

Superior Court of California County of Santa Clara

191 North First Street
San José, California 95113
(408) 882-2700

HON. THEODORE C. ZAYNER, Presiding Judge

HON. BETH MCGOWEN, Assistant Presiding Judge

HON. CHARLES F. ADAMS, Supervising Judge, Family Division

HON. BROOKE A. BLECHER, Assistant Supervising Judge, Family Division

REBECCA J. FLEMING, Chief Executive Officer



NOTICE

INFORMATION REGARDING FAMILY DIVISION OPERATIONS DURING COVID-19 PUBLIC HEALTH EMERGENCY (Updated August 2, 2021)

Since March 4, 2020, the State of California has been in a State of Emergency because of Covid-19, and the County of Santa Clara Public Health Officer (PHO) has issued several orders directing county residents to take various precautions that have increased and decreased depending on the extent of Covid-19's transmission and the need to protect public health.

In response, and in conjunction with court-wide General Orders issued by the Presiding Judge, the Family Division of the Superior Court has limited the number of individuals who can be personally present for hearings in order to ensure the safety of court staff and court users. At the same time, the Family Division has increased the availability of video and phone hearings and has expanded remote appearance technology to all of the division's courtrooms.

On June 15, 2021, the State lifted most Covid-19 precautions, and the PHO aligned the County's orders with state guidelines. In turn, the Presiding Judge issued General Orders on June 18, 2021, and June 25, 2021, which, inter alia, rescinded the restriction on individuals entering the courthouses and rescinded the requirement for social distancing of at least six feet while in a courthouse.

At the same time, the rapid spread of Covid-19 variants, and in particular the Delta variant, continues to increase across the globe, causing the World Health Organization to urge fully vaccinated people to continue to wear masks and practice other Covid-19 pandemic safety measures. Transmission rates of the Delta variant have also begun to increase in California, and the PHO has reinstated a requirement for all individuals to wear masks indoors as of August 3, 2021.

In light of the foregoing considerations, the operations of the Family Division are modified in the following manner **as of August 2, 2021**:

1. For Departments 64, 65, 66, 71, 72, 74, 75, 76, 77, 78 and 79, attorneys, represented parties, self-represented parties, and witnesses may appear in person or using Microsoft Teams for any hearing that is designated by the court as a trial. The “Remote Video Rules and Procedures for Family Court Long-Cause Evidentiary Hearings and Trials” continue to apply to any evidentiary hearing for which any attorney or party intends to appear using Microsoft Teams.
2. Attorneys are required to appear for all other hearings—including, but not limited to, Status Conferences, Law and Motion hearings, Post Mediation Hearings, and Judicial Custody Conferences—using Microsoft Teams. All self-represented litigants and represented parties who are able to do so are encouraged but not required to appear for all other hearings using Microsoft Teams. The remote hearing links can be accessed at www.scscourt.org by clicking “Family/Probate Video Hearings” on the homepage and then joining the morning or afternoon session corresponding to the assigned department.
3. Despite the preceding instructions, judicial officers may order that all attorneys, parties, and witnesses appear for any hearing using Microsoft Teams, including hearings designated by the court as a trial. Furthermore, judicial officers may permit attorneys and parties to appear in person for any hearing when the circumstances indicate that doing so would facilitate the efficient presentation of the particular proceeding.
4. Requests for an exemption from the requirement to appear using Microsoft Teams must be made directly to the department assigned for the hearing.

These operational mandates will remain in effect until further notice.