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Title
Rules and Forms | Family Law: Changes to Continuance Rules and Forms (Action Required)

Summary
The Family and Juvenile Law Advisory Committee recommends changes to four rules of court and three forms, and the adoption of one new rule of court and one new form; and the approval of three new forms, including an information sheet to implement new procedures for rescheduling a hearing in family court. The new procedures would (1) respond to the concerns raised by court professionals following the publication of an amended rule and revised forms relating to continuing hearings in family court, and (2) specify when a party can and cannot file a request to reschedule a hearing without first notifying and serving the other party.

Recommendation
The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2020:

1. Adopt rule 5.95 of the California Rules of Court, "Request to reschedule hearing";

2. Amend rule 5.2 to include a new item 11 to provide that "reschedule the hearing" means the same as "continue the hearing" and to include a definition that both refer to "moving a hearing to another date and time";

3. Amend rule 5.94 by revoking subdivision (f), "Procedures to request continued hearing date," and changing the rule title to *Order shortening time; other filing requirements; failure to serve request for order* to reflect the change; replacing the word "continue" with "reschedule" in subdivision (e); and adding "as described in rule 5.95" at the end;

4. Amend rules 5.151 to incorporate the term "reschedule" and refer to new rule 5.95.

5. Amend rule 5.165(a) by eliminating "in writing" and adding "fax transmission," "electronic means," or "overnight carrier" as delivery options;

6. Adopt mandatory form *Order on Request to Reschedule Hearing* (form FL-309) to implement new rule 5.95;

7. Approve optional forms *How to Reschedule a Hearing in Family Court* (form FL 304-INFO), *Agreement and Order to Reschedule Hearing* (form FL-308), and *Responsive Declaration to Request to Reschedule Hearing* (form FL-310) to implement new rule 5.95;

8. Revise *Declaration Regarding Notice and Service of Request for Temporary Emergency (Ex Parte) Orders* (form FL-303) and *Request to Reschedule Hearing* (form FL-306) to incorporate the term "reschedule" and refer to new rule 5.95; and

9. Revoke and replace form FL-307 from Order on Request to Continue Hearing to Request to Reschedule Hearing Involving Temporary Emergency (Ex Parte) Orders to implement new rule 5.95.

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