

**FILED**

MAY 08 2020

Clerk of the Court  
Superior Court of CA County of Santa Clara  
BY David K. Walker DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SANTA CLARA**

**GENERAL ORDER ON COURT OPERATIONS EFFECTIVE MAY 8, 2020**

This Court HEREBY FINDS AND ORDERS AS FOLLOWS:

1. Since March 4, 2020, the State of California has been in a State of Emergency as a result of the threat of COVID-19.

2. On March 16, 2020, the County of Santa Clara Public Health Officer, along with six (6) other Public Health Officers, issued an order directing all individuals living in five (5) neighboring Bay Area Counties and the City of Berkeley to shelter at their place of residence except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and governmental services to mitigate the spread of COVID-19.

3. On March 19, 2020, the Governor of California issued an order directing all Californians to shelter in place at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors to protect public health and ensure the healthcare delivery system is capable of serving all and prioritizing those at the highest risk and vulnerability.

4. On March 27, 2020, the Governor issued an order permitting the Chief Justice of the California Supreme Court, as Chair of the Judicial Council of California, to address via

1 emergency order or emergency statewide or local rule any action she deems necessary to (1)  
2 maintain the safe and orderly operation of the Supreme Court, Courts of Appeal and Superior  
3 Courts; (2) amend the California Rules of Court or any other applicable court rule as the Judicial  
4 Council may, in its discretion, choose to adopt in response to the COVID-19 pandemic; and (3)  
5 suspend any statute concerning civil or criminal practice or procedure under certain conditions to  
6 afford the Judicial Council and its Chairperson maximum flexibility to adopt any rules  
7 concerning civil or criminal practice or procedure they may deem necessary to respond to the  
8 COVID-19 pandemic, while ensuring that the rules adopted “shall not be inconsistent with  
9 statute,” as provided in Article VI, section 6 of the California Constitution.

10           5.       On March 28, 2020, the Judicial Council of California unanimously approved  
11 recommendations which were enacted statewide by the Order of the Chief Justice on March 30,  
12 2020. The Chief Justice’s Order authorized superior courts to issue implementation orders that  
13 1) extended the time period provided in section 859b of the Penal Code for the holding of a  
14 preliminary examination and the defendant’s right to release from 10 court days to not more than  
15 30 court days; 2) extended the time period provided in section 825 of the Penal Code within  
16 which a defendant charged with a felony offense must be taken before a magistrate from 48  
17 hours to not more than seven days; 3) extended the time period provided in section 1382 of the  
18 Penal Code for the holding of a criminal trial by no more than 60 days from the last date on  
19 which the statutory deadline otherwise would have expired; 4) extended the time periods  
20 provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to  
21 trial by no more than 60 days from the last date on which the statutory deadline otherwise would  
22 have expired; 5) continued jury trials for 60 days to be calculated from the date for which the  
23 trial was set or extended, whichever is longer; and 6) suspended any rule in the California Rules  
24 of Court to the extent such rule would prevent a court from using technology to conduct judicial  
25 proceedings and court operations remotely.

26           6.       On April 6, 2020, the Judicial Council adopted temporary emergency rules which  
27 suspended the entry of defaults in eviction cases and judicial foreclosures; allowed courts to  
28 require judicial proceedings and court operations be conducted remotely, with the defendant’s

1 consent in criminal proceedings; adopted a statewide emergency bail schedule that sets bail at \$0  
2 for most misdemeanor and lower-level felony offenses; allowed defendants to appear via counsel  
3 or remote technologies for pretrial criminal hearings; prioritized hearings and orders in juvenile  
4 justice proceedings and set a structure for remote hearings and continuances; extended the  
5 timeframes for specified temporary restraining orders; extended the statutes of limitations  
6 governing civil actions; and allowed electronic depositions in civil cases.

7         7.       On April 29, 2020, the Chief Justice issued a statewide emergency order which  
8 extended, by an additional 30 days, the continuance of criminal jury trials and the time in which  
9 to conduct a criminal trial under Penal Code section 1382.

10         8.       On March 31, 2020, the County of Santa Clara Public Health Officer, along with  
11 six (6) other Public Health Officers, issued an updated order to all individuals, businesses and  
12 government agencies in five (5) neighboring Bay Area Counties and the City of Berkeley that  
13 clarifies, strengthens and extends certain terms of the prior shelter in place order to increase  
14 social distancing and reduce person-to-person contact in order to further slow transmission of  
15 COVID-19. The March 31 order was effective through May 3, 2020. The order required  
16 essential businesses to adopt and post social distancing protocols. On April 13, 2020, the Court  
17 adopted and posted social distancing protocols for the Family Justice Center Courthouse,  
18 Downtown Superior Court, Hall of Justice, and Juvenile Justice Courthouse.

19         9.       On April 29, 2020, the County of Santa Clara Public Health Officer, issued an  
20 updated order superseding the March 31, 2020 order. The new order directed all individuals in  
21 the County to continue sheltering at their place of residence except for essential needs and  
22 identified outdoor activities, required all businesses to implement social distancing, face  
23 covering, cleaning protocols, and to update their social distancing protocols, and directed all  
24 businesses, facility operators, and governmental agencies to continue the temporary closure of all  
25 other operations not allowed under the order. The April 29 order is effective through May 31,  
26 2020. The Court updated its social distancing protocols and posted them at the Family Justice  
27 Center Courthouse, Downtown Superior Court, Hall of Justice, Traffic Courthouse, Records  
28 Information Center, and Juvenile Justice Courthouse.

1           10.     Although court personnel are categorically exempt from the order while  
2 performing Court functions, the Court must employ all necessary emergency protective measures  
3 to prevent, mitigate, respond to and recover from the COVID-19 pandemic and Court functions  
4 must be performed in compliance with Social Distancing Requirements to the greatest extent  
5 feasible.

6           7.     On April 3, 2020, I issued a General Order on Court Operations Effective April 6,  
7 2020, which limited the Court's operations consistent with the County Public Health order and  
8 direction of the Judicial Council and Chief Justice to make use of available technology to  
9 conduct judicial proceedings and court operations remotely and to prioritize use of available  
10 technology to meet current statutory time requirements for criminal and juvenile proceedings,  
11 including arraignments and preliminary examinations.

12           8.     Due to the protocols the Court has implemented and the need to expand the  
13 Court's operations, I hereby order that additional judicial proceedings be added to the Court's  
14 current limited operations. This order is effective May 8, 2020, with specific implementation  
15 dates for the additional court calendars as specified in the attached table

16           8.     The limitation of Court operations to those listed in the attached table are to  
17 protect the health and safety of the public, court personnel, judicial officers, litigants, and  
18 witnesses in connection with the COVID-19 threat while at the same time to ensure that  
19 defendants are not held in custody, and children are not held in custody or removed from the  
20 custody of their parents or guardians, without timely due process of law or in violation of  
21 constitutional rights; to consider requests for protection from harm in cases of family violence,  
22 elder abuse, workplace violence and civil harassment; to ensure that involuntarily confined  
23 persons have a forum to challenge their confinement and/or medication orders; to hear time-  
24 sensitive writs, temporary restraining orders and preliminary injunctions in civil cases; and to  
25 hear urgent conservatorship matters. The expanded operations will allow for certain civil,  
26 probate, appellate, drug, juvenile dependency, child support, and juvenile justice matters to be  
27 heard.

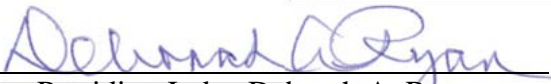
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9. It is therefore ordered that the Court operations listed in the attached table will be effective May 8, 2020.

IT IS SO ORDERED.

Dated: May 8, 2020

  
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Presiding Judge Deborah A. Ryan  
Santa Clara County Superior Court

## SUMMARY

### Limited Court Operations

#### Various Effective Dates

<b>Locations</b>	<b>Courtrooms</b>
<b>Hall of Justice</b>	3 courtrooms – arraignments 2 courtrooms – TNW preliminary examinations 2 courtrooms – Resolution/plea 1 courtroom – Drug Treatment Court, Dependency Wellness calendar, Mental Health Diversion calendar (effective 5/14/20) 1 courtroom – motions, preliminary examinations, and special set hearings
<b>Family Justice Center Courthouse</b>	3 courtrooms – Domestic violence restraining orders and emergency hearings 1 courtroom - Dependency, including uncontested hearings (new 1:30pm calendars effective 5/11/20) 1 courtroom - Mental Health in custody reviews 1 courtroom – Child Support Contempt hearings (effective 5/7/20)
<b>Downtown Superior Courthouse &amp; Historic Courthouse</b>	1 courtroom – civil harassment restraining orders 1 courtroom – LPS hearings 1 courtroom – conservatorship hearings and new estate/admin appointment calendars (effective 5/18/20) 4 courtrooms – civil law & motion calendars (effective 5/19/20) 2 courtrooms – complex civil law & motion calendars (effective 5/19/20) 1 courtroom – Appellate Division oral argument calendar (effective 5/22/20)
<b>Juvenile Justice</b>	2 courtrooms - detentions and new PM uncontested jurisdiction hearing calendar (effective 5/11/20)