

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN

For Court Use Only

Case Name:

Petitioner:

Respondent:

Case Number:

STIPULATION AND ORDER FOR APPOINTMENT OF PRIVATELY COMPENSATED TEMPORARY JUDGE

IT IS HEREBY STIPULATED by the parties in the above-entitled matter that the following attorney may be appointed as a Privately Compensated Temporary Judge (“Temporary Judge”). This appointment shall be made pursuant to the California Constitution, Article VI, section 21, California Rules of Court (hereafter “CRC”) Rule 2.830 through 2.835 and Kern County Superior Court Rule (hereafter “Local Rule”) 1.5.

Name: _____,
State Bar No.: _____,
Office address: _____,
Telephone number: _____,
Fax number: _____,
Email address: _____,

The Temporary Judge is authorized to hear and determine the following issues or matters:

All matters until the final determination of the case subject to the deadline stated below.

The following matters only subject to the deadline stated below:

The name(s), telephone number and mailing address of the person(s) who may be contacted to obtain information about the date, time, location and general nature of all hearings and other proceedings scheduled in the matter that would be open to the public if held before a judge (*this information is mandatory; CRC 2.834(b)(1)*):

NAME(S) _____
TELEPHONE NUMBER _____

MAILING ADDRESS

The address of a publicly accessible website at which the Temporary Judge will maintain a current calendar setting for the date, time, location and general nature of any hearings scheduled in the matter that would be open to the public if held before a judge (*this information is not mandatory; CRC 2.834(b)(2)*):

The Temporary Judge’s authority shall terminate on _____ unless the Court, prior to the date of such termination, extends that date by court order.

Other terms and conditions relative to the appointment of the Temporary Judge:

Note: A Temporary Judge selected by the parties may not be compensated by the parties unless the parties agree in writing on a rate of compensation that they will pay (CRC 2.832).

The parties hereby approve the terms of this stipulation and request the Court to appoint the Temporary Judge.

Date: _____
_____ Petitioner

Date: _____
_____ Respondent

Counsel for the parties or who otherwise has appeared in the case join in the request for the appointment of the Temporary Judge.

Date: _____
_____ Counsel for the Petitioner

Date: _____
_____ Counsel for the Respondent

Date: _____
_____ Other Counsel [specify]

APPROVAL AND ORDER

The Court has reviewed the Consent, Certification and the Oath of Office taken and subscribed by the proposed Privately Compensated Temporary Judge, **which is attached hereto as Exhibit 1.**

Based upon this stipulation and good cause appearing therefor, _____, is hereby appointed as a Privately Compensated Temporary Judge.

This appointment shall remain in effect until _____, unless extended by further order of this court or unless earlier revoked by further order of this Court.

The Temporary Judge shall **attach hereto as Exhibit 2** a “Statement of Public Access” that complies with the requirements of CRC 2.834(b) and Local Rule 1.5. The Temporary Judge shall also email a copy of Exhibit 2 to WMAdmin@kern.courts.ca.gov pursuant to Local Rule 1.5.

The Clerk is directed to post the information on the Statement of Public Access as required by CRC 2.834(b)(3).

The parties and the Temporary Judge are reminded that they must comply with all rules of court, including but not limited to:

- All proceedings before the Temporary Judge shall be open to the public, with no restriction on attendance that would not be applicable if the proceedings were held in a courthouse. Local Rule 1.5(e).
- All original papers shall be filed with the Court within the same time and in the same manner as would be required if the case were being tried by the Court.
- All exhibits shall be made available for public inspection as they would be if the case were being tried by the court. Following final determination of the cause by the Temporary Judge, all exhibits shall be delivered to the clerk’s office properly marked and with the proper exhibit receipt form completed, unless a written stipulation for the return or disposal of the exhibits has been approved by the Temporary Judge and filed.

Neither the parties nor the Temporary Judge may adopt or use any procedure or policy which has a purpose or effect of circumventing the applicable California Rules of Court or Local Rules.

Any exhibits marked or admitted in any evidentiary proceeding shall be released to the attorneys and the attorneys shall maintain them throughout the period of any possible appeal and no less than for two years after the conclusion of the trial or hearing.

Date: _____

Supervising Judge

EXHIBIT 1 TO STIPULATION AND ORDER FOR
APPOINTMENT OF PRIVATELY COMPENSATED TEMPORARY JUDGE

CONSENT

I, _____, an attorney and active member of the State Bar of California, hereby consent to act as Privately Compensated Temporary Judge.

CERTIFICATION

I certify that I am aware of and will comply with the applicable provisions of Canon 6 of the Code of Judicial Ethics and all applicable rules of court.

OATH

I do solemnly swear that I will support and defend the Constitution of the United States of America and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear full faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

I declare under penalty of perjury that the foregoing is true and correct and that I executed this document on the date stated below at _____.

Date: _____

Signature

EXHIBIT 2 TO STIPULATION AND ORDER TO
APPOINT PRIVATELY COMPENSATED TEMPORARY JUDGE

STATEMENT OF PUBLIC ACCESS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN	<i>For Court Use Only</i>
Case Name: Petitioner: Respondent:	Case Number:
STIPULATION AND ORDER FOR APPOINTMENT OF PRIVATELY COMPENSATED TEMPORARY JUDGE	

Pursuant to California Rule of Court 2.834(b) and Kern County Superior Court Rule 1.5, the Privately Compensated Temporary Judge states:

The name(s), telephone number and mailing address of the person(s) who may be contacted to obtain information about the date, time, location and general nature of all hearings and other proceedings scheduled in the matter that would be open to the public if held before a judge:

NAME(S)	
TELEPHONE NUMBER	
MAILING ADDRESS	
WEBSITE (if available)	