

**FILED**  
**SAN MATEO COUNTY**

JUN 12 2020

Clerk of the Superior Court  
By *[Signature]*  
DEPUTY CLERK

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**IN AND FOR THE COUNTY OF SAN MATEO**

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)  
) ORDER #4 RELATED TO  
) UNLAWFUL DETAINER  
) PROCEEDINGS AND  
) JUDGMENTS  
)

Because of the COVID-19 epidemic, leading to health and safety concerns resulting in the temporary cessation of jury services and substantial operational impediments, and the proclamation of a state of emergency by federal, state, and local officials, the Chief Justice of the California Supreme Court has determined that the conditions described in section 68115 of the Government Code are met with regard to the Superior Court of San Mateo County. On March 16, 2020, this Court issued a general order regarding Court operations consistent with the findings of the Chief Justice and section 68115 of the Government Code. On March 19, 2020, this Court issued an “Order Related to Unlawful Detainer Proceedings and Judgments.” On April 2, 2020, the Chief Justice issued an Order specifically authorizing the Presiding Judge of the Superior

1 Court, San Mateo County, to extend time deadlines in certain cases. April 3, 2020, this  
2 Court issued "Order #2 Related to Unlawful Detainer Proceedings and Judgments." On  
3 May 14, 2020, and June 11, 2020, the Chief Justice issued Orders which again held that  
4 emergency conditions continue to exist in San Mateo County. The Order from the Chief  
5 Justice again specifically authorized the Presiding Judge of the Superior Court of San  
6 Mateo County to extend time deadlines in certain cases. On May 18, 2020 this Court  
7 issued "Order #3 Related to Unlawful Detainer Proceedings and Judgments."  
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10 On March 16, 2020, the County of San Mateo issued sweeping a Shelter in Place  
11 Order, which was subsequently extended on March 30, 2020, April 29, 2020, and May  
12 28, 2020. This order currently confines the movement of San Mateo County residents  
13 outside of their homes and will be in effect until it is rescinded, superseded or amended in  
14 writing by the San Mateo County Health Officer. During the period of the Shelter in  
15 Place Order, it is a public health priority for residents to maintain housing in which to  
16 remain sheltered. During this same period, the Court will have limited functional  
17 operations, with access prioritized to proceedings, not including unlawful detainers.  
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20 On March 16, 2020, the Court issued a "Second Amended Court's Emergency  
21 Response to Novel Coronavirus Pandemic." The purpose of this Calendar Memo Order  
22 was to temporarily discontinue all courtroom and public services that were deemed non-  
23 essential. The plan substantially reduced the number of visits by the public to the  
24 courthouse and minimized exposure to our court judicial officers and staff, who had to  
25 maintain our court services. Approximately 75% of judicial officers and court staff were  
26 sent home. On April 9, 2020 May 12, 2020, and June 12, 2020 the Court issued  
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1 subsequent Calendar Memo Orders to extend the period for which non-essential  
2 courtroom and public services would be temporarily discontinued through July 14, 2020.

3 On April 6, 2020, the Judicial Council amended the California Rules of Court to  
4 include Emergency Rule 1 regarding unlawful detainers, which shall remain in effect  
5 until 90 days after the Governor declares that the state of emergency related to the  
6 COVID-19 pandemic is lifted, or until amended or repealed by the Judicial Council.

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8 Emergency Rule 1 provides that as of April 6, 2020, a Court may not: (1) issue a  
9 summons on a complaint for unlawful detainer; (2) enter a default or a default judgment  
10 for restitution in an unlawful detainer action for failure of defendant to appear; or (3) set a  
11 trial date earlier than 60 days after a request for trial is made. Exceptions to these  
12 restrictions may be made, at the Court's discretion and on the record, if the action is  
13 necessary to protect public health and safety.  
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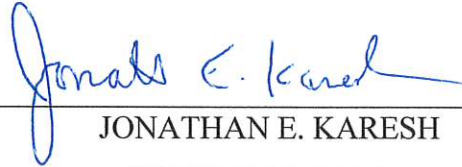
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17 Pursuant to the currently effective Calendar Memo Order, which temporarily  
18 discontinues all non-essential courtroom and public services through July 14, 2020, there  
19 will be no available hearing procedure for determining on the record whether an unlawful  
20 detainer action is necessary to protect public health and safety until the Court resumes  
21 conventional courtroom services.  
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23 Therefore, the Court orders the following with respect to unlawful detainer  
24 proceedings and judgments, effective June 12, 2020:  
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- 1 • For all pending unlawful detainer matters in which a Summons has been issued,  
2 June 13, 2020 through July 12, 2020 are deemed holidays for purposes of  
3 computing the time for filing papers with the court under Code of Civil Procedure  
4 sections 12 and 12a (Gov. Code § 68115(a)(4)), which taken together with the  
5 holiday periods in previous Orders constitutes a holiday period of March 18, 2020  
6 through July 12, 2020;  
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8 • During the period of June 12, 2020 through July 12, 2020, no default shall be  
9 entered in any pending unlawful detainer matter;  
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11 • During the period of June 12, 2020 through July 12, 2020, no writ of possession  
12 for real property shall be issued in any pending unlawful detainer matter;  
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14 • Execution of any previously issued writ of possession for real property is  
15 hereby stayed through July 12, 2020, and no payment or undertaking for this  
16 period shall be owed by any Defendant, consistent with the Court's discretion  
17 under Code of Civil Procedure 918;  
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19 • All Pretrial Conferences in currently pending unlawful detainer matters shall be  
20 scheduled on or after July 16, 2020, and all unlawful detainer Pretrial Conferences  
21 currently scheduled for June 18, 2020 are continued to July 16, 2020 for Pretrial  
22 Conference and "to Set;"  
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24 • Unlawful detainer trials in currently pending cases for which a Request to Set for  
25 Trial was filed with the Court are to be assigned to trial courts no sooner than July  
26 13, 2020, and all unlawful detainer trials currently set for June 22, 2020 are  
27 continued to July 13, 2020;  
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- The dates in this Order may be extended if public safety warrants it.

Dated: June 12, 2020.



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JONATHAN E. KARESH  
PRESIDING JUDGE

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