SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO
SITTING AS THE JUVENILE COURT

JUVENILE DEPENDENCY
SETTLEMENT CONFERENCE PROGRAM
PROCEDURE

Adopted: August 1, 2017
Amended: March 13, 2018

JUVENILE DEPENDENCY SETTLEMENT CONFERENCE PROGRAM PROCEDURES

The Juvenile Dependency Court is instituting a Juvenile Dependency Settlement Conference (JDSC) Program beginning August 1, 2017. The JDSC Program will be piloted from August 1, 2017 to January 31, 2018. During the pilot period, the program will be assessed to determine if it is successful in facilitating the resolution of complex and/or stagnant cases. Following the pilot period, the JDSC Program will continue pending a determination to implement, revise or discontinue the program.

Effective March 13, 2018, the JDSC Program was formally adopted thereby terminating the temporary nature of the program.

The following outlines the parameters of the JDSC Program, along with parties' roles and responsibilities:

Participation in the JDSC is voluntary and therefore the agreement of all counsel of record and the trial court judicial officer is required. While requests for participation may be made by counsel, the judicial officer makes the *final* determination as to whether a case is appropriate for settlement conference.

In choosing cases set for a JDSC, judicial officers should give primary consideration to cases which most adversely impact day-to-day calendars. The guidelines to assist the trial court in assessing which cases should be set for JDSC may include, but are not limited to:

1. Any case set for more than two (2) afternoons;
2. Any case with private counsel and/or where it appears counsel may be unfamiliar with dependency matters;
3. Welfare and Institutions Code section 300 (d), (e) or (f) cases;
4. High-conflict cases, including family law cross-over cases;
5. Cases that may have shorter time estimates but for whatever reason more than five (5) months have passed and the jurisdiction/disposition hearings have not occurred;
6. Upon request of counsel; or
7. Cases involving complicated legal and/or factual issues.

If agreement by all parties and final approval is given by the judicial officer that a case is appropriate for settlement conference, then a JDSC will be set, and the court will also set a trial date. The JDSC date shall be in lieu of a pre-trial conference date. In setting the JDSC, the trial court judicial officer shall inquire of counsel the basis for the time estimate to ensure it is realistic.

A request for participation in a settlement conference for a matter currently calendared for trial may be submitted in between hearings by way of a stipulation signed by all parties. The parties shall contact the department in which the matter is pending to coordinate an appropriate date for the settlement conference. The signed stipulation shall be submitted to the clerk of the department in which the matter is pending for final approval by the judicial officer.

JDSCs will generally be held Monday afternoons, with the exception of weeks in which there is a Monday holiday. The JDSC calendar shall have no more than two (2) cases set per day. Judicial officers will rotate to cover the JDSC calendar each week.

Upon the setting of a JDSC, each counsel will be ordered to complete a short Juvenile Dependency Settlement Conference (JDSC) Statement (local form JC-E-348) (see attached). A fillable version of this form will be made available to parties on the Court's website.

Counsel shall submit an original and one (1) copy of the form JC-E-348 to the assigned settlement conference department no later than the close of business on the third (3rd) business day prior to the scheduled JDSC date. In addition, counsel must serve a copy of the form JC-E-348 to the opposing counsel via email within the same timeframe. The original form JC-E-348 will be received, but not filed by the clerk of the court, and placed in a sealed envelope marked **"JDSC STATEMENT – CONFIDENTIAL, FOR SETTLEMENT JUDICIAL OFFICER ONLY**." The form JC-E-348 shall not be reviewed by the trial court judicial officer. The copy of form JC-E-348 will be received and returned to counsel.

In setting a matter for JDSC, the court will order that discovery and informal exchange of documents occur before the form JC-E-348 is due. If for some reason discovery or the exchange of necessary information has not been accomplished by the due date, counsel shall identify on the form JC-E-348 the outstanding materials and expected receipt or exchange date under Item #6.

The trial court judicial officer will order the following to be present at all JDSCs:

- Parent(s) and if appropriate, the Sheriff's Department will be ordered to transport any parent in their custody to the settlement conference;
- Necessary interpreters;
- Trial counsel assigned to the case; and
- The Department of Health and Human Services shall have the person with settlement authority available at the settlement conference or readily available by telephone.

In setting a JDSC where there is private counsel, the court shall provide them a copy of the Juvenile Dependency Settlement Conference Program Procedure and a copy of the form JC-E-348.

Prior to the JDSC, the court expects each counsel to have consulted with their respective clients and be prepared to discuss all aspects of the case at the JDSC date. Counsel attending the settlement conference on behalf of their client must have settlement authority.

If during the JDSC a settlement is reached on either jurisdiction and/or disposition, the settlement conference judicial officer will make the appropriate findings and orders on the record.

If the matter is not fully resolved, preliminary issues may be resolved at the JDSC by stipulation. For example, there may be stipulations regarding reports coming in without examination, witness evidence by offers of proof and issues related to services. The settlement conference judicial officer will put all stipulations and agreements on the record and/or will prepare a stipulation for the trial court judicial officer signed by counsel for all parties.

Note: These procedures are mandatory and failure to comply with the JDSC Program requirements may result in sanctions, including monetary and/or evidence sanctions.