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

**FORTY-FIFTH GENERAL ORDER RE: MADERA COUNTY SUPERIOR COURT
THE CORONAVIRUS (COVID-19) PANDEMIC
& THE CONTINUING IMPACTS TO COURT OPERATIONS**

In June 2021, this court issued its Thirty-First (31st) General Order to establish or continue COVID-related operational guidelines resulting from the pandemic and the reopening of the State of California.

As the pandemic evolved, many operational guidelines changed, and continue to change. On April 30, 2022, the Chief Justice’s Emergency Orders related to the pandemic sunset, and on June 30, 2022, Judicial Council Emergency Rules 3 and 5, which provided the authority to conduct remote criminal proceedings, will sunset.

Accordingly, I hereby issue the following general orders, effective July 1, 2022 and continuing thereafter until further notice:

1. That the provisions of the 31st General Order are rescinded, with the following notations, exceptions, or subsequently issued General Orders:
 - a. Item 1 (the 2022 Felony Bail Schedule is in effect until the issuance of subsequent Bail Schedules).
 - b. Item 2 (as noted, pandemic social distancing is no longer required).
 - c. Item 3 (this court’s indoor masking requirement was lifted with the 42nd General Order).

- 1 d. Item 4 (COVID-19 Symptom Screening will continue) – please see the following:
- 2 i. All persons entering the Madera County Superior Court will be required to
- 3 answer symptom screening questions about the presence of symptoms
- 4 related to COVID-19.
- 5 ii. The court requests that no one who is ill with symptoms of COVID-19
- 6 appear at the courthouse.
- 7 iii. Those who are ill, including attorneys, litigants and justice partners, should
- 8 remain at home or in a location away from the courthouse. If you have a
- 9 matter on calendar, or if entry is not granted based on responses to the
- 10 symptom screening questions, you should contact the court and advise that
- 11 you will not be appearing due to illness or the potential exposure to illness.
- 12 e. Item 5 (there will be no changes to the noted calendars).
- 13 f. Item 6 (the 39th General Order and SB 241 govern appearances in civil, family law
- 14 and family support proceedings).
- 15 g. Item 7 (criminal arraignments by Zoom or other platform will continue) – please
- 16 see the following:
- 17 i. Normal, daily criminal arraignments for in-custody defendants shall be by
- 18 Zoom or other method of video conferencing approved by the court. Note
- 19 that Zoom appearances are not allowed for preliminary hearings and trials.
- 20 h. Item 8 (inmate transport) – please see the following:
- 21 i. In-custody defendants will be transported to the courthouse from CDCR or
- 22 the Madera County Jail unless otherwise ordered by the court.
- 23 i. Item 9 (public viewing of criminal proceedings will continue) – please see the
- 24 following:
- 25 i. For criminal proceedings, members of the public may appear in-person or
- 26 via Zoom)
- 27 j. Item 10 (self help office) – please see the following:
- 28 i. The self-help office is open to the public and will continue in-person
- appointments. When operationally feasible, the use of remote technology is
- authorized as an alternative to in-person appointments.
- k. Item 11 (the 40th General Order governs application submissions for ex parte
- relief).
- l. Item 12 (the 39th General Order and SB 241 govern oral arguments in the appellate
- department).

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m. Item 13 (all mediation services and investigative interviews) – please see the following:

i. All mediation services and investigative interviews to be provided by Family Court Services shall be conducted telephonically unless in-person mediation or interview is specifically ordered by the court. The exception to this restriction shall be in-person child interviews which will be conducted as required by statute, or as requested by the assigned Child Custody Recommending Counselor. Pursuant to provisions of section 1851 (a)(1) of the Probate Code, the court investigator may conduct conservatorship investigations as required by sections 1850 and 1851 of the Probate Code by means of a video interview of the conservatee, in lieu of visiting the conservatee. This order is necessary for the health and safety of the investigator, the conservatee, the caregivers, and the public, and to prevent harm to the conservatee.

n. All criminal proceedings in which the time for commencement of trial, provided for in Penal Code section 1382, has not been waived may be continued for good cause, as determined by the judicial officer, and/or as authorized by any continuation order of the Chief Justice.

Each judicial officer retains discretion to deviate from the foregoing orders upon a finding of good cause.

2. With the sunset of Judicial Council Emergency Rules 3 & 5, defendants generally may not appear remotely for criminal proceedings, except in limited circumstances; **therefore, I hereby order as follows:**

- a. That non-defendants may continue to appear remotely via Zoom or other video conferencing platform approved by the court.
- b. That remote appearances for criminal proceedings are allowed for in-custody defendants as noted in item g. i. above, and pursuant to Penal Code §977(c), §977.2 and §1428.5.

DATED: June 16, 2022



Presiding Judge of the Superior Court