>

Self-Help Center in Spanish, Centro de Ayuda

<http://www.courts.ca.gov/selfhelp.htm?rdeLocaleAttr=es>

Judicial Council forms:

<http://www.courts.ca.gov/forms.htm>

LAW LIBRARY

Orange County Public Law Library
515 N. Flower, Santa Ana, CA 92703
(714) 834-3397

www.oc.ca.gov/lawlib

LEGAL AID SOCIETY OF ORANGE COUNTY

2101 N. Tustin Avenue, Santa Ana, CA 92705

(800) 834-5001

(714) 571-5200

www.legal-aid.com

LEGAL INFORMATION WEBSITE

www.lawhelpcalifornia.org

ORANGE COUNTY BAR ASSOCIATION

P.O. Box 6130, Newport Beach, CA 92658

(949) 440-6700

www.ocbar.org

Lawyer Referral Service - (949) 440-6747

ORANGE COUNTY DISTRICT ATTORNEY

Bad Check Restitution Program

(949) 369-6120

PUBLIC LAW CENTER

601 Civic Center Dr. West, Santa Ana, CA 92701

(714) 541-1010

Referrals available only through
the Legal Aid Society of Orange County.

SMALL CLAIMS ADVISORY PROGRAM

of the Legal Aid Society of Orange County

(714) 571-5277 or (800) 963-7717

www.ocsmallclaims.com

STATE BAR OF CALIFORNIA

(800) 843-9053; www.calbar.org

SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE

Court Self-Help Centers are located at:

- Central Justice Center
700 Civic Center Drive West, 1st Fl., Rm. G-100
Santa Ana, CA
(657) 622-7577
- Lamoreaux Justice Center
341 The City Drive, 1st Floor, Orange, CA
(657) 622-5079
- Harbor Justice Center - Newport Beach
4601 Jamboree Rd., Newport Beach, CA
(657) 622-5756
- North Justice Center
1275 N. Berkeley Ave., Rm. 360, Fullerton, CA
(657) 622-6623

For local forms and other information:

www.occourts.org