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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MADERA

**SECOND GENERAL ORDER RE: MADERA COUNTY SUPERIOR COURT
MITIGATION OF THE SPREAD OF THE CORONAVIRUS (COVID-19)**

On March 4, 2020, Governor Newsom issued a proclamation that a state of emergency exists in California as a result of the threat and continuing spread of the coronavirus (COVID-19) in this state.

On March 16, 2020, Governor Newsom issued Executive Order N-33-20-28 waiving time limitations concerning protections against residential evictions set for the in Penal Code section 396.

On March 19, 2020, Governor Newsom issued a “shelter in place” order directing all residents immediately to heed current State public health directives to stay home, except as needed to maintain continuity of operations of essential critical infrastructure sectors and additional sectors as the State Public Health Officer may designate as critical to protect health and well-being of all Californians.

On March 23, 2020, Chief Justice Tani G. Cantil-Sakauye, as Chair of the Judicial Council, issued a statewide order modifying specific statutory time limits in criminal and civil proceedings designed to protect the health and safety of litigants, the public, court staff, judicial officers, attorneys, witnesses, jurors and others present at court proceedings.

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1 In an effort to address this unprecedented challenge to the operation of the Superior Court
2 of California, County of Madera, and to balance the constitutional right of due process with the
3 health and safety of court users and court staff, I hereby issue the following general orders:

- 4 1. All civil proceedings, other than jury trials, currently scheduled between March 23, 2020
5 and April 17, 2020, are continued for eight weeks from the currently scheduled date.
- 6 2. All jury trials are suspended and continued for a period of sixty (60) days from March 23,
7 2020. Courts may conduct such a trial at an earlier date, upon a finding of good cause
8 shown or through the use of remote technology, when appropriate.
- 9 3. Exceptions to the continuance of all civil proceedings include the following matters:
 - 10 a. requests for temporary restraining orders in which unlawful violence or the credible
11 threat of violence has occurred;
 - 12 b. requests for emergency ex parte probate matters; and
 - 13 c. all statutorily mandated hearings.
- 14 4. Consistent with the order of the Chief Justice, dated March 23, 2020, the time period
15 provided in Code of Civil Procedure sections 583.310 and 583.320 for the holding of a
16 civil trial is extended for a period of sixty (60) days from March 23, 2020. Courts may
17 conduct such a trial at an earlier date, upon a finding of good cause shown or through the
18 use of remote technology, when appropriate.
- 19 5. All civil hearings between March 23, 2020 and April 17, 2020, will be heard in
20 Department 45.
- 21 6. All misdemeanor and felony proceedings in which a time waiver has been entered and the
22 defendant is out of custody, that are scheduled between March 23, 2020 and April 17,
23 2020, are continued for eight weeks from the currently scheduled date.
- 24 7. Consistent with the order of the Chief Justice, dated March 23, 2020, the time period
25 provided in Penal Code section 1382 for the holding of a criminal trial is extended for a
26 period of sixty (60) days from March 23, 2020. Courts may conduct a trial at an earlier
27 date, upon a finding of good cause shown or through the use of remote technology, when
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appropriate.

8. All necessary hearings, including arraignments and preliminary hearings, involving defendants who are in custody shall be heard by video remote conferencing in Department 23. No defendants are to be transported from the Madera County Department of Corrections to the court absent order of the presiding judge or his designee.
9. All hearings involving defendants who are not in custody shall be heard in Department 22.
10. All out-of-custody criminal arraignments that are scheduled between March 23, 2020 and April 17, 2020, are continued for eight weeks from the currently scheduled date.
11. All specialty court reviews, including drug court, behavioral health court and veterans' court that are scheduled between March 23, 2020 and April 17, 2020, are continued for eight weeks from the currently scheduled date.
12. All proceedings in the family law department currently scheduled between March 23, 2020 and April 17, 2020, are continued for eight weeks from the currently scheduled date.
13. Exceptions to the continuance of all family law proceedings include the following matters:
 - a. requests for domestic violence restraining orders;
 - b. temporary guardianship proceedings in which the child's health or safety is at risk.
14. All family law hearings between March 23, 2020 and April 17, 2020, will be heard in Department 37.
15. Day-of-court mediation services are suspended until further notice.
16. All mediation services provided by Family Court Services between March 23, 2020 and April 17, 2020, shall be conducted telephonically unless in-person mediation is specifically ordered by the court.
17. The self-help office is closed for in-person appointments between March 23, 2020 and April 17, 2020 unless specifically ordered by the court.
18. Notwithstanding Madera County Superior Court, Local Rule 2.4.6, all applications for ex parte relief filed between March 23, 2020 and April 17, 2020, shall be submitted to the court before notice of hearing is provided to the opposing party. A judicial officer will

1 review the application and a judicial assistant will notify the applicant if notice to the
2 opposing party and a court appearance is required. If a hearing date is ordered by the
3 judicial officer, the person applying for ex parte relief must notify the opposing party no
4 later than 10:00 a.m. the court day before the hearing date ordered, unless the judicial
5 officer finds good cause to dispense with such notice.

6 19. All hearings in the appellate department that are scheduled between March 23, 2020 and
7 April 17, 2020, are continued for eight weeks from the currently scheduled date.

8 20. All traffic trials in which a time waiver has been entered are continued for eight weeks
9 from the currently scheduled date.

10 21. Dates for payment of fines or appearance in court on traffic citations are continued 26
11 weeks from the date listed on the citation or the courtesy notice, whichever is later.

12 22. All payment plans for the payment of fines are extended 60 days before finding the
13 payments delinquent and referring the matters to collections.

14 23. All visitors to the courthouse must maintain an appropriate social distance of six feet
15 between the visitor and other persons at all time whether in a courtroom or in common
16 areas.

17 24. Consistent with the order of the Chief Justice, dated March 23, 2020, the court is
18 authorized under rule 10.613(i) of the California Rules of Court to adopt any proposed
19 rules or rule amendment that is intended to address the impact of the COVID-19 pandemic
20 to take effect immediately, without advance circulation for 45 days of public comment. A
21 copy of any such rule change must be provided to Judicial Council staff and notice posted
22 of the change prominently on the court's website, along with the effective date of the new
23 amended rule. The court must immediately distribute the new or amended rule as set forth
24 in rule 10.613(g)(2). No litigant's substantive right shall be prejudiced for failing to
25 comply with the requirements of a new or amended rule until at least 20 days after the rule
26 change has been distributed.

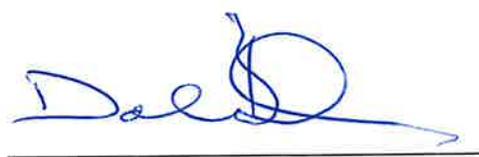
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25. With the exception of the statewide orders issued by the Chief Justice on March 23, 2020, as set forth in paragraphs 2, 4, 7 and 24, above, each judicial officer retains discretion to deviate from the foregoing orders upon a finding of good cause and in keeping with the intent of these orders to comply with the emergency orders of the governor and the directives of public health officials, including but not limited to limitations on gathering size and social distancing.

DATED: 3-24-20



Judge of the Superior Court