

August 27, 2020

TO: All Interested Parties
FROM: Jonathan E. Karesh, Presiding Judge
RE: Seventh Court Emergency Response **Calendar Memo Order** to Novel Coronavirus Pandemic

The COVID-19 crisis continues, with no end in sight. In recent weeks the number of cases has been rising. Because of COVID-19, this Court was forced to take definitive action on our provision of court services to the public. As a result, on March 16, 2020, the Court issued a "Second Amended Court's Emergency Response to Novel Coronavirus Pandemic." The purpose of this Calendar Memo Order was to temporarily discontinue all courtroom and public services that were deemed non-essential. The plan substantially reduced the number of visits by the public to the courthouse and minimized exposure to our court judicial officers and staff, who had to maintain our court services. Additional calendar memo orders were issued after the March 16th Order, most recently on July 13, 2020.

With the gradual opening of the state, most judges returned to work in June. Most of the staff who had been sheltering at home have returned to work. By issuing this Seventh Court Emergency Response Calendar Memo Order, the Court balances the necessity of court operations to resume while protecting its employees and the public to the greatest extent possible.

Due to the rapidly increasing number of people testing positive for the virus, the Court has decided to delay any further reopening of its calendars. Therefore, the Court hereby reissues and extends its July 13, 2020 Amended Sixth Court Emergency Response Calendar Memo Order to continue to do the following:

- Curtail court calendars, but safely hear certain court calendars that had been closed.
- Suspend Civil, Family Law, LPS, Unlawful Detainer and time waived misdemeanor trials through October 2, 2020.
- The Court will continue to only hear time-not-waived felony trials, time-not-waived misdemeanor trials and time waived felony trials.

With this Order, this Court reestablishes the following changes, which originally took effect on March 17, 2020, through October 2, 2020.

PLEASE NOTE: SOME APPEARANCES ARE ALLOWED OR REQUIRED TO BE DONE REMOTELY. FOR THE COMPLETE LIST, PLEASE SEE ATTACHED COVID-19 APPEARANCE GUIDE.

Calendars that are deemed essential and mandated and should continue to be heard:

- All matters set on the Criminal Presiding Judge’s calendars will be heard. Zoom appearances will be allowed.
- All matters set on the Preliminary Hearing calendar will be heard. The Northern and Southern Preliminary Hearing calendars will continue to be consolidated and heard in Redwood City. Zoom appearances will be allowed unless the matter will proceed to an evidentiary hearing, in which case parties/attorneys must appear in person. Advanced authorization by the judge hearing the calendar will be required for a witness to appear remotely.
- In-Custody Arraignment calendars (Monday – Friday at 1:30 P.M.). Zoom appearances will be allowed.
 - Effective through October 2, 2020, out-of-custody Domestic Violence Arraignments may be heard on the 1:30 P.M. Northern/Southern In-Custody Arraignment calendars (limit is 5 DV Arraignments per calendar (Northern and Southern) for a total of 10 DV Arraignments per day). Out-of-custody defendants must appear in person.
- 1:30 Parole Hearings (PRCS cases) will be heard along with the Friday 2:00 P.M. Northern/Southern Preliminary Hearing calendar in Redwood City. Zoom appearances will be allowed.
- All matters set on the Probate calendar (Monday – Friday at 9:00 A.M.) will be heard. (*Please note:* Thursday morning sessions have been added temporarily.) CourtCall appearance for all matters is authorized and strongly preferred. The Court waives the in-person appearance of all conservators, conservatees, prospective conservators and prospective conservatees.
- Probate ex partes (Monday – Friday from 10:00 A.M. – 12:00 P.M.)
- LPS Calendar (Tuesdays at 11:00 A.M.)
- All matters set on the Presiding Judge’s Master Calendar will be heard. If the matter will proceed to an evidentiary hearing, parties/attorneys must appear in person. The Presiding Judge will hear petitions for name change if the petitioner appears on the day of hearing, either in person or by Zoom audio. The Court will also hear Claims of Exemption and Disability/Minor’s Compromise petitions, either in person or by Zoom audio. Zoom audio appearances, instead of CourtCall, will be allowed (Zoom credentials for the Master Calendar are listed on the court’s website at www.sanmateocourt.org).
- LM-OEX calendar (Claims of Exemption and Orders of Examination in civil cases)
- Presiding Judge ex partes (Monday – Friday from 2:00 – 2:15 P.M.)

- All matters set on the Family Law Support (DCSS) calendars (Wednesdays at 9:00 A.M. and Thursdays at 2:00 P.M.) will be heard. Zoom appearances will be required unless the party or attorney has no access to Zoom.
- All matters set on the Family Law DVPA/TRO calendars (short cause and long cause hearings) will be heard. Zoom appearances will be allowed unless the matter will proceed to an evidentiary hearing, in which case parties/attorneys must appear in person. Advanced authorization by the judge hearing the calendar will be required for a witness to appear remotely. (*Please note:* Family Law DVPA/TRO (long-cause) Hearing calendars are heard at both the Northern Branch in South San Francisco and Southern Branch in Redwood City.) Effective September 16, 2020, the short cause Family Law DVPA/TRO calendars (Wednesday mornings and alternating Friday mornings in Redwood City) will start at 8:30 A.M. instead of 9:00 A.M.
- Out-of-custody Misdemeanor Pretrial Conference calendars will be heard. Zoom appearances will be allowed. (*Please note:* Out-of-Custody Misdemeanor Pretrial Conference calendars are heard at both the Northern Branch in South San Francisco and Southern Branch in Redwood City.)
- In-Custody Misdemeanor Pretrial Conference calendars (Thursdays & Fridays at 8:30 A.M. in Redwood City). Zoom appearances will be allowed.
- 1:30 P.M. Domestic Violence Pretrial Conference calendar (Thursdays). Zoom appearances will be allowed.
- Civil Mandatory Settlement Conferences. Zoom appearances only.
- Law & Motion calendar (Monday – Friday at 1:30 P.M.). CourtCall appearances only. (See the Law and Motion order at www.sanmateocourt.org, under Law & Motion Tentative Rulings, for instructions on how to get your matter placed back on calendar.)
- Complex civil cases assigned to Judge Marie S. Weiner, the Complex Civil Litigation Judge (excluding jury trials)
- Traffic Arraignments (Monday – Friday at 8:30 A.M. at the Northern Branch in South San Francisco)
- Traffic Court Trials (Monday – Friday at 1:30 P.M. at the Northern Branch in South San Francisco). (*Please note:* Friday afternoon sessions have been added temporarily.)
- DUI Court calendar (Tuesdays at 9:00 A.M.)
- Prop. 63 Noncompliance calendar (third Wednesday of the month at 8:30 A.M.)
- Domestic Violence Review calendar (Thursdays at 8:30 A.M.)
- Drug Court/Treatment Court calendar (Fridays at 8:30 A.M.)
- Friday Probation Violation Conference calendar (9:00 A.M.) Zoom appearances will be allowed.
- Veterans Court calendar (generally the first and third Friday of the month at 10:00 A.M.). Zoom appearances only.
- Bridges Review/Intake calendar (Fridays at 8:30 A.M.) Zoom appearances will be allowed.
- PC 1370 calendar (Fridays at 10:30 A.M.) Zoom appearances will be allowed.

- Military Diversion calendar (generally the last Friday of the month at 10:00 A.M.) Zoom appearances only.
- Military Personnel – Veterans Resentencing Hearings calendar (generally the last Friday of the month at 2:00 P.M.) Zoom appearances only.
- Night Court – Traffic/Small Claims calendar (first Wednesday of the month at 5:30 P.M.)
- Pathways calendar (Fridays at 9:00 A.M.) Zoom appearances will be allowed.
- Mental Health Diversion calendar (Fridays at 10:30 A.M.) Zoom appearances will be allowed.
- Restitution Court calendar (generally the first Friday of the month at 1:30 P.M.) Defendants must appear in person.
- Appellate Calendar (generally the second Friday of the month at 2:00 P.M.) Zoom appearances only.

Calendars that will be continued:

- Out-of-Custody Criminal Arraignment calendars (8:30 A.M.)
 - Effective through October 2, 2020, out-of-custody Domestic Violence Arraignments may be heard on the 1:30 P.M. Northern/Southern In-Custody Arraignment calendars (limit is 5 DV Arraignments per calendar (Northern and Southern) for a total of 10 DV Arraignments per day). Out-of-custody defendants must appear in person.
- Small Claims calendar
- Small Claims Appeals
- Case Management Conference calendar
- Order to Show Cause Re: Dismissal calendar
- Unlawful Detainer Pre-Trial Conference calendar
- Law and Motion ex partes

Staff will notice the parties of all continuances or rescheduling of hearings.

Changes to Family Law calendars have been made after further consultation with the Supervising Family Law Judge. See the Family Law Memo that was posted on the court's website at www.sanmateocourt.org on August 20, 2020.

Changes to Juvenile calendars have been made after further consultation with the Supervising Juvenile Judge. See the forthcoming Memo that will also be posted on the court's website at www.sanmateocourt.org.

As a result of severe budget cuts and a reduction of court staff, effective August 31, 2020, court operations will be affected as follows:

**Civil, Family Law, Probate, Records, Small Claims and Unlawful Detainer Clerk's Office
(Room A in Redwood City)**

- Effective August 31, 2020, the Clerk's Office that houses the Civil, Family Law, Probate, Records, Small Claims and Unlawful Detainer Divisions (Room A in Redwood City) will be open from 8:30 A.M. to 12:30 P.M., Monday through Friday, for counter service and filings that cannot be electronically filed. Filings may continue to be deposited in the drop box.
- Effective August 31, 2020, phone hours will be from 8:30 A.M. to 12:30 P.M. Monday through Friday.

Criminal Clerk's Office

- Effective August 31, 2020, the Criminal Clerk's Office in South San Francisco will be closed for walk-in service.
 - Window hours are only for people sent to the Clerk's Office from a courtroom and will be from 9:00 A.M. to 2:00 P.M. Monday through Friday. *Please note:* The Criminal Clerk's Office staff will be located in the Traffic Clerk's Office and will have a dedicated window for criminal matters. Search warrants and walk-through warrants will still be handled if signed by the Northern judge.
- Effective August 31, 2020, the Criminal Clerk's Office in Redwood City will be open from 10:00 A.M. to 2:00 P.M., Monday through Friday, for counter service and filings that cannot be electronically filed. Pro per litigants' filings may continue to be deposited in the drop box.
- Effective August 31, 2020, phone hours will be from 10:00 A.M. to 2:00 P.M. Monday through Friday.
- Effective August 31, 2020, Live Chat hours will be from 10:00 A.M. to 2:00 P.M. Monday through Friday.

Family Law Facilitator's Office

- Effective August 31, 2020, Family Law Court Services and Family Law Facilitator's Office services in South San Francisco will be eliminated.
- The Family Law Facilitator's Office in Redwood City remains closed until further notice, however there is a Live Chat function on the court's website at www.sanmateocourt.org under the Self Help tab.

Traffic Clerk's Office

- Effective August 31, 2020, the Traffic Clerk's Office (located in South San Francisco) will be open from 9:00 A.M. to 2:00 P.M., Monday through Friday, for counter service.
- Effective August 31, 2020, phone hours will be from 9:00 A.M. to 2:00 P.M. Monday through Friday.
- Effective August 31, 2020, Live Chat hours will be from 9:00 A.M. to 2:00 P.M. Monday through Friday.

Judicial Officer Assignments:

The South San Francisco courthouse will be limited to handling arrest and search warrants, search warrant returns, criminal arraignments in felony cases where the defendant mistakenly shows up in South San Francisco instead of Redwood City and out-of-custody Misdemeanor Pretrial Conferences. Regarding DVPA/TRO Hearings in South San Francisco: Please see the above section of this memo on DVPA/TRO Hearings. No other matters will be heard at the South San Francisco courthouse without the express permission of the South San Francisco judge.

With this COVID-19 pandemic, the San Mateo County Superior Court, like every other jurisdiction in California, is operating in uncharted waters. None of us have experienced an emergency of this magnitude, and this Court thanks you for your patience and cooperation as we move forward.

COVID-19 Appearance Guide

Calendar	In person appearance required absent approval by the Judicial Officer	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Crim PJ – Call Jury Trial Calendar **The cases on this calendar are conferred prior to going on the record		X		X		
Crim PJ – Arraignments		X		X		
Crim PJ – Motions		X		X		
Crim PJ – PTC's **The cases on this calendar are conferred prior to going on the record		X		X		
Crim PJ – Probation Violation Conferences **The cases on this calendar are conferred prior to going on the record		X		X		

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Calendar	In person appearance required <u>absent approval</u> by the <u>Judicial Officer</u>	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Crim PJ – Probation Violation Hearings		X		X		
Criminal Northern and Southern SCR's **The cases on this calendar are conferred prior to going on the record		X		X		
Criminal Northern and Southern Call Jury Trial Calendars **Presently, these cases are not being conferred		X		X		
* It has not yet been determined when this calendar will resume or how it will be handled.						
Criminal Northern and Southern Out-of-Custody Arraignments		X		X		
Criminal Northern and Southern Out-of-Custody PTC's **The cases on this calendar are conferred prior to going on the record		X		X		

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Criminal Northern and Southern In-Custody PTC's **The cases on this calendar are conferenced prior to going on the record		X		X		
Criminal Northern and Southern Preliminary Hearings **Presently, all Preliminary Hearing Calendars are heard in RWC	All evidentiary hearings	X		X		
Criminal N/S In-Custody Arraignments		X		X		
Criminal Domestic Violence Reviews	X					
Criminal Domestic Violence PTC's **The cases on this calendar are conferenced prior to going on the record		X		X		

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Pathways		X		X		
Bridges Review/Intake	X					
Drug Court/Treatment Court	Defendant's must appear in person	X		X		
Friday Probation Violation Conferences **The cases on this calendar are conferenced prior to going on the record		X		X		
Mental Health Diversion		X		X		

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PC 1370		X		X		
MDUJ	Defendant's must appear in person	X		X		
Restitution Court	Defendant's must appear in person	X		X		
Parole and PRCS		X		X		
Veteran's Court **The cases on this calendar are conferred prior to going on the record			X			

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Military Diversion Court **The cases on this calendar are conferenced prior to going on the record			X			
Military Personnel – Veterans Resentencing Hearings **The cases on this calendar are conferenced prior to going on the record			X			
Prop. 63 Noncompliance		X		X		
Misd. Modification Calendar		X		X		
Appellate Calendar			X			

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Calendar	In person appearance required absent approval by the Judicial Officer	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Jury Trials (Criminal, Civil, LPS, Unlawful Detainer)	X					
Court Trial - Criminal	X					
Court Trial – Non-Criminal	Will be dependent upon the judicial officer; directions will be provided at the time the case is assigned.					
Master Calendar	Evidentiary hearings, trials, Small Claims Appeals, and TRO's	X		X		
PJ Law & Motion		X		X		

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LM-OEX	OEX'S	X		X		
PJ Ex Partes	X					
Probate Calendar	Guardianship and Elder abuse cases	If unable to appear by CourtCall				Strongly encouraged
LPS Calendar		If unable to appear by CourtCall				Strongly encouraged
Probate Ex Partes	X *Or by email or mail					

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Family Law DCSS		Only if you do not have access to appear via Zoom audio and/or video	X			
Family Law DVPA/TRO	X			Only if parties have reached advance agreement for a continuance, or with advance judicial approval		
Family Law – Dept. 14		<u>Only</u> if you do not have access to appear via Zoom audio and/or video	X			
Family Law – Dept. 15		<u>Only</u> if you do not have access to appear via Zoom audio and/or video	X			
Family Law – Dept. 26		<u>Only</u> if you do not have access to appear via Zoom audio and/or video	X			

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Complex Civil Litigation - Dept. 2 - Law and Motion				Contact the department directly to determine if the hearing will be conducted via Zoom or CourtCall		Contact the department directly to determine if the hearing will be conducted via Zoom or CourtCall
Complex Civil Litigation – Dept. 2 – CMC’s					X	
Complex Civil Litigation Ex Parte’s – Dept. 2	* It has not yet been determined when this calendar will resume or how it will be handled.					
Civil Law & Motion					X	
Civil Law & Motion Ex Parte’s	* It has not yet been determined when this calendar will resume or how it will be handled.					

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Calendar	In person appearance required <u>absent approval by the Judicial Officer</u>	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Civil CMC's		* it has not yet been determined when this calendar will resume or how it will be handled.				
OSC Re: Dismissal		* it has not yet been determined when this calendar will resume or how it will be handled.				
Civil MSC's			X			
Traffic Arraignments	X					
Traffic Court Trials	X					

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Calendar	In person appearance required <u>absent approval by the Judicial Officer</u>	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Small Claims		* It has not yet been determined when this calendar will resume or how it will be handled.				
Small Claims Appeals		* It has not yet been determined when this calendar will resume or how it will be handled.				
Night Court – Traffic/Small Claims	X					
Call UD		* It has not yet been determined when this calendar will resume or how it will be handled.				
Unlawful Detainer PTC's		* It has not yet been determined when this calendar will resume or how it will be handled.				

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Calendar	In person appearance required <u>absent approval by the Judicial Officer</u>	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Special Set Hearings for All Case Types	*It will be dependent upon the judicial officer; please contact the department directly for further instructions.					