Foreclosure Forms Westl Resource

KFC 117 .F6 C353 Westlaw Citation

Topic

Forms

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Decree	• CACF-CVP § 725a Form 1	Complaint to foreclose
Application	CACF-CVP § 726 Form 1	Decree of foreclosure and sale
Order	CACF-CVP § 726 Form 2	Application for appointment of probate referee
Notice	CACF-CVP § 726 Form 3	Order appointing probate referee
Judgment	CACF-CVP § 726 Form 4	Notice of motion for deficiency judgment after foreclosure sale
Notice	CACF-CVP § 726 Form 5	Deficiency judgment
Order	CACF-CVP § 726 Form 6	Notice of motion for payment of surplus funds
Notice	CACF-CVP § 726 Form 7	Order for payment of surplus funds remaining after sale
Order	CACF-CVP § 728 Form 1	Notice of motion for sale of additional property upon maturity of further amounts under deed of trust
Petition	CACF-CVP § 728 Form 2	Order for sale of additional property upon maturity of further amounts under deed of trust
Notice	CACF-CVP § 729.070 Form 1	Petition for order determining redemption price
Order	CACF-CVP § 729.070 Form 2	Notice of time and place of hearing
Affidavit	CACF-CVP § 729.070 Form 3	Order determining redemption price
Allegation	CACF-CVP § 564 Form 4	Affidavit for the appointment of a receiver in mortgage foreclosure action
Notice	CACF-CVP § 580a Form 1	Deficiency after exercise of power of sale
Complaint	CACF-CVP § 1161a Form 2	Three days' notice to quit for holding over after sale under power of sale in mortgage
Checklist	CACF-CVP § 1161a Form 4	Complaint for holding over after sale under foreclosure or power of sale in mortgage or deed of trust
Agreement	• MILCALRE-FRM § 3:65	Closing checklist – deed in lieu of foreclosure
Release	MILCALRE-FRM § 3:66	Transfer agreement – deed in lieu of foreclosure
Amendment	MILCALRE-FRM § 3:67	Release - Deed in lieu of foreclosure
Agreement	MILCALRE-FRM § 3:68	Amendment of note and deed of trust
Notice	MILCALRE-FRM § 2:56	Tenant's subordination, nondisturbance and attornment agreement with lender
Notice	• CTF BT § 17:66	Rescission of unconscionable transaction involving real property in foreclosure
Provision	• CACF-CIV § 2924 Form 1	Notice of default under mortgage
Notice	CACF-CIV § 2924 Form 2	Provision in deed – compliance with notice requirements
Notice	CACF-CIV § 2924c Form 1	Notice of rescission of default
Complaint	CACF-CIV § 2924c Form 2	Notice required with notice of default
Notice - CIV:	CACF-CIV § 2924e Form 4 West's Code Forms -	Complaint for failure to give notice of delinquency

Resource	Westlaw Citation	Topic	
Substitution	CACF-CIV § 2924f Form 1	Notice of sale	
Demand	CACF-CIV § 2934a Form 1	Substitution of trustee under deed of trust	
Demand	CACF-CIV § 2943 Form 1	Demand for beneficiary statement under mortgage	
Notice	CACF-CIV § 2943 Form 3	Demand for payoff demand statement	
Notice	CACF-CIV § 2945.3 Form 1	Notice required in mortgage foreclosure consultant contract	
	CACF-CIV § 2945.3 Form 2	Notice of cancellation of mortgage foreclosure consultant contract	

Resource	Westlaw Citation	Topic
Treatises		
Alford on Homesteads	37 Cal. Jur. 3d Homesteads § 45	Homestead exemption
Madison, Dwyer & Bender on Real Estate Financing	2 Law of Real Estate Financing § 17:19	Post-foreclosure sale access to collateral
Miller & Starr on Deeds of Trust and Mortgages	MILCALRE § 10:6	Deeds of trust and mortgages
Schafer on Ejectment	28 Cal. Jur. 3d Ejectment and Related Remedies § 97	Unlawful detainer
Schafer on Ejectment	28 Cal. Jur. 3d Ejectment and Related Remedies § 124	Ejectment from condominiums
Schafer on Mortgages	44 Cal. Jur. 3d Mortgages § 56 through 83	Mortgages – rights of debtors, right of foreclosure
Witkin on Security Transactions in Real Property	4 WITSUM CH VIII §§ 1 through 230	Deeds, mortgages, liens, mechanics' liens
Larsen & Yeunger on Deeds of Trust	26 Cal. Jur. 3d Deeds § 1	Deeds of trust
Yeunger on Deeds of Trust–Enforcement	27 Cal. Jur. 3d Deeds of Trust §§ 244 through 248	Enforcement
Yeunger on Deeds of Trust–Enforcement	27 Cal. Jur. 3d Deeds of Trust §§ 250 through 265	Power of sale
Yeunger on Deeds of Trust–Default Sale	27 Cal. Jur. 3d Deeds of Trust §§ 266 through 281	Default and sale



CALIFORNIA ATTORNEY LEGAL MALPRACTICE SOURCES

Avoiding Malpractice in the Representation Process [Sound Recording]: Getting In and Getting Out. Oakland, Calif.: Continuing Education of the Bar, California, 2004. Floor A CEB 1046 #1-3 Bdr Tape

Bancroft-Whitney's California Civil Practice. Torts. Vol. 2, Chapter 33: Legal Malpractice. St. Paul, Minn.: West Group, 2013-. Floor 3 KFC310 .B36 1992

California. West's Annotated California Codes. Business & Professions Code: Attorneys: §6000 – 6177. St. Paul, Minn.: Thomson/West, 1954-. Floor 3 KFC30.5.W4

California Compendium on Professional Responsibility. San Francisco: State Bar of California, 1983-. FLOOR 3 KFC76.5.A2C34

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California Practice Guide: Professional Responsibility. (Section 6 Professional Competence). Encino, Calif.: Rutter Group, 1997-. FLOOR 3 KFC76.5.A2 C36

California State Bar Court Reporter. San Francisco, Calif: California State Bar Court Reporter, Office of the State Bar Court, State Bar of California, 1992-. FLOOR 3 KFC76.5.A2C347

California Torts. New York, N.Y.: M. Bender, 1985-. (Volume 3 Liability for Professional Services). FLOOR 3 KFC310 .A6C35.

California Trial Handbook 3d. (Chapter 4 Avoiding Malpractice) Albany, N.Y.: LexisNexis/Matthew Bender, 1992-. FLOOR 3 KFC1025 .C336

Davis, Anthony E.- Risk Management Survival Tools for Law Firms. Chicago, Illinois: ABA Law Practice Division, 2015. Floor 4 KF313.D38

Hathaway, JoAnn. Legal Malpractice Insurance in One Hour for Legal Chicago Illinois: American Bar Association, Law Practice Division, 2017.Floo PLEASE DO NOT REMOVE

ASK FOR A FREE COPY AT THE REFERENCE DESK

Johns, Leland M. California Damages: Law and Proof. (Chapter 17 Attorney Malpractice) Charlottesville, VA: LexisNexis Matthew Bender, 1998-. FLOOR 3 KFC310 .J6 1996

Mallen, Ronald E. Legal Malpractice. Eagan, Minn.: Thomson West, 2005-. FLOOR 4 KF313 .M29

Meiselman, David J. Attorney Malpractice: Law and Procedure. St. Paul, Minn.: Thomson/West, 1980-. FLOOR 4 KF313 .M44Profile of Legal Malpractice Claims. Chicago, Ill.: Standing Committee on Lawyers' Professional Liability, American Bar Association, 1999-. Floor A KF313.Z9 P7632

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Restatement of the Law, The Law Governing Lawyers: As Adopted and Promulgated by The American Law Institute. St. Paul, MN: American Law Institute, 2000-. Floor 3 KF300 .R475

Ethics Update [Sound Recording]: The Latest Recent Developments & Proposed New Rules from the California Rules Revision Commission. Oakland, Calif.: Continuing Education of the Bar--California: Regents of the University of California, 2007. Floor A CEB 1130 CD

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Getting In and Getting Out [Sound Recording]: Avoiding Malpractice In The Representation Process. Berkeley, Calif.: Continuing Education of the Bar--California, 2000. FLOOR A CEB 943 #1-3 Bdr Tape.

INTERNET

California Law Revision Commission Statute of Limitations for Legal Malpractice http://www.clrc.ca.gov/J111.html

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January 2008 Revised 2011, 2013, Mar. 2016, Oct. 2017



FREE SOURCES FOR CASES ON THE INTERNET

(Available on our web site: http://www.ocpll.org/)

CALIFORNIA COURTS

California Courts: http://www.courts.ca.gov/opinions.htm

http://www.lexisnexis.com/clients/CACourts/

CA Supreme Court Published Cases: 1850 -

CA Court of Appeal Published Cases: 1905 -

Ninth Circuit Cases, 1994 - http://caselaw.findlaw.com/court/us-9th-circuit

California Attorney General Opinions, 1983 Current.: (Vol.66- Present)

http://oag.ca.gov/opinions

California Supreme Court & Appellate Cases (1932 to Present)

http://california.lp.findlaw.com/ca00 casecode/index.html

FindLaw: http://findlaw.com/info/link/

FEDERAL DISTRICT COURTS

U.S. Bankruptcy Court - Central District of California Opinions: By Judicial Conference policy, if your usage does not exceed \$15 in a quarter, fees for that quarter are waived, effectively making the service free for most users. Available date ranges varies from court to court.

http://www.pacer.gov/

(2000 +)

U.S. Bankruptcy Court - Northern District of California Opinions/Case Info:

http://www.canb.uscourts.gov/

U.S. Bankruptcy Court - Southern District of California Opinions: (1998-)

http://www.casb.uscourts.gov/opinions

9th Circuit Opinions (Federal Reporter cases) (1994-); vol. 4, 3d series):

http://www.findlaw.com/casecode/courts/9th.html

U.S. District Courts, Central District of California:

http://www.cacd.uscourts.gov/newsworthy/opinions-and-orders (Federal Supplement cases, (2000-); vol. 64, 2d series)):

U.S. SUPREME COURT

U.S. Supreme Court Decisions: (1760-) U.S. Reports vol. 1-. Browse by year and U.S. Reports volume number, and searchable by citation, case title and full text. Both Published and Unpublished Opinions for all judges appear on this page.

http://www.findlaw.com/casecode/supreme.html

Supreme Court of the U.S.-Early Supreme Court Decisions: (1789 -):1Dallas - .

http://www.oyez.org/cases/2012

FedWorld: volumes 300 through 422 of US Reports (1937 to 1975):

http://www.thecre.com/fedlaw/legal30/supcourt.htm

U.S. Supreme Court: http://www.supremecourtus.gov/ (1988-), Vol. 488-

US Supreme Court Briefs: http://supreme.findlaw.com/supreme_court/briefs.html (1999-2007).

GOOGLE SCHOLAR CASE LAW DATABASE

http://scholar.google.com/ (Click on Case Law link)

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Oct. 2005, Rev. 2008, 2013, 2014, 2015, 9/2018



FREE SOURCES FOR CODES & REGULATIONS ON THE INTERNET

CALIFORNIA

California Code of Regulations: (Current regs. only)

https://govt.westlaw.com/calregs/Index?transitionType=Default&contextData=%28sc.Default%2

9

Title 24 (Building Codes): http://www.bsc.ca.gov/Codes.aspx

California Regulatory Notice Register (2002-)

https://oal.ca.gov/california regulatory notice online/

FindLaw: California Constitution, Codes, and Statutes:

http://codes.findlaw.com/ca/

Municipal Codes, California cities & counties (current only)

https://www.municode.com/Library

California Constitution, Codes, Statutes and Bill Information (from 1999 -):

http://leginfo.legislature.ca.gov/faces/codes.xhtml

Official California Legislative Information:

http://www.leginfo.ca.gov/ (1993-)

HISTORICAL UNIFORM BUILDING CODES

1927—64: http://oskicat.berkeley.edu/record=b23228862

1967 - 94 http://oskicat.berkeley.edu/record=b21478979~S1

UNITED STATES CODES & REGULATIONS

Cornell Legal Institute: http://www.law.cornell.edu/

U.S. Codes (Current): http://www4.law.cornell.edu/uscode/ Code of Federal Regulations: http://www4.law.cornell.edu/cfr/

GPO Access US Codes:

http://www.gpo.gov/fdsys/browse/collectionUScode.action?collectionCode=USCODE

GPO Access: Public & Private Laws (from 1995 -)

https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=PLAW

GPO Access: Code of Federal Regulations (1996 -):

https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR

GPO Access: Federal Register (1994 -; vols. 60 - 70): https://www.federalregister.gov/

GPO Access: Congressional Record (1994 -; Vols. 14 - to present):

https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=CREC

Regulations.gov: http://www.regulations.gov/#!home regulations and other actions for Federal agencies

U.S. House of Representatives: http://www.house.gov/

U.S. Codes (Current): http://uscode.house.gov/search/criteria.php

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June 2005

Rev. 2007, 2014, Dec. 2016, Sept. 2017, Jan 2018, 9/2018



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(ALL ITEMS ARE LOCATED ON FLOOR 3)

California Judges Electronic Benchguides & Bench Handbooks [Disc] [San Francisco, Calif.: Center for Judicial Education and Research: Judicial Council of California, 2006-.DESK, KFC955.A1 C35

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California Judges Benchbook: Civil Proceedings: Discovery. Emeryville, CA: California Center for Judicial Education and Research; San Francisco, CA: Bancroft-Whitney, 2016. KFC1020.C344

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California Judges Benchbook. Small Claims Court and Consumer Law. Berkeley, CA.: California Center for Judicial Education and Research, 1983-. KFC976.C34

- 3. California Judges Benchguides. Courtroom Control: Contempt and Sanctions. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Judicial Council of California, 2010. KFC995.5.Z9 C682
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- 84. California Judges Benchguides. **Probation Revocation**. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Judicial Council of California, 2007. KFC1190.Z9 P763
- 54. . California Judges Benchguides. **Right to Counsel Issues**. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Judicial Council of California, 2010. KFC1160.4.Z9 R54
- 74. California Judges Benchguides. Sentencing Guidelines for Common Misdemeanors and Infractions. California Center for Judicial Education and Research (CJER). San Francisco, CA, 20107. KFC1172.Z9 S46 CJER Felony Sentencing Handbook. Emeryville, Calif.: CJER; San Francisco, CA: Bancroft-Whitney, 1991-. KFC1172.Z9 C5

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- 130. California judges Benchguides. **Adoptions**. San Francisco, Calif. : California Center for Judicial Education and Research : Judicial Council of California, 2009. KFC132.Z9 A366
- Bench Handbook. The Indian Child Welfare Act. San Francisco, Calif.: Center for Judicial Education and Research: Judicial Council of California, 2006-. KFC940. I53
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- Administrative Office of the Courts, Education Division/Center for Judicial Education and Research; Oakland,
- CA.: Continuing Education of the Bar--California, 2010. ANNEX, KFC1121.4 C35 2010
- 204. California Judges Benchguides. AB 1058 Child Support Proceedings: Enforcing Support. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Center for Judicial Education and Research: Judicial Council of California, 2010. KFC133.Z9 A22
- 203. California Judges Benchguides. AB 1058 **Child Support Proceedings: Establishing Support.** California Center for Judicial Education and Research (CJER). San Francisco, CA.: Center for Judicial Education and Research: Judicial Council of California, 2011. KFC133.Z9 A23.
- 201. California Judges Benchguides. Child and Spousal Support. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Judicial Council of California, 2008. KFC133.Z9 C47
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- 117. California Judges Benchguides. **Juvenile Delinquency Fitness Hearing**. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Judicial Council of California, 2007. KFC1196.Z9 J875 116. California Judges Benchguides. **Juvenile Delinquency Initial or Detention Hearing**. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Judicial Council of California, 2010. KFC1196.Z9 J876
- 118. California Judges Benchguides. **Juvenile Delinquency Jurisdiction Hearing**. California Center for Judicial Education and Research (CJER). San Francisco, Calif.: Judicial Council of California, 2010. KFC1196.Z9 J877
- 102. California Judges Benchguides. Juvenile Dependency Disposition Hearing. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Judicial Council of California, 20011. KFC1196.Z9 J884
- 100. California Judges Benchguides. **Juvenile Dependency Initial or Detention hearing**. California Center for Judicial Education and Research (CJER). San Francisco, CA: Judicial Council of California, 2011. KFC1196.Z9 J886
- 101. California Judges Benchguides. Juvenile Dependency Jurisdiction Hearing. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Judicial Council of California, 2011. KFC1196.Z9 J887
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Domestic Violence in Dependency Cases: A Judge's Guide. San Francisco, Calif.: Administrative Office of the Courts; Judicial Council of California, 2011. KFC1121.4.D66 H47 1

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31. California Judges Benchguides. Landlord-Tenant Litigation: Unlawful Detainer. California Center for Judicial Education and Research (CJER). San Francisco, CA.: Judicial Council of California, 2008. KFC145.Z9 L36

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83. California Judges Benchguides. **Restitution**. San Francisco, Calif.: California Center for Judicial Education and Research, 2012. KFC309.Z9 .R478

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54. California Judges Benchguides. **Faretta and Marsden Issues**. San Francisco, Calif.: Judicial Council of California, Operations and Programs Division, Center for Judicial Education and Research, 2017. Floor 3 KFC1160.4 F37

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