

Sacramento Superior Court's Notice of Partial Court Closure

(Counsel)

March 17, 2020

The Coronavirus (COVID-19) was declared a world pandemic and our federal government has declared a national state of emergency. The Centers for Disease Control and Prevention, the State Dept. of Public Health, and our County Public Health Officer are requiring the implementation of social distancing, social isolation of at-risk age and health groups, and other alternatives to normal business operations to stem the spread of COVID-19 and to lessen the effect of this pandemic.

Although these measures will significantly reduce the number of people entering court facilities, we recognize that this situation is constantly changing and may necessitate the court to take more extreme measures including closure of all court facilities and court operations other than those deemed critical. However, we will continue to serve the needs of the most vulnerable people in Sacramento County – our children, the elderly, domestic violence victims and people whose life and liberty interests are at stake.

These rapidly unfolding events have forced us to take definitive action on our provision of court services. As a result, we are implementing the following Continuity of Operations Plan. This plan will reduce the number of visits by the public to court facilities to promote public safety and health while protecting liberty and due process. This will mean:

- Curtailing court calendars to concentrate on those matters which are most essential and mandated.
- Reducing the interaction of people at our service counters and in our higher volume courtrooms.
- Continuing any non-essential trials or hearings that involve personal appearances by parties.
- Utilizing telephonic appearances where feasible.
- Focusing available staff on manning phone lines and email boxes to provide services remotely, and processing pleadings filed through the drop box.
- Instituting social distancing procedures.

Effective immediately the following court facilities are closed to the public:

- The Carol Miller Justice Center serving traffic, small claims and unlawful detainer
- The Civil Self Help Centers at the Hall of Justice and the Gordon D. Schaber Courthouse
- The Children's Waiting Room at the Gordon D. Schaber Courthouse

Services for traffic, small claims, unlawful detainers and self-help centers will be made available through electronic and telephonic means.

Effective March 17, 2020, the Sacramento Superior Court will adjust its Court operations as follows:

Criminal Matters

Criminal Matters

All criminal matters deemed by the Court to be non-essential will be continued for a period of 30 to 45 days. The Court defines an essential case as one where the postponement of the matter would result in a public safety risk or a clear and substantial danger of causing irreparable harm to a victim or party.

The Court anticipates having a maximum of two departments open per floor on the 3rd, 4th and 5th floors to hear essential trials and preliminary hearings, with only the larger west-facing Courtroom utilized for trials to allow for adequate social distancing space.

Collaborative Courts

Judicial officers will extend the timeline between progress report appearances, with all appearances for defendants who are out of custody continued a minimum of six weeks. Some upcoming collaborative Court calendars may be cancelled outright, including RESET Court on March 20, 2020.

Misdemeanor Arraignment/Settlement Courts

The arraignment of defendants who are out of custody on misdemeanor cases will be continued six weeks.

Defendants will be given the option to execute a promise to appear without the necessity of entering the Courtroom and will be rescheduled to a date 45 to 60 days out.

All in custody defendants will be moved to the jail arraignment/settlement courts to have their matters heard.

Counsel is encouraged to utilize the ex parte Request for Calendar Change (CR-224) form to continue cases and may submit the forms electronically to the respective department's email box.

Felony Arraignment/Settlement Courts

All in custody defendants will be moved to the jail arraignment/settlement courts to have their matters heard.

Counsel is encouraged to utilize the ex parte Request for Calendar Change (CR-224) form to continue cases and may submit the forms electronically to the respective department's email box.

Expungement Calendar (Penal Code section 1203.4)

The Court will rule on all expungement petitions on an ex parte basis. In the event that a petition is denied, a hearing will be set at a date in the future. All currently scheduled hearings through May 1, 2020 will be postponed.

Other Criminal Proceedings

At this moment, it is expected that all other criminal matters will proceed as normal. However, the parties are urged to utilize waivers of appearance (Penal Code section 977) and the ex parte Request for Calendar Change (CR-224) where possible to minimize the number of in person appearance. Any out of custody hearing should be postponed for a minimum period of 30 to 45 days.

Civil Matters

Civil Law and Motion, Civil Writs and Complex Civil Cases

Hearings in the Civil Law & Motion, Civil Writs and Complex Civil Case departments shall occur as scheduled. However all counsel and parties are required to appear telephonically until further notice. If the Court determines that an in-person appearance is necessary, the matter shall be continued to a future date for that appearance.

Case Management Program Conferences (CMP)

Through May 1, 2020, all civil case management conferences will be postponed.

Mandatory Settlement Conferences

All voluntary settlement conferences are cancelled. Mandatory Settlement Conferences in Dept. 59 will continue as scheduled; however, the parties and representative with authority to settle may appear telephonically in lieu of personal appearance as long as they are available for the entire duration of the conference.

Mental Health Hospital Hearings (Riese and Writ Petitions)

Mental health hearings are considered an essential function and will continue. Videoconferencing will be utilized where available.

Minor's Compromise Calendar

Expedited petitions on the Minor's Compromise calendar shall be heard as usual. However, all other hearings will be postponed through May 1, 2020. For any hearings scheduled before May 1, 2020, the Court will rule on an ex parte basis and if the petition is denied the matter will be postponed to a future date.

OX Calendar

The OX (examination of judgment debtors) calendar is postponed until May 1, 2020.

Presiding Judge's Calendars

The Presiding Judge's Trial Assignment, Law & Motion and Ex Parte calendars will operate as normal. However, all counsel and parties are required to appear telephonically until further

notice. The parties are ordered to meet and confer regarding the potential continuance of their trial dates. The Presiding Judge intends to continue civil trials unless exceptional circumstances exist that require the trial to proceed without delay.

Self Help Center

The Civil Self Help centers at the Hall of Justice (813 6th Street) and the Gordon D. Schaber Downtown Courthouse (720 9th Street) shall close to the public. Resources will be available online.

Children's Waiting Room

The Children's Waiting Room at the Gordon D. Schaber Downtown Courthouse (720 9th Street) shall close.

Carol Miller Justice Center

The Carol Miller Justice Center will close to the public. Staff will be available via phone and email to answer questions and handle certain requests. Filings and payments can be submitted in the drop box without entering the building.

Traffic

All traffic matters will be continued 90 days and staff will provide notice to the defendant.

Defendants with license suspensions for failures to appear may contact the Court via phone to have the suspension lifted for until their next Court date. The license suspension will be reinstated if the defendant fails to appear at their next Court date.

The Court will discontinue the penalty process for all cases, including the automated printing of penalty notices. The Department of Revenue & Recovery will be notified to suspend the Return to Court process. And the requirement to pay 10% down in order to start a payment plan will be waived.

Defendants can pay online with a credit card or utilize the drop box for cash or check payments.

Small Claims

Small claims hearings will be postponed with the exception of claims of exemption from wage garnishment. Parties may submit a Claim of Exemption or the Notice of Opposition to Claim of Exemption via the drop box or via email. Any hearings scheduled by the Court will be conducted via teleconference.

Unlawful Detainer

The Court shall notify the Sheriff's Department to suspend any eviction activity until Court services are fully restored.

Parties may submit a stay of execution for an eviction action via the drop box.

Small Claims & Unlawful Detainer Advisory and Mediation Center

The Small Claims & Unlawful Detainer Advisory and Mediation Center will be closed to the public. An email box will be created so parties can submit documents for legal advisors to review before a telephonic meeting with a staff attorney.

Children's Waiting Room

The Children's Waiting Room at CMJC shall close.

Family Relations Courthouse

Telephonic Appearances

Telephonic appearances via CourtCall shall be granted without judicial approval for all Family Law and LPS matters except contempt proceedings and termination of parental rights, unless the Court previously ordered a personal appearance.

Special Email Boxes for Continuances & Telephonic Appearance Requests

The Court will implement special email box or boxes where litigants and attorneys can request a continuance or a telephonic appearance electronically.

Self Help Center & Facilitator's Office

The Family Law and Probate Self Help Center will close to all walk-in appointments. Prescheduled appointments will be suspended and litigants with prescheduled appointments will be contacted by phone or through the Court's E-correspondence system.

Domestic Violence workshops will continue to be held on Monday, Wednesday and Friday with possible limitation on workshop size to allow for appropriate social distancing of participants.

The Court will enhance its E-correspondence system to assist litigants during the closure of the Self Help Center.

Family Court Services

In-person mediation appointments will be converted to telephonic appearances for the parents only. No interviews of children will be conducted.

Domestic Violence Restraining Orders

Domestic Violence restraining orders will be expedited and returned to litigants within a few hours if filed before 2:00 p.m.

Same-day mediation for domestic violence cases will continue in person on Fridays.

Settlement Conferences and Trials

Settlement conferences and family law trials will be continued with the exception of cases where irreparable harm to a child or one of the parties may exist (i.e. custody and domestic violence matters). Cases involving strictly a division of property will be continued.

Probate Investigations

In-person visits by Probate Court investigators will be suspended for conservatorship and guardianship proceedings. Investigators will conduct telephone interviews in guardianships. Brief investigator reports will be provided to the Court for conservatorship proceedings which includes criminal background and Adult Protective Services information to allow the Court the ability to issue temporary orders as necessary, pending a continuance of about 6 to 10 weeks.

Dependency

Orders will be issued soon in regards to juvenile dependency matters and court operations.

Juvenile Justice Facility

Orders will be issued soon in regards to juvenile delinquency matters and court operations.

Other Court Calendars

The following are deferred to May 15, 2020 or until further notice:

- Grand Jury proceedings
- Appellate Panel hearings
- Civil Fee Waivers requiring a hearing
- Firearms Calendar
- Loaves & Fishes Calendar (continued to June 2020)