

December 16, 2020

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

Due to the rapidly worsening COVID-19 crisis, the Court needs to take further action to protect the public and court staff. Therefore, the Court issues the following Tenth Emergency Response Calendar Memo Order to Novel Coronavirus Pandemic to do the following:

- Curtail court calendars, but safely hear certain court calendars that had been closed.
- Suspend all Criminal trials through January 8, 2021.
- Suspend all Civil jury trials through January 8, 2021.
- Suspend all Civil court trials, except for Unlawful Detainer court trials, through December 31, 2020.
- Suspend all LPS trials through January 8, 2021.

This Order suspending trials does not apply to trials which are currently in session. It only applies to trials which have not yet commenced in a specific trial department.

This Order suspending trials does not apply to family law or juvenile cases. For family law cases not listed below, please see the forthcoming family law memo which will soon be available to be accessed on the court's website. For juvenile cases, please see the most recent juvenile memo (dated November 3, 2020), which can also be accessed on the court's website.

With this Order, this Court reestablishes the following changes through January 8, 2021.

**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 and are strongly encouraged.
- Preliminary Hearing calendars (Northern & Southern). (*Please note:* Both the Northern and Southern Preliminary Hearing calendars will continue to be heard in Redwood City.)
  - Pursuant to COVID-19 Order Number 19, filed on December 11, 2020, all time-waived preliminary hearings and all PC 1538.5 Motions set on the Preliminary Hearing calendar between December 14, 2020 and January 8, 2021 will be continued.

- While the Preliminary Hearing calendar will be called, effective December 21, 2020, only time-not-waived preliminary hearings will proceed. All other hearings will be continued.
- In-Custody Arraignment calendars (Monday – Friday at 1:30 P.M.). Zoom appearances will be allowed.
  - Effective through January 8, 2021, out-of-custody Domestic Violence Arraignments may continue to 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.
- Bail motions for people who are in custody
- Parole Hearings (PRCS calendar) (Fridays at 1:30 P.M.). 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. – 11:00 A.M.)
- LPS calendar (Tuesdays at 11:00 A.M.)
- Presiding Judge Master Calendar. Effective December 21, 2020, all hearings on the Master Calendar will be continued, except the Presiding Judge will consider hearing motions in time-not-waived criminal cases with prior approval. The Presiding Judge will also 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 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](http://www.sanmateocourt.org)).
- Restraining order hearings off of Master Calendar: All temporary restraining orders and gun violence restraining orders scheduled for hearing between December 21, 2020 and January 8, 2021 will be reissued and the hearings will be continued to a new date if the petitioner appears on the day of hearing. Appearances may be made by Zoom audio.
- 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.). Effective December 21, 2020, the Presiding Judge will consider temporary restraining order requests and eviction stays only.
- All matters set on the Family Law Support (DCSS) calendar (Wednesdays at 9:00 A.M. and Thursdays at 2:00 P.M.) will be heard. Zoom appearances will be allowed.
- Family Law DVPA/TRO Hearings – DV Restraining order hearings (long cause and short cause) scheduled to occur between December 21, 2020 and January 8, 2021 will be continued. Existing issued temporary restraining orders will be reissued and extended until the next scheduled hearing date. Parties scheduled for a pending DVPA/TRO

hearing should appear in court on the currently scheduled hearing date. Parties and counsel may appear remotely via Zoom video. The Court will reschedule the hearing in open court and provide the parties with reissued notices of hearing and temporary orders. (*Please note:* Family Law DVPA/TRO Hearing (long cause) calendars are heard at both the Northern Branch in South San Francisco and Southern Branch in Redwood City. The 8:30 A.M. Family Law DVPA/TRO (short cause) calendars are all heard at the Southern Branch in Redwood City.) Zoom appearances will be allowed.

- Out-of-custody Misdemeanor Pretrial Conference calendars will be heard. Zoom appearances will be allowed and are strongly encouraged. (*Please note:* Out-of-Custody Misdemeanor Pretrial Conference calendars are heard at both the Northern Branch in South San Francisco and at the 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.
- Domestic Violence Pretrial Conference calendar through December 17, 2020. Effective December 21, 2020, only in-custody matters on this calendar will be heard, and they will be heard on the 8:30 A.M. Thursday or Friday In-Custody Misdemeanor Pretrial Conference calendar (depending on jurisdiction).
- Misdemeanor Modification calendar (Tuesdays at 9:00 A.M. and 2:00 P.M.). Zoom appearances will be allowed and are strongly encouraged.
- Friday Probation Violation Conference calendar (9:00 A.M.) through December 18, 2020. Effective December 21, 2020, all cases will be continued. Urgent matters will be set for the following week on the 10:00 A.M. Criminal Presiding Judge's Probation Violation Conference calendar (Tuesdays & Wednesdays). Zoom appearances will be allowed.
- DUI Court calendar (Tuesdays at 9:00 A.M.) Effective December 21, 2020, only cases involving high-risk defendants or those who have tested positive for alcohol and/or drugs will require an in-person appearance of the probationer. The Probation Department will notify the Court which defendants fit this category. All other probationers must appear by Zoom.
- Veterans Court calendar (generally the first and third Friday of the month at 10:00 A.M.). Zoom appearances only.
- Military Diversion calendar (generally the last Friday of the month at 10:00 A.M.). Zoom appearances only.
- PC 1370 calendar (Fridays at 10:30 A.M.). Effective December 21, 2020, only cases where the Court's jurisdiction will lapse between December 21, 2020 and January 8, 2021 will be heard. Zoom appearances will be allowed.
- Case Management Conferences
- Civil Mandatory Settlement Conferences. Zoom appearances only.
- Law & Motion calendar (Monday – Friday at 1:30 P.M.). CourtCall appearances only.
- Complex civil cases assigned to Judge Marie S. Weiner, the Complex Civil Litigation Judge (excluding jury trials)

- Unlawful Detainer Pre-Trial Conference calendar (Thursdays at 8:30 A.M.). Zoom appearances will be allowed.
- Unlawful Detainer Financial Distress Hearing calendar (Tuesdays and Thursdays at 9:00 A.M.). (*Please note:* Unlawful Detainer Financial Distress Hearing calendars are heard at the Northern Branch in South San Francisco.) Zoom appearances will be allowed.
- Appellate Calendar (generally the second Friday of the month at 2:00 P.M.). Zoom appearances only.

**Calendars that will be continued:**

- Effective December 14, 2020, Out-of-Custody Misdemeanor Arraignment calendar (Monday – Thursday at 8:30 A.M.), pursuant to COVID-19 Order Number 19.
- Effective December 21, 2020, Out-of-Custody Misdemeanor Domestic Violence Pretrial Conference calendar (Thursdays at 1:30 P.M.) – In-custody misdemeanor DV pretrial conferences may only be heard on the 8:30 A.M. Thursday or Friday In-Custody Misdemeanor Pretrial Conference calendar (depending on jurisdiction).
- Effective December 21, 2020, Domestic Violence Review calendar (Thursdays at 8:30 A.M.)
- Effective December 21, 2020, Drug Court/Treatment Court calendar (Fridays at 8:30 A.M.)
- Effective December 21, 2020, Pathways calendar (Fridays at 9:00 A.M.)
- Effective December 21, 2020, Military Personnel – Veterans Resentencing Hearing calendar (generally the last Friday of the month at 2:00 P.M.)
- Effective December 21, 2020, Mental Health Diversion calendar (Fridays at 10:30 A.M.)
- Effective December 21, 2020, Restitution Court calendar (first Friday of the month at 1:30 P.M.)
- Effective December 21, 2020, Prop. 63 Noncompliance calendar (third Wednesday of the month at 8:30 A.M.)
- Effective December 21, 2020, Night Court calendar (first Wednesday of the month at 5:30 P.M.)
- Effective December 21, 2020, Traffic Arraignments (Wednesdays and Fridays at 8:30 A.M.)
- Effective December 21, 2020, Traffic Court Trials (Tuesdays and Thursdays at 1:30 P.M.)
- Effective December 21, 2020, Small Claims calendar (Mondays, Wednesdays and Fridays at 1:30 P.M.)
- Effective December 21, 2020, Small Claims Appeals (Fridays at 9:00 A.M., scheduled on the Presiding Judge Master Calendar in Redwood City).
- Law and Motion ex partes. (*Please note:* Effective January 4, 2021, the San Mateo County Superior Court will transition to a Civil Direct Calendar system.)

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

Changes to civil calendars are currently underway as the court is converting to a Civil Direct Calendar system, effective January 4, 2021. Staff is in the process of rescheduling civil matters and assigning civil cases to the Civil judges listed in the Assignment Order, filed October 15, 2020, and posted on the court's website at [www.sanmateocourt.org](http://www.sanmateocourt.org).

The reduction of these calendars, as well as suspension of trials, will allow the court to operate with fewer staff, and therefore reduce social interaction with the public. Court management has implemented a plan for limiting staff presence at the courthouse to only those essential to maintain the operation of the calendars listed above.

### **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 Northern out-of-custody Misdemeanor Pretrial Conference calendars. 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 Supervising Judge or her designate.

### **Clerk's Office**

Due to the increase in COVID cases, the Redwood City and South San Francisco Clerk's Offices are closed to the public, effective Monday, December 14, 2020. Exceptions: The Redwood City Clerk's Offices will process emergency ex parte, domestic violence, all temporary restraining order petitions and civil ex partes. The drop boxes are open for permitted filings.

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

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Crim PJ – Probation Violation Hearings		X		X		
Criminal Northern and Southern SCR's <b>**The cases on this calendar are conferenced prior to going on the record</b>		X		X		
Criminal Northern and Southern Call Jury Trial Calendars <b>**Presently, these cases are not being conferenced</b>		X		X		
Criminal Northern and Southern Out-of-Custody Arraignments	X					
Criminal Northern and Southern Out-of-Custody PTC's <b>**The cases on this calendar are conferenced prior to going on the record</b>		X		X		

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Calendar	In person appearance required absent approval by the <u>Judicial Officer</u>	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Criminal Northern and Southern In-Custody PTC's <b>**The cases on this calendar are conferenced prior to going on the record</b>		X		X		
Criminal Northern and Southern Preliminary Hearings <b>**Presently, all Preliminary Hearing Calendars are heard in RWC</b>	All evidentiary hearings	X		X		
Criminal N/S In-Custody Arraignments		X		X		
Criminal Domestic Violence Reviews	X					
Criminal Domestic Violence PTC's <b>**The cases on this calendar are conferenced prior to going on the record</b>		X		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
Pathways		X		X		
Bridges Review/Intake	X					
Drug Court/Treatment Court	Defendant's must appear in person	X		X		
Friday Probation Violation Conferences <b>**The cases on this calendar are conferenced prior to going on the record</b>		X		X		
Mental Health Diversion		X		X		

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PC 1370		X		X		
MDUI	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 <b>**The cases on this calendar are conferred prior to going on the record</b>			X			

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Calendar	In person appearance required absent approval by the <u>Judicial Officer</u>	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Military Diversion Court <i>**The cases on this calendar are conferenced prior to going on the record</i>			X			
Military Personnel – Veterans Resentencing Hearings <i>**The cases on this calendar are conferenced prior to going on the record</i>			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 <u>Judicial Officer</u>	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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Calendar	In person appearance required absent approval by the <u>Judicial Officer</u>	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Family Law DCSS		<u>Only</u> 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, disposition, 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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Calendar	In person appearance required absent approval by the <u>Judicial Officer</u>	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
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 absent approval by the <u>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 absent approval by the <u>Judicial Officer</u>	In person appearance allowed	Zoom appearance required	Zoom appearance allowed	CourtCall required	CourtCall allowed
Small Claims Appeals						
	* It has not yet been determined when this calendar will resume or how it will be handled.					
Small Claims	X					
Night Court – Traffic/Small Claims	X					
UD Financial Distress Hearings		X		X		
UD PTC's		X		X		

COVID-19 Appearance Guide

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
Call UD	X					
Special Set Hearings for All Case Types	*It will be dependent upon the judicial officer; please contact the department directly for further instructions.					