

February 2, 2021

TO: All Interested Parties
FROM: Leland Davis, III, Presiding Judge
Elizabeth K. Lee, Assistant Presiding Judge
RE: Twelfth Court Emergency Response **Calendar Memo Order** to Novel
Coronavirus Pandemic

The Court, in its continuing efforts to protect the public and all those who might have a reason to enter our courthouses during this ever-worsening COVID-19 crisis, reissues and extends its January 12, 2021 Eleventh Court Emergency Response Calendar Memo Order to do the following:

- Curtail court calendars, but safely hear certain court calendars that had been closed.
- Suspend all civil jury trials through February 12, 2021.
- Suspend all LPS trials through February 12, 2021.

This Order suspending trials does not apply to family law or juvenile cases. For family law cases, please see the latest family law memo, titled “Family Law COVID-19 Protocols and FAQs”, updated January 26, 2021, which can be accessed on the court’s website at www.sanmateocourt.org. For juvenile cases, please see the most recent juvenile memo, titled “Juvenile Dependency and Juvenile Justice Memo #7”, dated November 3, 2020, which can also be accessed on the court’s website.

With this Order, this Court reestablishes the following changes through February 12, 2021.

Calendars that are deemed essential and mandated and will be heard:

- Effective February 5, 2021, the Court will hear all criminal jury trials.
- 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.)
 - All preliminary hearings and conditional examinations 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 February 12, 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. Some Probate calendars have been canceled pursuant to COVID-19 Order Number 20, which can be accessed on the court’s website.) CourtCall appearance for all matters is authorized and strongly preferred through February 11, 2021. 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.) (*Please note:* Some Probate ex parte calendars have been canceled pursuant to COVID-19 Order Number 20, which can be accessed on the court’s website.)
- LPS calendar (Tuesdays at 11:00 A.M.)
- Presiding Judge Master Calendar: All hearings on the Master Calendar will be continued, except the Presiding Judge will consider hearing conditional examinations and 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. The Presiding Judge retains the discretion to hear any matters which, in the interest of justice, the Presiding Judge determines should be heard. 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).
- Restraining order hearings off of Master Calendar: All temporary restraining orders and gun violence restraining orders scheduled for hearing between February 5, 2021 and February 12, 2021 will be reissued and the hearings will be continued to a new date if the petitioner appears on the day of hearing. The Presiding Judge retains the discretion to hear these matters if, in the interest of justice, the Presiding Judge determines they should be heard. Appearances may be made by Zoom audio.
- Presiding Judge ex partes (Monday – Friday from 2:00 – 2:15 P.M.): 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 February 5, 2021 and February 12, 2021 will be continued. Existing 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 (Zoom audio if the matter is set on the Presiding Judge Master Calendar). 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 the 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 the Southern Branch in Redwood City.)
- In-Custody Misdemeanor Pretrial Conference calendars (Thursdays & Fridays at 8:30 A.M. in Redwood City). (*Please note:* Through February 12, 2021, in-custody Domestic Violence Pretrial Conferences or Domestic Violence Probation Violation Conferences may be heard on the 8:30 A.M. Thursday or Friday In-Custody Misdemeanor Pretrial Conference calendar (depending on jurisdiction). Zoom appearances will be allowed.
- Misdemeanor Modification calendar (Tuesdays at 9:00 A.M. and 2:00 P.M.). Zoom appearances will be allowed and are strongly encouraged.
- DUI Court calendar (Tuesdays at 9:00 A.M.). 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.
- Drug Court/Treatment Court calendar (Fridays at 8:30 A.M.): Only cases where the defendant is in crisis will be heard. Zoom appearances will be allowed.
- Friday Probation Violation Conference calendar: 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.
- Pathways calendar (Fridays at 9:00 A.M.): Cases that are already on calendar between February 5, 2021 and February 12, 2021 will be heard, however there shall not be any new referrals set on the Pathways calendar between February 5, 2021 and February 12, 2021. There shall be no Pathways graduations scheduled between February 5, 2021 and February 12, 2021. Zoom appearances will be allowed.
- PC 1370 calendar (Fridays at 10:30 A.M.): Cases that are already on calendar between February 5, 2021 and February 12, 2021 will be heard, however there shall not be any new referrals set on the PC 1370 calendar between February 5, 2021 and February 12, 2021. Zoom appearances will be allowed.
- Mental Health Diversion calendar (Fridays at 10:30 A.M.): Only cases that are set for Review between February 5, 2021 and February 12, 2021 will be heard; all other cases will be continued. There shall not be any new referrals set on the Mental Health Diversion calendar between February 5, 2021 and February 12, 2021. Zoom appearances will be allowed.

- Unlawful Detainer Pretrial Conference calendar (Tuesdays at 8:30 A.M.). Zoom appearances will be allowed and are strongly encouraged. (*Please note:* Effective January 5, 2021, the Unlawful Detainer Pretrial Conference calendar will be heard at the Northern Branch in South San Francisco.)
- Appellate Calendar (generally the second Friday of the month at 2:00 P.M.). Zoom appearances only.
- Civil Direct calendars. (*Please note:* No Law and Motion ex parte matters will be heard.)

Calendars that will be continued:

- Out-of-Custody Misdemeanor Arraignment calendar (Monday – Thursday at 8:30 A.M.)
- Domestic Violence Pretrial Conference calendar (Thursdays at 1:30 P.M.). In-custody misdemeanor DV pretrial conferences and DV Probation Violation Conferences may be heard on the 8:30 A.M. Thursday or Friday In-Custody Misdemeanor Pretrial Conference calendar (depending on jurisdiction).
- Domestic Violence Review calendar (Thursdays at 8:30 A.M.)
- Drug Court/Treatment Court calendar (Fridays at 8:30 A.M.). (*Please note:* Only cases where the defendant is in crisis will be heard.)
- Pathways calendar (Fridays at 9:00 A.M.). (*Please note:* Only cases already on calendar as of February 3, 2021 will be heard.)
- Military Personnel – Veterans Resentencing Hearing calendar (generally the last Friday of the month at 2:00 P.M.)
- Mental Health Diversion calendar (Fridays at 10:30 A.M.). (*Please note:* Only cases that are set for Review between February 5, 2021 and February 12, 2021 will be heard.)
- Restitution Court calendar (first Friday of the month at 1:30 P.M.)
- Prop. 63 Noncompliance calendar (third Wednesday of the month at 8:30 A.M.)
- Night Court calendar (first Wednesday of the month at 5:30 P.M.)
- Traffic Arraignments (Wednesdays and Fridays at 8:30 A.M.)
- Traffic Court Trials (Tuesdays and Thursdays at 1:30 P.M.)
- Small Claims calendar (Mondays, Wednesdays and Fridays at 1:30 P.M.)
- Small Claims Appeals (Fridays at 9:00 A.M., scheduled on the Presiding Judge Master Calendar in Redwood City).

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

Effective January 4, 2021, the court transitioned to a Civil Direct Calendar system. Staff is still 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.

The reduction of these calendars, as well as suspension of LPS and civil jury 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.

Clerk's Offices

Due to the increase in COVID-19 cases, the Redwood City and South San Francisco Clerk's Offices are closed to the public. Exceptions: The Redwood City Clerk's Offices will continue to process emergency ex parte matters, domestic violence, elder/dependent adult abuse and civil temporary restraining order petitions and civil ex parte matters. The Clerk's Offices' drop boxes are open for permitted filings.

We thank you for your patience, cooperation and understanding as we attempt to safely work our way through this COVID-19 pandemic.