Superior Court
State of California
COUNTY OF ALAMEDA

CHAMBERS OF
WINIFRED YOUNGE SMITH
PRESIDING JUDGE

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
GENERAL DIRECTIVE BY THE PRESIDING JUDGE

DIRECTIVE NO: 2015-25

SUBJECT: CLERK'S AUTHORITY TO REFUSE TO ENTER A FULL SATISFACTION OF JUDGMENT OR DISMISSAL IN A CASE WHERE COURT FEES AND COSTS WERE INITIALLY WAIVED

The clerk of the court shall have the authority to refuse to enter a full satisfaction of judgment until an accompanying order requiring payment of waived fees and costs, if any, has been satisfied. (See Government Code section 68637(b)(1).)

The clerk of the court shall have the authority to refuse to enter a dismissal in a civil case if the party whose court fees and costs were initially waived has a lien payable to the court because the party recovered ten thousand dollars ($10,000) or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other recovery. The dismissal shall not be entered until the lien has been paid or by order of the court. (See Government Code section 68637(c)(4).)

Nothing in this directive is intended to prevent a party from appearing before a judicial officer on the matters listed above, upon request.

This directive shall expire on December 31, 2015.

Issued: December 31, 2014

Winifred Y. Smith

Hon. Winifred Y. Smith, Presiding Judge
Superior Court of California, County of Alameda