

**Cumulative Changes to Chapters 14 and 15 as Approved by Civil Rules Committee  
(Through August 9, 2018)**

**Local Rule 1400 is amended to read:**

**1400 ACTIONS SUBJECT TO THESE RULES**

All actions, proceedings, or other matters to which the Family Rules (commencing with rule 5.2) of the California Rules of Court apply are governed by the rules set forth in chapter 14 of these local rules.

**Local Rule 1401 is repealed.** Rule number 1401 is reserved for future use.

**Local Rule 1402 is repealed.** Rule number 1402 is reserved for future use.

**Local Rule 1403 is repealed.** Rule number 1403 is reserved for future use.

**Local Rule 1405 is amended to read:**

**1405 EX PARTE (EMERGENCY) POLICIES**

**(a) [Ex Parte Applications Disfavored]** Requests for orders (motions) are ordinarily heard on full notice as provided by law. Ex parte applications and applications on shortened time are disfavored. If a moving party seeks to have the request for order heard on shorter time than full notice, the moving party must comply with CRC 5.92(d) to request an order shortening time and must show good cause why the request for order cannot be heard on full notice. A hearing on shortened time is preferred whenever possible to a hearing as an emergency order. If a moving party seeks to have the request for order heard as an emergency order, the moving party must comply with CRC 5.151 et seq. and show good cause why the application for an emergency order cannot be heard either on full notice or on shortened time.

**(b) [Determination Based on Submission]** Ex parte applications will normally be determined on the papers submitted without oral argument or discussion.

**Local Rule 1406 is amended to read:**

**1406 EX PARTE SCHEDULING**

**(a) [Scheduling Ex Parte Hearing]** Unless subject to an exception in the CRC, in these Local Rules, or by order of the court, all ex parte applications (request for temporary emergency orders) require a hearing. Unless the court grants leave for an earlier hearing upon a showing of good cause, a party must obtain a date and time for hearing an ex parte application by telephonic request to the assistant of the

judicial officer to whom the case has been assigned no later than 10:00 a.m. on the court day before the hearing is set. Telephonic requests may be made to:

**Santa Barbara Civil Departments:**

Department 3 (805) 882-4570  
Department 4 (805) 882-4590  
Department 5 (805) 882-4570  
Department 6 (805) 882-4590

**Santa Maria Civil Departments:**

Department 1 (805) 614-6500  
Department 2 (805) 614-6500  
Department 4 (805) 614-6515

**(b) [Ex Parte Matters Without Hearing]** Where a hearing is not required on an ex parte application, the application is to be filed in the usual manner and the court will grant, modify, or deny the application in chambers without a hearing. If immediate consideration is required, the applicant must make the application as an ex parte application requiring a hearing.

**Local Rule 1407 is amended to read:**

**1407 EX PARTE NOTICE**

**(a) [Notice Requirements]** Notice of an ex parte hearing shall be given as required by CRC 5.151 and 5.165.

**(b) [Exceptions to Notice Requirements]**

(1) If a party requests the court to waive notice pursuant to CRC 5.165(b)(2), the requesting party must comply with that rule and include with the application (on Judicial Council Form FL-303 or by other appropriate document) a declaration as to the facts supporting the requested waiver of notice.

(2) In addition to those matters set forth in CRC 5.170, a hearing is not required and notice need not be given for an application:

(A) For issuance, or reissuance, of a Request for Order or an Order to Show Cause (“OSC”) that does not request relief pending the hearing; or,

(B) For an order pursuant to Local Rule 1507(f) (relating to alternative compliance with, and delay or waiver of, attendance at parental education programs).

**(c) [Contents of Notice]** The contents of notice of an ex parte hearing shall comply with CRC 5.151. Compliance with CRC 5.151(e)(1)(D) (relating to whether the application will be opposed) includes the following:

(i) If the responding party is not represented by counsel, the party providing notice shall affirmatively advise the responding party that he or she has a right to be present at the hearing of the application, to be represented by counsel, and to submit a written response to the application.

(ii) To the extent feasible based upon the urgency of the application and the conditions necessitating that the order be sought on an emergency basis, the party providing notice shall attempt to settle all issues to be raised at the hearing by initiating settlement discussions with the responding party.

**Local Rule 1408 is amended to read:**

**1408 SERVICE & FILING OF EX PARTE PLEADINGS**

Except where notice of the hearing or service of papers is excused (as provided in CRC 5.165, 5.167(a) or Local Rule 1407), all required ex parte moving papers, including a copy of the proposed order, shall be served as provided in CRC 5.167(a) no later than 1:00 p.m. on the court day preceding the scheduled hearing. Absent a waiver by the court, all such papers shall also be filed with the court no later than 1:00 p.m. on the court day preceding the scheduled hearing. Responding papers shall be served as provided in CRC 5.167(a) at or before the time of the hearing. Service shall be by personal service unless the parties have expressly agreed to service by different means, including electronic or fax service. Responding papers, if not filed by 1:00 p.m. on the court day preceding the scheduled hearing, shall be filed by presenting the original documents for filing to the clerk of the department in which the hearing is scheduled.

**Local Rule 1409 is repealed.** Rule number 1409 is reserved for future use.

**Local Rule 1410 is amended to read:**

**1410 PARTICULAR EX PARTE ORDERS**

(a) **[Residence Exclusion Order]** The court will issue an ex parte order excluding a party from a dwelling as provided by Family Code section 6321 only upon an evidentiary showing meeting the requirements of section 6321. The party seeking such an order shall include in the supporting declaration(s) a full description, in detail, of the most recent instance(s) of physical harm, threats, any disposition toward violence, and any abuse of alcohol or drugs, and shall specify the date of each occurrence.

(b) **[Stay Away Order]**

Requests for orders requiring a party to stay away from the other party's residence, place of business, or child's school, shall indicate whether the party to be restrained is residing in the residence or has moved and the date he or she moved, and whether the order requested would be problematic due to the fact that both parties work at the same place or have good cause to go to the child's school.

(c) **[Custody/Visitation Orders]** In addition to those matters set forth in CRC 5.151(d)(5), a party who requests an order to establish or modify custody or visitation shall set forth by declaration the status of any referral to Child Welfare Services or law enforcement.

**Local Rule 1411 is amended to read:**

**1411 REQUESTS FOR ORDER, MOTIONS, & ORDERS TO SHOW CAUSE**

**(a) [Calendaring]** Unless otherwise ordered by the Court, hearings on requests for orders, motions, or orders to show cause are to be set on the family law and motion calendar of the department to which the matter is assigned. Unless the court sets the hearing date, it is the responsibility of the filing party to ensure that the Court is available to hear the matter on the applicable family law and motion calendar and that the matter is timely filed and served with notice of the hearing date and time.

**(b) [Calendaring Where Mediation Required]** If mediation is required prior to the hearing pursuant to Local Rule 1501(b), the hearing should be set at least five (5) court days after the mediation appointment. If a TRO was granted pending a hearing, it is the requesting party's responsibility to ensure that the hearing is calendared to occur, and any required mediation is scheduled to occur, prior to the expiration of the TRO; otherwise, it is the requesting party's responsibility to obtain a timely continuance of the TRO to keep the TRO in force prior to the hearing.

**Local Rule 1412 is amended to read:**

**1412 FILING & SERVICE OF REQUESTS FOR ORDER, MOTIONS, & ORDERS TO SHOW CAUSE**

All moving and response documents for requests for orders, motions, and orders to show cause shall be filed and served as required by CRC 5.92 and 5.94. Responses to responses (replies) shall comply with CRC 5.92 requirements for response documents and shall clearly state to what the document is responding.

**Local Rule 1413 is amended to read:**

**1413 HEARINGS ON REQUESTS FOR ORDER, MOTIONS, & ORDERS TO SHOW CAUSE**

**(a) [Appearance at Hearing]** Subject to CRC 3.1304(c) and unless the court orders otherwise, counsel for each represented party and each self-represented party is expected to appear at the hearing of a request for order, noticed motion, or order to show cause. If a party fails to appear, the court may: (1) rule on the motion as if the party had appeared; (2) continue the hearing; or (3) order the hearing off calendar. A court may not award affirmative relief adverse to an absent party without valid proof of timely service on the absent party.

**(b) [Conduct at Hearing]** All arguments and remarks of counsel and self-represented parties shall be directed to the Court. An opposing party's presentation shall not be interrupted other than with valid objections. Once the Court has rendered its decision, the case shall not be re-argued, but counsel or self-

represented parties may question the Court in order to clarify a ruling or to correct a mistake.

**(c) [Time Limitations]** The family law and motion calendar is designed for hearings estimated to take no longer than fifteen (15) minutes. If it is anticipated that a longer hearing will be required, participants shall so advise the Court at the hearing and request that the matter be set on the Court's short cause calendar.

**(d) [Continuances]** Requests for continuances made at the time of the hearing are highly disfavored. The parties shall immediately advise the Court of any stipulation to continue and shall present a written stipulation (see optional Local Form SC-4032), together with an *Order on Request to Continue Hearing* (form FL-307) with the caption and initial items completed as described on the form, no later than the scheduled start of the hearing. If a stipulated continuance cannot be obtained, the requesting party must promptly request a continuance as provided in CRC 5.94(f).

**(e) [Matters Taken Off-Calendar]** After service of the moving papers, no case shall be taken off-calendar without immediate telephonic or electronic notice to the responding party and to the Court. Once responding papers requesting affirmative relief have been filed, no case shall be taken off-calendar without the consent of the responding party.

**Local Rule 1414 is amended to read:**

**1414 PREPARATION OF ORDERS AFTER HEARING**

Unless otherwise ordered by the Court, the parties shall comply with CRC 5.125 concerning preparation of an order after hearing. Parties comply with the cover letter requirement of Rule 5.125(e)(3)(C) by filing a declaration of counsel or the self-represented party setting forth the items required by that rule.

**Local Rule 1415 is amended to read:**

**1415 COMPUTATION OF TEMPORARY SPOUSAL SUPPORT**

**(a) [Formula]** For purposes of consultation, and without limiting the discretion of the Court, temporary spousal or partner support (also known as "pendente lite support") is generally computed by taking 40% of the net income of the payor, minus 50% of the net income of the payee, adjusted for tax consequences. If there is child support, temporary spousal or partner support is calculated on net income not allocated to child support and/or child-related expenses. The temporary spousal support calculations apply these assumptions. In calculating the parties' incomes and various offsets for purposes of applying this formula, the Court will apply the principles set forth for the computation of child support.

**(b) [Submission of Computation]** In addition to evidence as to all other relevant factors to be presented to the Court for consideration, parties or counsel shall submit with any request for, or request for change to, temporary spousal support a calculation of temporary spousal support in accordance with the formula set forth in Local Rule 1415(a). (For convenience in using software or existing forms,

the formula set forth in Local Rule 1415(a) is identical to the formula set forth in the Santa Clara County Superior Court Local Rules as of January 1, 2018. Reports and forms applying this formula from Santa Clara County Superior Court may be used in filings in this court.)

**Local Rule 1416 is repealed.** Rule number 1416 is reserved for future use.

**Local Rule 1417 is repealed.** Rule number 1417 is reserved for future use.

**Local Rule 1418 is amended to read:**

**1418 FILING & SERVICE OF SUPPORT CALCULATIONS (Note changes to subdivision numbering and lettering)**

**(a) [Declaration re Calculations of Support]**

(1) In all matters where child support or temporary spousal support is at issue, a supporting declaration must be filed and served by each party which shall set forth (i) that party's calculation of child support under the state child-support law; and, (ii) if spousal support is at issue, that party's calculation of temporary spousal support pursuant to Local Rule 1415.

(2) The declaration, when taken together with the Income and Expense Declarations, must contain admissible evidence establishing each fact necessary to the computation of support.

(3) In the absence of a computerized calculation of support, such declarations must also include admissible evidence establishing the applicable tax rates, taxes and tax calculations.

**(b) [Computerized Calculations of Support]** Computerized calculations of support may be attached to the Declaration required under local rule 1418(a) as follows:

(1) The calculations must be based on a computer program currently in effect, including the latest released amendments to that program.

(2) The DissoMaster™ program is utilized by the Court. The Court will take judicial notice of the provisions of the federal Internal Revenue Code, the California Revenue & Taxation Code and applicable regulations, and the accuracy of the amount of applicable taxes calculated by the DissoMaster™ program pursuant to Evidence Code sections 452(b), 453, 455(b) and 1500.5.

(3) If the DissoMaster™ program is used, the "Formal Report" must be submitted. If the DissoMaster™ program is used, the default settings established in each new version of the software must be utilized, including: FICA, FICA Hospital Insurance, Federal Self-Employment Tax, State Disability Insurance, state income tax, and Santa Clara County Guideline Deductible Spousal Support (Santa Clara County Guidelines in DissoMaster™ are adopted for use in this Court). California shall be selected as the "Tax State," unless one of the parties resides in another state. The declaration must describe any differences in the assumptions ("settings") employed and those required by this Rule.

(4) The computation shall: compute child support under state law and spousal support under Local Rule 1415; allocate Child Care Expenses equally between the parents; not base Guideline Child Support on adjusted nets; adjust nets for tax consequences of spousal support in fixed shares; and, release dependency exemptions via Internal Revenue Code Form 8332.

(5) If a Judicial Council-approved computer program other than DissoMaster™ is used, comparable assumptions and settings shall be used, and a comparable printout shall be provided.

**Local Rule 1419 is amended to read:**

**1419 FINANCIAL DOCUMENT EXCHANGE**

**(a) [Definitions]** Capitalized terms in this rule are subject to the following definitions:

(1) “Applicable Case” means any case where a party seeks, or anticipates seeking, child support or spousal support other than those cases commenced by a local child support agency (as such agency is defined by Family Code section 17000).

(2) “Applicable Motion” means a Motion in any case subject to chapter 14 of these local rules in which a party seeks an award of attorney fees or costs.

(3) “Motion” means a request for order, order to show cause, or any other motion within the meaning of Code of Civil Procedure section 1003. A Motion does not include a request for an order by a party seeking an exemption from or limitation of the application of this rule.

(4) “Opposition” means a responsive declaration to a request for order, responsive declaration to an order to show cause, or any other opposition or response to a Motion.

(5) “Individual Financial Documents” mean the documents set forth in subdivision (c)(1).

(6) “Business Financial Documents” mean the documents set forth in subdivision (c)(2).

(7) “Exchange Date” means each date set forth in subdivision (e).

(8) “Court Conference” includes a case management conference, family centered case resolution conference, status conference, trial setting conference, or any other hearing set by the court for purposes of case management.

**(b) [Scope of Rule]** The purpose of this rule is to facilitate the collection and required exchange of documents commonly relied upon in family law matters in the resolution of financial disputes. This rule applies to all Applicable Cases and all Applicable Motions. The requirements of this local rule are in addition to any other legal requirement to serve or exchange documents.

**(c) [Financial Documents for Exchange]** Documents subject to exchange under this rule are all of the following documents within a party's possession, custody, or control:

- (1) "Individual Financial Documents" are
  - (A) Individual federal tax returns, including all schedules, for the 2 years prior to the Exchange Date;
  - (B) Personal bank account statements and corresponding check registers for all accounts, for the 12 months prior to the Exchange Date;
  - (C) Pay stubs, for the last 2 months; and,
  - (D) IRS W-2 and 1099 forms not attached to federal tax returns, for the 1 year prior to the Exchange Date;
- (2) "Business Financial Documents" are
  - (A) Periodic profit and loss statements and balance sheets prepared in the ordinary course of business, for the 12 months prior to the Exchange Date;
  - (B) Loan applications submitted to financial institutions or third persons on behalf of the exchanging party, for the 12 months prior to the Exchange Date; and,
  - (C) Business books and records, as set forth in subdivision (d)(2).

**(d) [Exchange Required]**

(1) Unless subject to an exception set forth in subdivision (f), on his or her respective Exchange Date:

(i) Each party shall serve on the other party copies of the Individual Financial Documents.

(ii) In addition to the Individual Financial Documents required to be served, each party who is self-employed or who is the beneficial owner of an interest of thirty percent (30%) or more of any business entity, or was either at any time during the previous two years, shall serve on the other party copies of the Business Financial Documents for each such business in which the party is self-employed or a thirty percent or greater owner.

(2) A party complies with service of business books and records set forth in subdivision (c)(2)(C) by a writing that agrees either (i) to serve copies of such books and records as requested by the other party upon five (5) days' written notice, or (ii) to permit inspection of such books and records, during regular business hours, by the party or party's attorney upon five (5) days' written notice.

(3) A party must comply with the document exchange required by this rule for each Exchange Date with documents current as of that Exchange Date. Documents need only be served once. When this rule otherwise requires service of documents that have previously been served by any party, a party complies with this rule by identifying the documents previously served, the party serving the document, and the date of such service.

(4) To the extent that a party is, after a reasonable and good faith effort, unable to serve all documents required by this rule, the party shall timely serve as complete a collection of required documents as possible.



(5) Except as required by statute, court rule, or other law, documents to be served pursuant to this rule are not to be filed with the court.

(6) Each party shall file and serve a completed Financial Document Exchange Compliance Declaration (Local Forms SC-4028 or SC-4029) on or before the applicable Exchange Date verifying compliance with this rule or explaining the lack of full compliance.

**(e) [When Exchange Required]** “Exchange Date” means each of the following dates:

(1) For all parties in Applicable Cases, an Exchange Date is 15 calendar days before a Court Conference;

(2) For a party filing a Motion in Applicable Cases or filing an Applicable Motion, an Exchange Date is the date of service of Motion; and,

(3) For a party responding to a Motion, an Exchange Date is the earlier of (A) the date of service of an Opposition, or (B) the date when an Opposition is due pursuant to applicable statute or rule of court.

**(f) [Exceptions and Limitations]**

(1) The court, for good cause shown, may exempt a party from the application of this rule, limit the documents a party is required to serve, or otherwise modify the obligations of parties under this rule.

(2) Except as otherwise ordered by the court, parties and counsel receiving documents served pursuant to this rule shall not release such documents or disseminate any information contained in those documents to any third party other than counsel or experts retained for the purposes of the family law proceeding. This rule does not limit a party’s use or disclosure of that party’s own documents or information.

**Local Rule 1420 is repealed.** Rule number 1420 is reserved for future use.

**Local Rule 1421 is amended to read:**

#### **1421 CASE MANAGEMENT**

**(a) [Timing for Conferences]** In all newly filed dissolution, legal separation, nullity, and parentage cases, the court will set a first case management conference no later than 180 days from the date of the initial filing and subsequent case management conferences no later than 180 days after each case management conference. The court may discontinue case management conferences as provided in CRC 5.83. The court may set case management conferences more frequently or for other cases in the court’s discretion.

**(b) [Family Law Case Management Conference Statement]** Unless expressly exempted by the court or as set forth in subdivision (c) of this rule, counsel and self-represented litigants are required to file, and to serve on the other party, a

completed Family Law Information Statement (Local Form SC-4026) no later than 15 calendar days prior to a case management conference set by the court under subdivision (a). Each party is also required to comply with local rule 1419 prior to the case management conference.

**(c) [Earlier Conferences and Trial Setting]** At any time after 60 days after the petition is served on the other party, either party may file and serve a completed local court form SC-4014 to request an earlier case management conference or trial setting conference. The other party may file and serve a counter-request using local court form SC-4014 no later than two (2) court days of the case management conference set by the court pursuant to the request. A party requesting or counter-requesting a conference under this section shall concurrently file and serve a completed Family Law Information Statement (Local Form SC-4026) with the request or counter-request.

**(d) [Attendance at Case Management Conferences]** Unless excused by the court for good cause, counsel for represented parties and self-represented parties are required to appear for case management conferences in person or by telephone. If for good cause a party is unable to appear for a case management conference, the party must file and serve a notice of non-appearance (see Local Form SC-4030) as soon as possible but at least 15 calendar days prior to the case management conference in addition to the statement required by subdivision (b) of this rule.

**(e) [Conduct of Case Management Conferences]** The court may enter any orders necessary or appropriate to facilitate a timely progression of the case to trial or other dispositive hearing, including orders scheduling trial or hearing dates, orders setting deadlines for the completion of settlement conferences, mediation or other informal case resolution procedures, and orders setting deadlines for the completion of discovery. Counsel or self-represented parties appearing at case management or trial setting conferences must be familiar with the case, must be prepared to discuss the party's position on the issues, and must be prepared to address scheduling issues. The court strongly encourages the parties to meet and confer regarding scheduling and proposed deadlines prior to the case management conferences.

**(f) [Family Centered Case Resolution]** On the court's initiative or upon the request of either party and order of the court, the court may schedule one or more family centered case resolution conferences and enter family centered case resolution plan orders pursuant to CRC 5.83 in lieu of or in addition to the case management conferences set pursuant to this rule.

**Local Rule 1422 is repealed.** Rule number 1422 is reserved for future use.

**Local Rule 1423 is amended to read:**

**1423 SETTLEMENT CONFERENCES**

**(a) [Setting Conferences]** On the Court's own motion or at the request of any party, the court may set one or more mandatory settlement conferences pursuant to CRC 3.1380. Apart from mediations required by any other law or rule and subject to the limitations of CRC 3.1380(d), the Court may in its discretion order mediation in addition to or in lieu of a mandatory settlement conference.

**(b) [Persons attending]** As provided in CRC 3.1380(b), each party and the trial attorney for each party shall personally attend the settlement conference unless excused by the Court for good cause. Failure to reasonably prepare for, appear at, or participate in good faith in a settlement conference as required by these local rules or order of the Court may subject a party or counsel to sanctions, including the payment of attorney fees and costs.

**(c) [Settlement conference statement]** No later than five court days before the initial date set for the settlement conference, each party must lodge with the Court and serve on the other party a settlement conference statement as required by CRC 3.1380(c) containing:

- (1) A statement and discussion of each contested issue;
- (2) A good faith settlement proposal as to each contested issue; and,
- (3) A current Income and Expense Declaration and, if child or spousal support is an issue, a declaration as provided in Local Rule 1418, including a current DissoMaster™ printout or other calculation showing what each party believes to be the appropriate levels of support.

**Local Rule 1424 is amended to read:**

**1424 TRIAL**

**(a) [Continuances]** Once a trial date is set, no continuances will be granted except for good cause shown. It is not appropriate to request a continuance at the calendar call.

**(b) [Presence of Counsel]** Counsel shall be present at the time a case is called for trial.

For purposes of this rule, "counsel" includes self-represented parties. If counsel fails to appear, the court may: (1) proceed to hear the matter as if counsel had appeared; (2) continue the trial; or (3) order the matter off calendar. In addition, the court may impose sanctions or make any other appropriate order as permitted by law.

**(c) [Settled Cases]** Except as otherwise ordered by the court, a case will not be removed from the trial calendar unless either: (a) a written settlement agreement covering all issues is submitted to the court; or (b) the parties and counsel appear and recite an agreement covering all issues into the record in sufficient detail to enable the court to enforce such agreement.

**(d) [Exceeding Trial Time Estimates]** Failure to complete a trial within the time estimate given at the time of the trial calendar call may result in a mistrial whenever the court's calendar will be adversely affected by allowing time in excess of the estimate.

**(e) [Conference With Trial Judge]** At the mutual request of counsel prior to the commencement of trial, the parties may conduct a brief, in-chambers conference to resolve questions concerning the order of proof, motions in limine or other issues related to the mechanics of trial. The time necessary for any pre-trial conference will be deemed part of the trial time for the purpose of estimating long and short cause matters.

**(f) [Attorney Fees and Costs as Sanctions]** Unless otherwise ordered by the court, requests for awards of attorney fees and costs in the nature of a sanction, including awards pursuant to Code of Civil Procedure section 128.5 and Family Code section 271, arising from or in connection with issues to be determined at trial are resolved by a separate proceeding to be conducted after the conclusion of trial.

**Local Rule 1425 is amended to read:**

**1425 JUDGMENTS**

**(a) [Format of Judgment]** Judgments must be on the applicable Judicial Council form with all required attachments and applicable items completed.

**(b) [Preparation of Judgment]** The parties shall comply with the requirements of CRC 3.1590 with respect to statements of decision and judgments in contested matters.

**Local Rule 1426 is repealed.** Rule number 1426 is reserved for future use.

**Local Rule 1507 is amended to read:**

**1507 PARENT EDUCATION PROGRAMS**

**(a) [Requirement to Attend]** All parties to a family law proceeding in which there are minor children, including, but not limited to actions for parentage or legal separation, nullity, dissolution of marriage, or actions to establish or modify custody or visitation, including uncontested cases, shall physically or electronically attend and complete the program entitled 'Parent Education and Co-Parenting Effectively' ('PEACE'). Parties shall physically or electronically attend prior to the first of the following events:

- (1) expiration of sixty (60) days following service of the pleadings that commence the proceeding; or
- (2) custody mediation provided through Family Court Services; or,
- (3) entry of any order or judgment involving custody or visitation.

**(b) [Purpose of Program and Description]** The purpose of the program is to provide education and encouragement for parents to engage fully in parenting and effective cooperation. The program will teach cooperative parenting skills with emphasis on the effects of custody and visitation litigation on children.

**(c) [Instructions, Registration and Fee for Attendance]** No fee will be charged for the program. Written instructions regarding the requirement of attendance and registration for the parenting education program shall be provided by the Clerk to any party filing any of the documents described in rule 1507(a). A copy of these written instructions shall be served on the opposing party by the filing party at the time of service of the documents described above.

**(d) [Attendance Before Mediation; Exceptions]** If any party has not completed the required parent education program by the date on which the mediation is scheduled, the mediation date may be reset to a later time to permit the party to attend the program. The mediator may proceed with the mediation if it is in the best interests of the children. In such a case, the mediator shall first require any party who has not attended the program and who has failed to obtain a waiver of the requirement, to sign a written stipulation, which will be incorporated in a court order, requiring that party to attend the required program not later than a specified date.

**(e) [Failure to Attend and Remedies]**

(1) If a party does not attend the parent education program as required by this rule, the other party may move the court for an order compelling attendance and for an award of attorney fees or other sanctions.

(2) If one party does not attend the parent education program as required by this rule, and the other party seeks the entry of any order or judgment involving custody or visitation of minor children, the party seeking such order shall first move the court for an order compelling the other party to attend the program and for an award of attorney fees or other sanctions. If the court grants the order to compel attendance and the other party does not comply, then the court may, upon application and a showing of good cause, enter the requested order or judgment.

(3) If the court enters an order or judgment for good cause when one party has not completed the program, the non-complying party may not seek any affirmative relief with respect to any child-related issue(s) until:

(a) that party has completed the program; or,

(b) that party obtains leave of court to proceed by application with a showing of good cause.

**(f) [Exceptions to Requirement for Attendance]**

(1) Nothing in this rule supersedes the right of the parties to seek ex parte relief as provided in these rules prior to attending the parent education programs.

(2) If physical or electronic attendance at the PEACE program will be a hardship, the court may require and accept attendance by a party at an equivalent parent education program.

(3) An order delaying or waiving the requirement of attendance at the parent education program may be obtained from the court upon a showing of good cause.

**(g) [Certification of Attendance]** The instructors of the PEACE program shall provide attendees with a 'Certificate of Attendance' verifying completion of the course by each attending party. If a party participates in the PEACE program electronically, the party shall print a hardcopy 'Certificate of Completion' and file it with the court within the time for completion of PEACE program attendance.