

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF KINGS 2016 SEP 26 PM 4:22

JEFFREY E. LEWIS
CLERK OF COURT
KINGS COUNTY
SUPERIOR COURT, CA
DEPUTY

No. 2016-10 Nancy Rizo

ORDER RE: ACCEPTANCE OF FEE
WAIVER REQUESTS FOR PERSONS
APPEARING TELEPHONICALLY IN
DEPARTMENT 1 OF THE COURT IN
CONNECTION WITH PARENTAL
RIGHTS HEARINGS

At times, it is necessary for certain individuals to telephonically appear at hearings at which parental rights are at issue.¹ To facilitate such appearances, the Court has developed and employed a policy regarding telephonic appearances at hearings affecting parental rights held in Department 1 of the Kings County Superior Court. The policy requires that the individual appearing telephonically either directly arrange for their own telephonic appearances via Court Call, or complete and return a completed Request to Waive Court Fees (FW-001) to Social Services personnel.² Social Services personnel then forward the documents to the Court for processing. The Court arranges Court Call appearances for those persons with granted fee waiver requests.

Due to delays in mailing and processing, it is not always possible for a completed Request to Waive Court Fees (FW-001) to be delivered by Social Services personnel to the Court in a timely manner. Accordingly, Social Services personnel have requested leave to forward any completed Judicial Council Form FW-001 and required supporting documents, via facsimile or other approved electronic means for processing. The request of Social Services personnel is appropriately granted.

In connection with parental rights hearings, Court personnel shall accept for filing and processing any completed Request to Waive Court Fees (FW-001) (including

¹ Telephonic appearances are allowed upon the request of incarcerated individuals and out-of-state persons. Telephonic appearances may also be allowed as to parties residing out of Kings County.


² In regards to incarcerated individuals, this includes the certified statement required by California Government Code Section 68635.

1 California Government Code Section 68635 certified statements and other required
2 supporting documents) forwarded by Social Services personnel via facsimile or other
3 approved electronic means. The documents received via facsimile or other approved
4 electronic means from Social Services personnel; (1) shall be treated as if they contain an
5 original signature and/or original certification, and (2) although such documents may be in
6 unconventional formats³, shall be accepted for processing whenever the same are legible
and able to be entered into the court's electronic case management system.

7 Nothing contained herein shall alter the Court's ability to deny a Request to Waive
8 Court Fees (FW-001) on grounds other than the lack of an original signature or
9 certification. In addition, nothing contained herein shall alter the deadlines established for
the Court's receipt of such documents prior to the scheduled hearing.

10 **IT IS SO ORDERED.**

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13 Dated: 9-26-, 2016


14 Steven D. Barnes,
15 Presiding Judge of the
16 Kings County Superior Court

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27 ³ On occasion, a party has forwarded a completed Request to Waive Court Fees (FW-001) to Social Services
28 personnel by taking a picture of the completed document and forwarding it via email. To the extent that the
photograph of the completed document is legible and can be processed into the court's electronic case
management system, it should be accepted for processing by Court staff in the same manner as if the original
document had been filed with the Court by the submitting party.