

**Proposed Changes to the Local Rules for the Superior Court of the  
of the State of California, County of Napa – July 2018**

The Napa Superior Court proposes to adopt the following changes to its Local Rules and local criminal forms, to be effective July 1, 2018. We welcome your comments, which must be submitted by May 2, 2018 to:

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**Summary of Proposed Additions/Changes**

**11.7 Use of Official Electronic Recording** – Modify to remove “so stipulated by the parties” from the three subsections of the rule.

**Form CR-24, Plea Form – Attachment Four (Deferred Entry of Judgment)** – Update the name and contents of the form to mirror the amendment to Penal Code section 1000, effective January 1, 2018. The new form name is Pretrial Drug Diversion Program Agreement. The form contents will delete references to “deferred entry of judgment.”

**Form CR-71, Deferred Entry of Judgment Order (Penal Code § 1000)** – Update the name and contents of the form to mirror the amendment to Penal Code section 1000, effective January 1, 2018. The new form name is Pretrial Drug Diversion Order (Penal Code § 1000). The form contents will delete references to “deferred entry of judgment.”

**Text of Proposed Additions/Changes**

<b>Current Local Rule</b>	<b>Proposed Local Rule</b>
<p><b>11.7 Use of Official Electronic Recording</b></p> <p>A. In an appeal from a limited civil case in which the proceedings were officially recorded electronically in accordance with California Rules of Court, rule 8.835, the original recording or a copy prepared by the court may be transmitted as the record of oral proceedings without being transcribed in lieu of a reporter’s transcript or settled statement if so stipulated by the parties or ordered by the trial court, pursuant to California Rules of Court, rule 8.837(d)(6)(A).</p> <p>B. In an appeal from a misdemeanor case in which the proceedings were officially recorded electronically in accordance with California Rules of Court, rule 8.868, the original of the recording or a copy prepared by the court may be transmitted as the record of the oral proceedings without being transcribed in lieu of a reporter’s transcript or settled statement if so stipulated by the parties or ordered by the trial court, pursuant to California Rules of Court, rule 8.869(d)(6)(A).</p>	<p><b>11.7 Use of Official Electronic Recording</b></p> <p>A. In an appeal from a limited civil case in which the proceedings were officially recorded electronically in accordance with California Rules of Court, rule 8.835, the original recording or a copy prepared by the court may be transmitted as the record of oral proceedings without being transcribed in lieu of a reporter’s transcript or settled statement if ordered by the trial court pursuant to California Rules of Court, rule 8.837(d)(6)(A).</p> <p>B. In an appeal from a misdemeanor case in which the proceedings were officially recorded electronically in accordance with California Rules of Court, rule 8.868, the original of the recording or a copy prepared by the court may be transmitted as the record of the oral proceedings without being transcribed in lieu of a reporter’s transcript or settled statement if ordered by the trial court pursuant to California Rules of Court, rule 8.869(d)(6)(A).</p>

C. In an appeal from an infraction case in which the proceedings were officially recorded electronically in accordance with California Rules of Court, rule 8.917, the original recording or a copy made by the court may be transmitted as the record of the oral proceedings without being transcribed in lieu of a reporter’s transcript or settled statement if so stipulated by the parties or ordered by the trial court, pursuant to California Rules of Court, rule 8.916(d)(6)(A).

C. In an appeal from an infraction case in which the proceedings were officially recorded electronically in accordance with California Rules of Court, rule 8.917, the original recording or a copy made by the court may be transmitted as the record of the oral proceedings without being transcribed in lieu of a reporter’s transcript or settled statement if ordered by the trial court pursuant to California Rules of Court, rule 8.916(d)(6)(A).

**LIST OF CURRENT LOCAL FORMS**

**LIST OF PROPOSED LOCAL FORMS**

Form No.	Form Name	Type	Rev Date
CR-24	Plea Form – Attachment Four (Deferred Entry of Judgment)	Mandatory	1/1/18
CR-71	Deferred Entry of Judgment Order (Penal Code § 1000)	Mandatory	1/1/18

Form No.	Form Name	Type	Rev Date
CR-24	Pretrial Drug Diversion Program Agreement	Mandatory	7/1/18
CR-71	Pretrial Drug Diversion Order (Penal Code § 1000)	Mandatory	7/1/18