



SUPERIOR COURT OF CALIFORNIA COUNTY OF KERN

JUDGES

Kenneth C. Twisselman II
John D. Oglesby
John R. Brownlee
Judith K. Dulcich
Raymonda Burnham Marquez
J. Eric Bradshaw
Charles R. Brehmer
Bryan K. Stainfield
Susan M. Gill
Jose R. Benavides
John W. Lua
Thomas S. Clark
Brian M. McNamara
David R. Zulfa
Marcos R. Camacho
David Wolf
Kenneth R. Green Jr.
Tiffany Organ-Bowles
Gloria J. Cannon
Gregory A. Pulskamp
Chad A. Louie
Jason W. Webster
Bernard C. Barmann, Jr.
Wendy Avila
Lisa Pacione
Elizabet Rodriguez
Andrew B. Kendall
Christie Canales Norris
Michael A. Caves
T. Mark Smith
Dawn Bittleston
Stephanie R. Childers
Marcus Cuper
Tanya R. Richard
Bradley King
Donald B. Griffith
Keenan Perkins
Cole McKnight
William J. Schlaerth

COURT COMMISSIONERS

Gina M. Cervantes
Murray Robertson
Brett V. Myers
Sally Ackerknecht
Kevin Moran
James Green
Samantha K. G. Allen

COURT EXECUTIVE OFFICER CLERK OF THE COURT

Tara Leal

Superior Court of California
County of Kern
1415 Truxtun Avenue
Bakersfield, CA 93301
(661) 610-6000

September 11, 2025

The proposed adoption and/or amendments to the Superior Court of California, County of Kern, Local Rules of Court, and Local Forms, for January 1, 2026, have been posted for comment at www.kern.courts.ca.gov. A hard copy of the proposal is available on request.

1. Chapter I. General Rules
2. Chapter III. Civil Rules and Civil Case Management
3. Chapter V. Criminal Rules
4. Chapter VI. Family Law Rules
5. Chapter VIII. Probate Matters

Public comments can be sent by email to WMadmin@kern.courts.ca.gov or mail to the following address:

Tara Leal
Court Executive Officer
Superior Court of California, County of Kern
1415 Truxtun Avenue
Bakersfield, CA 93301

All comments must be received by 5:00 p.m. on Tuesday, October 28, 2025.

Respectfully,

Tara Leal
Court Executive Officer
Superior Court of California, County of Kern

Enclosure: Proposed Adoption and/or Amendments to Local Rules of Court

**PROPOSED ADOPTION AND/OR AMENDMENTS TO
LOCAL RULES OF COURT**
(Pursuant to CRC, Rule 10.613, 10.620)
(Effective 1/1/26)

Number 1: Draft of Proposed Amendment – Under General Rules

Rule 1.7.5 Metropolitan Division Venues (Effective 7/1/08; rev. 1/1/11; rev. 7/1/11; rev. 1/1/13; rev. 7/1/15; rev. 1/1/17; rev. 1/1/18; rev. 7/1/18; rev. 1/1/20; rev. 7/1/22; rev. 1/1/23; rev. 1/1/24; rev. 7/1/24; rev. 1/1/25; rev. 7/1/25; **rev. 1/1/26**)

...

- (d) Venue for Criminal Cases. (Effective 7/1/08; rev. 1/1/11; rev. 7/1/11; rev. 1/1/13; rev. 1/1/20; rev. 1/1/23; rev. 1/1/25; **rev. 1/1/26**)
1. Generally unless otherwise set forth in these rules, the People must file misdemeanor criminal ~~eases~~ **complaints** in the Division in which the crime is alleged to have occurred in accordance with the zip codes as set forth in Appendix A. (Effective 7/1/08; rev. 1/1/11; rev. 1/1/25; **rev. 1/1/26**)
 2. Generally unless otherwise set forth in these rules, the People must file felony criminal complaints **and informations** in the division in which the crime is alleged to have occurred in accordance with the zip codes as set forth in Appendix A. (Effective 7/1/08; rev. 1/1/11; **rev. 1/1/26**)
 3. The People may file felony criminal complaints and **informations** charging violations of Penal Code section 187 and 191.5 in the Metropolitan Division, Felony Department. (Effective 1/1/11; rev. 7/1/11; **rev. 1/1/26**)
 4. *The People may file felony criminal informations charging violations of Penal Code §§ 220, 261, 262, 264, 266, 286-289 in the Metropolitan Division, Felony Department, even if the felony complaint originated in another Division. (Effective 1/1/26)*
 5. The People must file felony ~~eases~~ **complaints and informations** involving four or more defendants in the Metropolitan Division, Felony Department. (Effective 1/1/23; **rev. and renum. 1/1/26**)
 6. The People must file criminal ~~eases~~ **complaints and informations** involving incidents that occur in the Lerdo Pre-Trial Facility in the Shafter multi-divisional courthouse. (Effective 1/1/25; **rev. and renum. 1/1/26**)
 7. All predisposition and post disposition filings submitted in ~~Bakersfield~~ cases with a felony prefix (i.e. BF, DF, SF, **LF, MF, RF etc.**), whereby the felony charges have been reduced to misdemeanor **charges**, are to be noticed and heard in the **corresponding court's Metropolitan Division, Misdemeanor Department or Calendar**. (Effective 1/1/20; renum. 1/1/23; renum. 1/1/25; **rev. and renum. 1/1/26**)
 8. Generally unless otherwise set forth in these rules, the Probation Department must file Post Release Supervision Violations with the Metropolitan Division, Felony Department. (Effective 1/1/13; renum. 1/1/20; renum. 1/1/23; renum. 1/1/25; **rev. and renum. 1/1/26**)
 9. A party may file a motion with the Division where the complaint or information was originally filed, requesting a transfer of the case to the Metropolitan Division. The Court may grant this request if it finds good cause. (Effective 1/1/25; **renum. 1/1/26**)

Number 2: Draft of Proposed Amendment – Under General Rules

Rule 1.24 Newspapers of General Circulation (Effective 1/1/26)

Any newspaper that receives a judgment declaring it a newspaper of general circulation pursuant to Government Code §6000 et seq. must e-mail a copy of the Judgment and/or any modification(s) to the Superior Court Administration at WMAdmin@kern.courts.ca.gov. The information will then be added to the list of adjudicated newspapers of general circulation maintained on the Superior Court's public website.

Number 3: Draft of Proposed Amendment – Under Chapter III., Civil Rules

(renumber 3.15.16 (Eminent Domain Deposits) to 3.16 and renumber 3.15.15 (Failure to Comply with Rules) as 3.18 – these sections are currently subdivisions of 3.15 for Unlawful Detainer and need their own numbers)

Rule 3.17 Vehicle Code section 14602.7 Hearings (Effective 1/1/26)

- (a) A request for a poststorage hearing pursuant to Vehicle Code section 14602.7 by an owner or owner's agent to determine the validity of vehicle storage must be made within 10 days of the date of the impounding agency's notice of the impoundment.*
- (b) The request for a poststorage hearing must be made using Request for Poststorage Hearing to Determine Validity of Storage (local mandatory form KRN SUP CRT CIV-2511). A copy of the Notice from the person or agency executing the warrant or court order must be attached to the request. The request for a poststorage hearing must be filed in the Civil Division located at 1215 Truxtun Ave., Bakersfield, CA 93301.*
- (c) Upon timely receipt of the completed request for a poststorage hearing, the court will complete a Notice of Poststorage Hearing with a hearing date, time and location, and provide a copy of said Notice to the requesting party. The hearing shall be within two court days after receipt of the request.*
- (d) The requesting party must serve the person or agency who executed the warrant with a copy of the Notice of Poststorage Hearing, and must file a proof of service of the Notice before or on the date of the hearing.*
- (e) The parties may appear remotely at the discretion of the judicial officer notwithstanding Local Rule 3.2.1.*

Number 4: Draft of Proposed Amendment – Under Chapter V., Criminal Rules

Rule 5.1.3 Misdemeanor Arraignments (Effective 1/1/26)

- (a) Misdemeanor arraignment calendar sessions are to be open to all members of the public until the calendar session ends, even if the presiding judicial officer does not take the bench immediately. The session includes, but is not limited to, advisal of rights videos, conferences with attorneys, signing of paperwork and any other work necessary to complete the arraignment process while defendants are present. If, for health and/or safety reasons, or any other reason, this Rule cannot be followed on a particular day or session, the presiding judicial officer may enter the reasons into the record and consider alternative means of allowing access to the courtroom, such as audio stream procedures when available.*
- (b) The presiding judicial officer of a misdemeanor arraignment calendar may make a collective advisal of constitutional and statutory rights to defendants, including the right to counsel. The Court will make available to all misdemeanor arraignment courts a pre-recorded video which may be used for this purpose. The presiding judicial officer of the misdemeanor arraignments should obtain assurance from each individual defendant that the advisal was heard and*

understood. The presiding judicial officer maintains discretion regarding the form and manner of advisal of constitutional and statutory rights.

- (c) Probation Officers appearing in misdemeanor arraignment calendars are not to determine, convey, and/or negotiate plea offers or indicate sentences to defendants charged with misdemeanors. Probation Officers may assist defendants with terms and conditions of probation.*

(renumber current 5.1.3 and 5.1.4)

Number 5: Draft of Proposed Amendment – Under Chapter V., Criminal Rules

Rule ~~5.2.3~~ 4.2.2 Master *Criminal* Calendar (Effective 7/1/03; rev. 7/1/15; *rev. 1/1/26*)

The Master *Criminal* Calendar Judge shall call the Master *Criminal* Trial Calendar in the department designated by the Presiding Judge to hear the Master *Criminal* Trial Calendar daily at the time fixed. Attorneys are required to be ready for trial and present unless excused by the Master Calendar Judge. (Effective 7/1/03; rev. 7/1/15; *rev. 1/1/26*)

- (a) Jury and non-jury cases set for trial shall proceed to trial on the date set, subject to availability of trial departments and divisions.
- (b) Cases for which no trial department or division is available on the day set will be placed on the trailing calendar to proceed to trial on the next available date in order of precedence on the trailing calendar and will take precedence over cases of the same class set for subsequent dates, except as otherwise ordered by the Master *Criminal* Calendar Judge. (Effective 7/1/03; rev. 7/1/15; *rev. 1/1/26*)
- (c) Any case remaining on the trailing calendar for ten court days without being assigned to a department or division for trial shall be reset to a date certain, and will be given precedence on such date, unless otherwise ordered by the Master *Criminal* Calendar Judge. (Effective 7/1/03; rev. 7/1/15; *rev. 1/1/26*)
- (d) Any department unable to proceed with a trial of a case assigned shall promptly notify the Master *Criminal* Calendar Department. (Effective 7/1/03; rev. 7/1/15; *rev. 1/1/26*)
- (e) No motions to continue a trial will be considered once the case is assigned to a trial department or division unless the grounds for the continuance were unknown, and reasonably could not have been known when approved for trial. The motion will be heard at the earliest possible convenience by the Master *Criminal* Calendar Judge only, and if denied, will be reassigned to a trial department or division if available. (Effective 7/1/03; rev. 7/1/15; *rev. 1/1/26*)

Number 6: Draft of Proposed Amendment – Under Chapter VI., Family Law Rules

Rule 6.2 ~~Result of~~ Failure to Comply with Rules (Effective 7/1/03; *rev. 1/1/26*)

Failure of a party or parties to comply with these rules may result in one or more of the following on the request by the other party or on the court's own motion:

- (a) Removal of the matter from the calendar;
- (b) A continuance *of the hearing*; (Effective 7/1/03; *rev. 1/1/26*)
- (c) An award of attorney's fees and costs against the non-complying party, the party's attorney, or both, without the necessity of filing an Income and Expense Declaration, or any noticed motion;

- (d) An order based solely upon the pleadings properly before the court; and
- (e) *An Order to Show Cause why monetary sanctions, issue sanctions, evidence sanctions, or terminating sanctions should not be imposed; (Effective 1/1/26)*
- ~~(e)~~(f) Such other orders as the court deems appropriate. (Effective 7/1/03; **renum. 1/1/26**)

~~Rule 6.16 — Failure to Comply with Rules~~ (Effective 1/1/13)

~~Any failure to comply with these rules may result in the issuance of an order to show cause why sanctions, including monetary sanctions, issue sanctions, evidence sanctions, or terminating sanctions, should not be imposed.~~

(renumber Rules 6.17 – 23)

Number 7: Draft of Proposed Amendment – Under Chapter VI., Family Law Rules

Rule 6.20(f) Petitions for Freedom From Parental Custody and Control (Effective 1/1/26)

Any petition for Freedom from Parental Custody and Control must be accompanied by an Order Granting Petition For Freedom From Parental Custody and Control (local mandatory form KRN SUP CRT FL-2326) when filed.

(renumber current Rule 6.20(f) and (g))

Number 8: Draft of Proposed Amendments – Under Chapter VIII., Probate Matters

Rule 8.10.1 Appointment of General Guardians (Effective 7/1/03; renum. 7/1/18; rev. 1/1/19; rev. 7/1/25; **rev. 1/1/26**)

...

- (c) A proposed Order Appointing Guardian or Extending Guardianship of the Person, Judicial Council Form GC-240, as well as [proposed] Letters of Guardianship, Judicial Council Form GC-250, must be lodged with the Petition. *Attachment 15 to Order Appointing Guardian (local mandatory form KRN SUP CRT PR-2566), must be attached to the proposed Order Appointing Guardian or Extending Guardianship of the Person.* (Effective 7/1/25; **rev. 1/1/26**)

Rule 8.10.2 Appointment of Temporary Guardians (Effective 7/1/18; rev. 1/1/19; rev. 7/1/24; rev. 7/1/25; **rev. 1/1/26**)


...

- (e) A copy of the [proposed] Order Appointing Temporary Guardian, Judicial Council form GC-140, as well as [proposed] Letters of Temporary Guardianship, Judicial Council Form No. GC-150, must be lodged with the petition. *Attachment 8 to An Order Appointing Temporary Guardian (local mandatory form KRN SUP CRT PR-2567), must be attached to the proposed Order Appointing Temporary Guardian.* (Effective 7/1/25; **rev. 1/1/26**)

Number 9: Draft of Proposed Amendments – Under Chapter VIII., Probate Matters

Rule 8.18 Witness Fee (Effective 1/1/24; **rev. 1/1/26**)

The witness fee required for a Family Court Services investigator is set under Government Code section 68097.2 and must be paid in the Probate Department **or Family Law Department** before serving the subpoena. **Proof of payment must be submitted to Family Court Services Department along with the subpoena.** Witness fees will not be required from requesting parties with a valid fee waiver or from court-appointed counsel compensated by the County of Kern.

 <p>SUPERIOR COURT OF CALIFORNIA COUNTY OF KERN BAKERSFIELD COURT 1215 TRUXTUN AVENUE BAKERSFIELD, CA 93301</p>	FOR COURT USE ONLY
REQUESTING PARTY: IMPOUNDING AGENCY:	
REQUEST FOR POSTSTORAGE HEARING To Determine Validity of Storage - <i>California Vehicle Code § 14602.7(c)(2)(D)</i>	CASE NUMBER:

Pursuant to California Vehicle Code section 14602.7(c), the undersigned hereby requests a poststorage hearing within two court days after receipt of this request, to be set before the magistrate who issued the warrant or court order authorizing a peace officer to seize and cause removal of the vehicle described below.

***A COPY OF THE NOTICE RECEIVED FROM THE IMPOUNDING AGENCY
MUST BE ATTACHED***

Description of Vehicle:

Make: _____ Model: _____

Vehicle License Number: _____

Registered / Legal Owner of Vehicle: _____

Impounding Agency: _____

Signature of Registered/Legal Owner:

Owner or Owner's Agent: _____

(Print Name): _____

Date: _____

REQUEST FOR POSTSTORAGE HEARING To Determine

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%;"> FILED SUPERIOR COURT OF CA, COUNTY OF KERN BY _____ DEPUTY </div>
IN THE MATTER OF:	
ATTACHMENT 15 TO ORDER APPOINTING GUARDIAN	CASE NUMBER:

The Court makes the following findings and orders:

☐ The court notes there are no objections.

☐ The court has read and reviewed the petition and the Family Court Services report and adopts its recommendation to waive further investigations.

~~☒ The court finds Indian Child Welfare Act (ICWA) does not apply.~~

There has been an adequate inquiry pursuant to the Indian child Welfare Act, and

☐ There is no reason to know the child is an Indian child.

☐ There is reason to know the child is an Indian child.

☐ There is no reason to believe the child is an Indian child.

☐ There is reason to believe the child is an Indian child, and further inquiry is required in compliance with the Indian Child Welfare Act.

☐ This guardianship shall terminate on the minor's 18th birthday, or by order of the court.

☐ The guardian(s) appointed by this order has/have sole care, custody, and control of the minor or minors named in the order. This order supersedes all prior custody orders issued in any proceedings (except *orders issued by* the juvenile court ~~acting under the Welfare & Institutions code.~~) This proceeding is subordinate to any juvenile court proceeding ~~having jurisdiction.~~

☐ The authority granted to the guardian(s) by this order shall be recognized by all law enforcement agencies. Any person other than the guardian(s) or a duly authorized agency (such as child protective services) who, *contrary to* ~~in derogation of~~ this order, exercises care, custody or control of the minor without consent of the guardian(s) may be guilty of felony kidnapping.

NAME:	CASE NUMBER:
-------	--------------

[] Pursuant to Probate Code Section 2351(a), the court finds that the guardian *is the holder of the education rights of the minor.* ~~has charge of the education of the minor. The guardian determines where the minor attends school.~~ The guardian is *expected* ~~advised~~ to play an active role in the minor's education.

[] The guardian(s) is advised that the custody of the minor may not be changed without further order from this court. Further, any change of residence of the minor requires notice the court and/or an order by the court.

[] No party *shall* ~~is to~~ discuss this case with or in the presence of the minor, nor *shall the parties* allow any third party to do so.

[] Additional Orders made:

Dated:

Judge/Commissioner of the Superior Court

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%;"> FILED SUPERIOR COURT OF CA, COUNTY OF KERN BY _____ DEPUTY </div>
IN THE MATTER OF:	
ATTACHMENT 8 TO ORDER APPOINTING TEMPORARY GUARDIAN	CASE NUMBER:

The Court makes the following findings and orders:

☐ The court notes there are no objections.

☐ The court orders temporary emergency jurisdiction for the safety of the minor(s).

☐ This temporary guardianship shall continue in effect until further order of this court, issuance of general letters, or six (6) months from the date of issuance of letters of temporary guardianship, whichever occurs first.

☐ This guardianship shall terminate on the minor's 18th birthday, or by order of the court.

☐ The temporary guardian(s) appointed by this order has sole care, custody, and control of the minor or minors named in the order. This order supersedes all prior custody orders issued in any proceedings (except *orders made by* the juvenile court ~~acting under the Welfare & Institutions code.~~)

☐ The authority granted to the temporary guardian(s) by this order shall be recognized by all law enforcement agencies. Any person other than the temporary guardian(s) or a duly authorized agency (such as child protective services) who, *contrary to* ~~in derogation of~~ this order, exercises care, custody or control of the minor without consent of the temporary guardian(s) may be guilty of felony kidnapping.

☐ Petitioner shall have a copy of this order and the supporting documents served as soon as reasonably possible.

☐ This proceeding is subordinate to any juvenile court proceeding ~~having jurisdiction.~~

☐ The temporary guardian(s) shall appear at all court hearings scheduled in this matter.

☐ Pursuant to Probate Code Section 2351(a), the court finds that the temporary guardian(s) *is the holder of the education rights of the minor* ~~has charge of the education of the minor. The temporary guardian(s) determine(s) where the minor attends school.~~ The temporary guardian is *expected* ~~advised~~ to play an active role in the minor's education.

NAME:	CASE NUMBER:
-------	--------------

[] No party *shall* ~~is to~~ discuss this case with or in the presence of the minor, nor *shall the parties* allow any third party to do so.

[] Additional Orders made:

Dated:

Judge/Commissioner of the Superior Court