

SUPERIOR COURT OF THE STATE OF CALIFORNIA

## COUNTY OF

NAME OF PLAINTIFF  
Plaintiff,

NAME OF DEFENDANT,  
Defendant

Case No.

STIPULATION AND ORDER FOR  
THE APPOINTMENT OF  
TEMPORARY JUDGE; OATH AND  
CERTIFICATION OF TEMPORARY  
JUDGE

The parties in this matter, by their counsel, hereby stipulate and agree to the appointment of Hon. David R. Lampe (Ret.) as Temporary Judge in this matter for the following purposes:

The parties agree that this appointment is made pursuant to Title 2, Division 6, Chapter 2 (Rules 2.830 through 2.835) of the California Rules of Court. The parties shall comply with all requirements of those rules.

The parties represent that they have entered into a separate agreement for terms and compensation of the Temporary Judge.

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1        The Participants understand that the Temporary Judge is a retired judge, and, pur-  
2 suant to stipulation and order, the Temporary Judge is acting as a constitutional judge  
3 presiding over the matter identified above in the same manner as would be conducted in  
4 court for the purposes described in Paragraph 1. The Participants understand and agree  
5 that the Temporary Judge has all constitutional authority afforded a constitutional judge,  
6 including the powers of contempt, and the Participants agree to be bound by all orders of  
7 the Temporary Judge in the same manner as any order issuing from the appointing court.

8        The Participants intend to preserve their constitutional and statutory rights with  
9 respect to the proceedings, including the right of appeal and writ. The parties understand  
10 that all Temporary Judgeship proceedings shall be public and noticed according to the  
11 applicable Rules of Court, in the same manner as proceedings taking place in court. The  
12 Temporary Judge agrees to keep and preserve reasonable and typical minutes of any ses-  
13 sions or proceedings and to file those minutes with the appointing court at conclusion. All  
14 rulings or decisions of the Temporary Judge shall be in writing as may be required by  
15 law. As agreed by the Participants, and at their cost, all proceedings or sessions may be  
16 reported by a Certified Shorthand Reporter who has taken an oath to serve as a reporter  
17 pro tem of the appointing court. The Parties agree to comply with the Rules of Court,  
18 Rule 2.833 and Rule 2.400 with respect to any documents and exhibits. The Participants  
19 understand that they must file all documents required by law with the clerk of the ap-  
20 pointing court, and pay all fees required, promptly providing a file-stamped copy to the  
21 Temporary Judge. During the Temporary Judgeship, any notices filed by any Participant  
22 in court shall be noticed for the location set out above for the Temporary Judgeship pro-  
23 ceedings.

24       The Temporary judgeship may be terminated by the agreement of the parties upon  
25 stipulation and order of this court. The Temporary Judgeship may be terminated pursuant  
26 to Rule 2.831(f). The Temporary Judge, in his sole discretion, may terminate the Tempo

rary Judgeship at any time and shall file a notice of termination with the appointing court.

In the event of termination, the matter will be restored to the calendar of this court.

Dated: [Name of Plaintiff]

By: \_\_\_\_\_  
Counsel for Plaintiff

Dated: [Name of Defendant]

By: \_\_\_\_\_  
Counsel for Defendant

IT IS SO ORDERED:

Dated:

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## Judge of the Superior Court

## OATH AND CERTIFICATION OF TEMPORARY JUDGE

As a retired judge (State Bar No. 77100), I hereby certify that I am aware of and will comply with all applicable provisions of canon 6 of the Code of Judicial Ethics and the California Rules of Court. Further, I take the following oath to serve as Temporary Judge in this Matter:

I, David R. Lampe, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this oath freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

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Hon. David R. Lampe (Ret.)

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