

FILED
SAN MATEO COUNTY

AUG 25 2020

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

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

) AMENDED
) ORDER #6 RELATED TO
) UNLAWFUL DETAINER
) PROCEEDINGS AND
) JUDGMENTS
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1 On March 4, 2020, Gavin Newsom, the Governor of California, issued a Proclamation of
2 a State of Emergency relating to COVID-19. The order directed that “all...heed the advice of
3 emergency officials with regard to this emergency in order to protect their safety.”

4 On March 19, Governor Newsom issued Executive Order N-33-20 directing all
5 Californians to shelter in place at their place of residence except as needed to maintain continuity
6 of essential operations.
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8 On March 18, the United States Congress enacted the Families First Coronavirus
9 Response Act, which requires employers like the San Mateo County Superior Court to provide
10 their employees with paid sick leave or expanded family and medical leave for specified reasons
11 related to COVID-19.
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13 The San Mateo County Public Health Department issued an Order on March 16 directing
14 all individuals living in the county to shelter in place at their residence to mitigate the spread of
15 COVID-19. Essential businesses and those who performed essential services were deemed
16 exempt from the shelter in place orders. The Court and its personnel are categorically exempt
17 from the shelter in place orders while performing Court functions. Although exempt from the
18 shelter in place orders, the health orders recommend that Court functions be performed in
19 compliance with Social Distancing Requirements to the greatest extent possible. The Social
20 Distancing Requirements include maintaining at least six feet of physical distance and wearing
21 face coverings. The Shelter in Place orders were extended on March 31 to May 31. Revised
22 shelter in place orders were issued on May 11, May 15, May 22, and June 4. These additional
23 orders, while concurrently extending the general shelter in place order, did allow for additional
24 businesses to open and for some activities to resume.
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1 On June 17, 2020, the San Mateo County Health Department rescinded all previously
2 issued shelter in place orders. The Public Health Department explained that its intent was to
3 continue the gradual re-opening of the county to match the maximum allowed by the State's
4 Resilience Roadmap. The order reiterated that a public health emergency still exists throughout
5 the County, citing evidence of continued significant community transmission not only in the
6 county but the Bay Area as a whole. The health order added that the spread of COVID-19 has
7 been made worse by those individuals who contract the virus but have no symptoms or mild
8 symptoms and transmit it to others and the fact that the virus lives on surfaces for a long time.
9 Current studies show that the virus is easily spread by both indirect and direct transmission to
10 others making it highly contagious. The Order continued the practice of Social Distancing and
11 Face Covering requirements.
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14 The total number of COVID-19 cases in the County increased from 44 on March 15
15 (when shelter in place orders first went into effect) to 7,670 as of August 24, 2020. In July of
16 2020, the total number of cases was 2,370. As of August 24, 2020, the total number of cases for
17 August is already 2,014. If the trend continues, August will see a record number of monthly
18 COVID-19 cases in San Mateo County. Moreover, as of August 24, 2020, there already have
19 been 128 deaths due to COVID-19. The current trajectory of the numbers reflect that our curve
20 has not yet flattened.
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22 Because of the COVID-19 epidemic, leading to health and safety concerns resulting in
23 the temporary cessation of jury services and substantial operational impediments, and the
24 proclamation of a state of emergency by federal, state, and local officials, the Chief Justice of the
25 California Supreme Court has determined that the conditions described in section 68115 of the
26 Government Code are met with regard to the Superior Court of San Mateo County on March 16,
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1 April 1, April 10, May 14, June 11, July 13, and August 12, 2020. Today, the San Mateo County
2 Superior Court made an additional request to the Chief Justice that emergency conditions
3 continue to exist.

4 On March 16, 2020, the Court issued a "Second Amended Court's Emergency Response
5 to Novel Coronavirus Pandemic." The purpose of this Calendar Memo Order was to temporarily
6 discontinue all courtroom and public services that were deemed non-essential. The plan
7 substantially reduced the number of visits by the public to the courthouse and minimized
8 exposure to our court judicial officers and staff, who had to maintain our court services.
9 Approximately 75% of judicial officers and court staff were sent home. On April 9, 2020 May
10 12, 2020, and June 12, 2020 and July 13, 2020, the Court issued subsequent Calendar Memo
11 Orders to extend the period for which non-essential courtroom and public services would be
12 temporarily discontinued through August 28, 2020. Another calendar memo is forthcoming
13 which will be substantially similar to the calendar memo of July 13, 2020, and will be in effect
14 through the October 2, 2020.
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17 On March 16, 2020, the County of San Mateo issued sweeping a Shelter in Place Order,
18 which was subsequently extended on March 30, 2020, April 29, 2020, and May 28, 2020. While
19 the Shelter in Place Order was rescinded on or about June 16, 2020, as indicated above, the
20 danger from the Coronavirus is still significant, remains in the population, and recently has been
21 steadily increasing. Therefore, it is a public health priority for residents to maintain housing.
22 Moreover, the recent fire in San Mateo County creates a potential health hazard from the smoke
23 if residents are evicted from their homes and are forced to remain outside. The Court will also
24 have limited functional operations, at least through October 2, with access prioritized to
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1 Pursuant to the forthcoming Calendar Memo Order, which will temporarily discontinue
2 all non-essential courtroom and public services through the October 2, there will be no available
3 hearing procedure for determining on the record whether an unlawful detainer action is necessary
4 to protect public health and safety until the Court resumes conventional courtroom services.

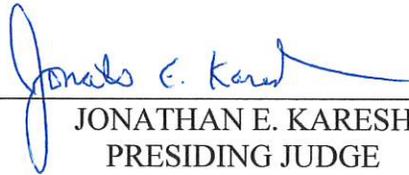
5 Therefore, the Court orders the following with respect to unlawful detainer proceedings
6 and judgments, effective immediately:
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- 8 • During the period of August 28, 2020 through October 2, 2020, no default shall be
9 entered in any pending unlawful detainer matter;
- 10 • Effective immediately and through October 2, 2020, no summons shall be issued on a
11 complaint for unlawful detainer;
- 12 • During the period of August 28, 2020 through October 2, 2020, no writ of possession for
13 real property shall be issued in any pending unlawful detainer matter;
- 14 • Execution of any previously issued writ of possession for real property is hereby stayed
15 through October 2, 2020, and no payment or undertaking for this period shall be owed by
16 any Defendant, consistent with the Court's discretion under Code of Civil Procedure 918;
- 17 • All Pretrial Conferences in currently pending unlawful detainer matters shall be
18 scheduled on or after October 5, 2020, and all unlawful detainer Pretrial Conferences
19 currently scheduled for September 3, 2020 are continued to October 8, 2020 for Pretrial
20 Conference and "to Set;"
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- 22 • All unlawful detainer cases currently set for trial are hereby taken off calendar, and are to
23 be set for trial no sooner than October 12, 2020. Unlawful detainer trials in currently
24 pending cases for which a Request to Set for Trial was filed with the Court by April 6,
25 2020, and for which no trial date has yet been set, are to be assigned to trial courts no
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1 sooner than October 12, 2020. Future trial dates for all unlawful detainer matters shall be
2 set no sooner than 60 days after the date that a Request for Trial is filed, unless the Court
3 finds in its discretion and on the record that an earlier trial date is necessary to protect
4 public health and safety. In no event shall any unlawful detainer trial be set sooner than
5 October 12, 2020.
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- 7 • The dates in this Order may be extended if public safety warrants it.

8 Dated: August 25, 2020.

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12 JONATHAN E. KARESH
13 PRESIDING JUDGE
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