

To all family law litigants and counsel:

In light of statewide shelter-in-place orders by Governor Newsom, California Chief Justice Tani Cantil-Sakauye has extended prior orders authorizing temporary suspension of jury trials and extension of various timelines. The San Mateo County Superior Court has issued a general order viewable at: [http://www.sanmateocourt.org/documents/court\\_news\\_and\\_notices/040120.pdf](http://www.sanmateocourt.org/documents/court_news_and_notices/040120.pdf) suspending all trials until June 15, 2020. In view of these restrictions and in consultation with the family law bench, the San Mateo County Superior Court is implementing the following calendar procedures for family law effective through June 12, 2020.

1. **Trials**

All court trials scheduled to occur on or before June 12, 2020 will be postponed and rescheduled for a later date.

2. **RFO calendars**

All pending RFOs dealing only with property division, attorney's fees, and support (excluding DCSS matters) scheduled to be heard between now and June 12, 2020 will be postponed and rescheduled for a later date. Child custody RFOs where no initial custody orders have been made or where there is a request for emergency modification based on a documented report of abuse, abandonment, or neglect will continue to be heard. All others set between now and June 12, 2020 will be postponed and rescheduled for a later date. Individual family law bench officers are working to identify child custody cases currently scheduled between now and June 12, 2020 that will remain on calendar and will adjust scheduling of those matters as necessary to account for reduced available courtroom staffing and to minimize the number of calendars being called. In the event of a schedule change, affected litigants and counsel will be notified as soon as practicable. For as long as the shelter-in-place orders remain in place, all counsel and parties in direct-calendar RFO hearings that are proceeding have court approval to appear via Zoom without obtaining an advance written order.

3. **Status Conferences**

All status conferences between now and June 12, 2020 will be postponed and rescheduled.

4. **Mandatory Settlement Conferences**

Currently scheduled Mandatory Settlement Conferences where the case is scheduled in a direct calendar family law department for trial or long-cause evidentiary hearing within 120 days of June 12 will be heard via Zoom. For those MSCs that will proceed, the clerk's office will send Zoom meeting invitations to counsel in advance of the MSC. All other Mandatory Settlement Conferences will be vacated and rescheduled by the direct-calendar department.

5. **DVPA/TRO hearings**

Please see the calendar memo issued by the Presiding Judge on May 12, 2020 for information regarding DVPA/TRO hearing procedure.

6. **Family Law Support (DCSS) calendars**

Please see the calendar memo issued by the Presiding Judge on May 12, 2020 for information regarding family law support (DCSS) calendars.

All parties and attorneys with matters scheduled whose cases will be impacted by the above calendar modifications are encouraged to confer telephonically or via e-mail to determine available dates for rescheduling and to be proactive in contacting the assigned direct calendar department for rescheduling purposes. Regularly assigned direct calendar department staff may not be working during this time. E-mails should be copied to the department-specific inbox rather than directed to individual clerk e-mail

addresses. Counsel and parties who reach stipulations for continuances of calendared matters may e-mail those stipulations directly to the assigned judge with the advance consent of opposing counsel. Please limit any such e-mails to the transmittal of signed stipulations only to avoid impermissible ex parte contacts.

Other changes to Family Law related services during this time include the following:

- 1) The Family Law Facilitator's Office will transition all services to Live Chat, no services will be offered in person and the physical offices in Redwood City and South San Francisco are closed. Family Law Facilitator Live Chat hours will be Monday through Thursday 8:30 AM to 12 PM and 1:00 to 4:00 PM, and Fridays 8:30 AM to 12:00 PM.
- 2) Family Court Services will continue to provide services, but will do so remotely via telework. All parties with FCS appointments should expect to be contacted by FCS in advance of the appointment to arrange logistics for use of technology to conduct appointments remotely. Appointments that cannot be accomplished remotely will be rescheduled.
- 3) Family Court Services is now offering confidential, non-recommending mediation for parties who have filed a custody-related RFO but not had a hearing date scheduled due to COVID-19. Mediation is confidential and voluntary, and will only be conducted if both parties agree. Mediation does not replace child custody recommending counseling. If the parties do not reach an agreement, they will still be required to participate in child custody recommending counseling. For parties who participate in confidential mediation and do not reach an agreement, they will be assigned a different child custody recommending counselor for CCRC. Their mediator will not share information with the later-assigned CCRC. For more details, please see Emergency Local Rule 5-100 ([http://www.sanmateocourt.org/documents/local\\_rules/emergencylocalrules.pdf](http://www.sanmateocourt.org/documents/local_rules/emergencylocalrules.pdf)) and the Family Court Services section of the Court's website ([https://www.sanmateocourt.org/documents/family\\_court\\_services/fcs\\_mediation.pdf](https://www.sanmateocourt.org/documents/family_court_services/fcs_mediation.pdf))

We recognize the ongoing inconvenience to parties and attorneys that the above measures will cause, and are cognizant of the need for prompt resolution of family law matters for the stability of families and children. We are committed to restoring services as soon as it is possible to do so in a way that minimizes the ongoing risk to public health posed by the COVID-19 pandemic. Your patience during this time is appreciated. If further changes to the above procedures occur, updates will be provided through the San Mateo County Bar Association Family Law Section and on the San Mateo County Superior Court website ([www.sanmateocourt.org](http://www.sanmateocourt.org)) as soon as practicable. Please take care of yourselves and do your best to protect your health during these challenging times.

Sincerely,

Jonathan E. Karesh

Presiding Judge

Superior Court of California, County of San Mateo

Elizabeth M. Hill

Supervising Family Law Judge