

To all family law litigants and counsel:

As of March 16, 2020, the San Mateo County Public Health officer has issued an order (see <https://district.mpcsd.org/cms/lib/CA01902565/Centricity/Domain/4/HO%20Order%20Shelter%20in%20Place%2020200316.pdf>) that County residents shelter in place and leave their homes only for essential work, medical care, groceries, and pharmacy. Public gatherings are prohibited until April 6, 2020. Exceptions to the shelter-in-place order are permissible only when mitigation practices are possible. Mitigation practices include spacing that allows social distancing from participants of at least six feet, ready availability of hygiene and sanitation material, appropriate advance warning to participants that gatherings pose a heightened risk of COVID-19 transmission and that older adults and individuals with existing health conditions are at particularly serious risk and should not attend. Gathering hosts must also clean surfaces with disinfecting wipes or other appropriate cleaners before, during, and after the event.

In view of the above restrictions and in consultation with the Family Law Supervising Judge and the family law bench, the San Mateo County Superior Court is implementing the following calendar procedures for family law effective immediately:

1. Trials

All court trials scheduled within the next thirty days 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 scheduled within the next 30 days 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 as scheduled. All others set within the next 30 days will be postponed and rescheduled for a later date. Individual family law bench officers are working to identify child custody cases currently scheduled within the next thirty days that will remain on calendar and may adjust scheduling of those matters as necessary on a case-by-case basis to account for reduced available courtroom staffing. In the event of a schedule change affected litigants and counsel will be notified as soon as practicable.

3. Status and Mandatory Settlement Conferences

All status conferences and Mandatory Settlement Conferences within the next 30 days will be postponed and rescheduled.

4. DVPA hearings

Permanent restraining order hearings scheduled to occur within the next thirty days will be continued. Existing issued temporary restraining orders will be re-issued and extended until the next scheduled hearing date.

3/18/2020 Clarification regarding DVPA hearing calendars: Parties scheduled for a pending DVPA hearing should appear in court on the currently scheduled hearing date. The Court will reschedule the hearing in open court and provide the parties with reissued notices of hearing and temporary orders.

5. Family Support/DCSS calendars

Those matters where a participant is in custody will continue to be heard as scheduled. All others scheduled within the next thirty days will be postponed and rescheduled for a later date.

Court staff are working to identify those matters scheduled within the next 30 days where a participant is in custody and may adjust scheduling as necessary on a case-by-case basis to account for reduced available courtroom staffing. In the event of a schedule change affected litigants and counsel will be notified as soon as practicable.

All parties and attorneys with matters scheduled within the next thirty days 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. Counsel and parties who are in heightened risk COVID-19 categories due to age or other pre-existing health conditions are encouraged to seek continuances of any existing matters not already contemplated for rescheduling under the procedures described above.

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

- 1) Hours at the Family Law Facilitator's Office in Redwood City will be reduced. The South San Francisco Family Law Facilitator's Office will be closed. The Family Law Facilitator's Office will transition all services to Live Chat. Live Chat hours will be Monday thru Thursday 8:30 AM to 12 PM and 1 to 4 PM, and Fridays 8:30 AM to 12 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.

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) 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