



Judicial Council of California

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Subject Details (With Text)

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Title: Rules and Forms | Family Law: Duty of Judge Hearing Matter Under Family Code Sections 4521(a) and 4252(b)(7) (Action Required)

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9/24/2019	1	Judicial Council	approved	Pass

Title

Rules and Forms | Family Law: Duty of Judge Hearing Matter Under Family Code Sections 4521(a) and 4252(b)(7) (Action Required)

Summary

The Family and Juvenile Law Advisory Committee proposes amending the rule governing the circumstances under which a judge may hear a title IV-D matter when exceptional circumstances prevent a child support commissioner from doing so. By removing the requirement that a judge must make an “interim” order with a follow-up hearing set in front of a commissioner, costs currently incurred by the courts, parties, and local child support agencies resulting from the second hearing would be eliminated.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2020, amend California Rules of Court, rule 5.305(b) to more clearly define the roles of the judge and the court at the hearing, as authorized in Family Code sections 4521(a), 4252(b)(7).