

Rule 244. Complaints, Procedures Concerning Superior Court Commissioners, Referees, and Temporary Judges

A. Complaints against Superior Court Commissioners and Referees

All complaints against Superior Court Commissioners and Referees shall be submitted in writing to the Presiding Judge. California Rules of Court, Title Ten, Judicial Administration, Chapter 2, Trial Court Management of Human Resources, rule 10.703 describes the process for filing a complaint and the procedures the Court will follow to resolve the complaint. This rule may be found on-line at the Judicial Council's website www.courtinfo.ca.gov/rules or www.courts.ca.gov/rules or a copy may be obtained from Superior Court's Human Resources Office located at 700 ~~Civil~~-Civic Center Drive West, Santa Ana, CA.

B. Complaints against Voluntary Temporary Judges

At the discretion of the Court, volunteer Temporary Judges (attorneys in private practice) may be assigned to hear cases submitted to the Court. Complaints involving the conduct of a volunteer temporary judge shall be submitted to the Presiding Judge in writing. The Presiding Judge, or his/her designee, shall conduct a prompt ~~a~~-and appropriate investigation into the allegations of the complaint. Except for the Presiding Judge's response to the complainant, all documents, papers, reports, correspondence, and proceedings pertaining to a complaint regarding a volunteer temporary judge shall be treated as confidential. The Presiding Judge, or designee, shall notify the complainant at the conclusion of the investigation regarding the general outcome of the investigation consistent with applicable laws related to privacy and confidentiality.

C. Complaints against Court-employed Attorneys acting as Temporary Judges

At the discretion of the Court, Court-employed attorneys, other than those referred to in paragraphs A and B above, may act as Temporary Judges and hear cases submitted to the Court. Complaints involving the conduct of a Court-employed attorney acting as a Temporary Judge shall be submitted to the Presiding Judge in writing. The Presiding Judge, or his/her designee, shall follow the procedures in the Court's personnel plan for conducting a prompt and appropriate investigation into the allegations of the complaint. Except for the Presiding Judge's response to the complainant, all documents, papers, reports, correspondence, and proceedings pertaining to a complaint regarding a Court-employed attorney acting as a Temporary Judge shall be treated as confidential. The Presiding Judge, or designee, shall notify the complainant of at the conclusion of the investigation regarding the general outcome of the investigation consistent with applicable laws related to privacy and confidentiality.

D. Complaints against Voluntary Mediators

Parties in probate, family, small claims, civil harassment, and unlawful detainer cases may choose to mediate their cases with voluntary mediators available at the court who are **not** court employees.

These voluntary mediators must comply with the impartiality, disclosure, and withdrawal rules set forth in California Rules of Court, rule 3.855.

Complaints involving the conduct of a volunteer mediator shall be submitted to the Presiding Judge in writing. The Presiding Judge, or his/her designee, shall conduct a prompt and appropriate investigation into the allegations of the complaint. Except for the Presiding Judge's response to the complainant, all documents, papers, reports, correspondence, and proceedings pertaining to a complaint regarding a volunteer mediator shall be treated as confidential. The Presiding Judge, or designee, shall notify the complainant at the conclusion of the investigation regarding the general outcome of the investigation consistent with applicable laws related to privacy and confidentiality.

(Revised eff. July 1, 2019; Effective January 1, 1990; revised eff. January 1, 1994; revised eff. October 1, 1996; revised eff. September 1, 1998; revised eff. May 1, 2001; revised eff. January 1, 2007)