

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF EL DORADO**

1354 Johnson Boulevard
South Lake Tahoe, CA 96150

FILED

MAR 18 2020

EL DORADO CO. SUPERIOR COURT
BY 
(DEPUTY CLERK)

DATE: March 18, 2020
JUDGE: Suzanne N. Kingsbury, Presiding Judge
CLERK: Derinda Lambie

**AMENDED INTERIM ORDER RE:
MODIFICATIONS TO COURT OPERATIONS**

In consideration of the public health crisis currently affecting our state, the El Dorado County Superior Court will be limiting access to its courthouses, effective immediately. Courtrooms will practice social distancing, with any persons in the gallery instructed by Court Security to sit at least two seats apart. Members of the public having business with the Court are strongly discouraged from bringing relatives or friends to the courthouse, other than those who are statutory support persons or person who are subpoenaed to be in court on that particular day. The Court currently plans to resume regular court operations on Friday, April 17, 2020, although this date is subject to change due to rapidly unfolding condition

Pending Criminal Matters in all El Dorado County Courthouses:

A. Orders to Appear- and General Orders

1. Effective immediately, any prior order to a defendant to appear for a pretrial proceeding in a misdemeanor case scheduled between March 17, 2020 to and including April 16, 2020 is rescinded and counsel can and should appear for clients in those proceedings.
2. Effective immediately, the Court will accept Penal Code section 977 waivers executed out of court for a defendant with a pending criminal matter who is out of custody and who has an appearance between March 17, 2020 to and including April 16, 2020 to facilitate continuances. The Court will accept electronic/faxed signatures, but counsel must certify that their client has signed the form. In exceptional cases where a defendant does not have the capability of bringing in or emailing a signed Penal Code section 977 waiver, the Court will permit the client to call in at an agreed upon time to place upon the record his/her consent to have counsel appear on his/her behalf and continued waiver of time.
3. All time waived preliminary hearings, court trials, contested hearings of any sort, and jury trials pending between March 17, 2020 and April 30, 2020 are hereby vacated. On its own motion, the Court will reset all hearings to a future date; counsel can contact the calendar clerk to request a specific date if they are unavailable for the date set.

B. Jury Trials

1. All jury trials of any kind scheduled between March 17, 2020 to and including April 16, 2020 are vacated and any person who has received a juror summons will be re-summoned for a date in the future. This Order is based on a finding of good cause arising out of the Public Health Crisis declared by the County of El Dorado, the Governor of the State of

California, and the President of the United States of America. This Order will facilitate the court's goal of eliminating public gatherings in our courthouses of large groups of people that jury trials necessarily require.

2. Any jury trial scheduled between March 17, 2020 to and including April 16, 2020 where time is not waived will be scheduled for a trial setting conference on or after April 17, 2020.
3. Any misdemeanor jury trial scheduled between March 17, 2020 to and including April 16, 2020 with a time waiver will be scheduled for a trial setting conference on or after April 17, 2020.
4. Any felony jury trial scheduled between March 17, 2020 to and including April 16, 2020 with a time waiver will be scheduled for a trial setting conference on or after April 17, 2020.

C. All Other Pending Criminal Appearances and Hearings

1. All out of custody no-time waiver cases with an appearance between March 17, 2020 to and including April 16, 2020 shall go forward as scheduled; however, counsel are encouraged to agree to continue matters to a date beyond April 16, 2020, and should appear on behalf of their client pursuant to Penal Code section 977.
2. All other criminal matters with appearances set between March 17, 2020 to and including April 16, 2020 that are time-waived will be reset no sooner than April 17, 2020 or at a date that the parties agree upon on or after April 17, 2020.
3. During the period between March 17, 2020 to and including April 16, 2020, the Court will not allow non-calendared walk-in add-on to calendars.

Pending Civil Matters in all El Dorado County Courthouses:

A. Civil and Probate Matters

1. Counsel in all civil and probate law and motion matters scheduled to appear between March 17, 2020 to and including April 16, 2020 shall attend via vCourt; no personal appearances will be permitted. Parties may request a continuance if they prefer to appear in person; their matter will be reset for hearing on or after April 17, 2020.
2. **Unlawful Detainers/Foreclosure Injunctions.** All hearings currently scheduled shall remain as set; parties are urged to appear via vCourt if possible.
3. **Small Claims Trials.** All hearings currently scheduled to appear between March 17, 2020 to and including April 16, 2020 will be reset for trial on the Court's own motion, on or after April 17, 2020.
4. **Conservatorships, guardianships and LPS.** All hearings will remain on calendar as set; parties are urged to appear via vCourt if possible.
5. **Petitions for Civil Harassment Restraining orders.** Please refer to the Chief Justice's March 18, 2020 emergency order and this Court's Amended Implementation Order, copies of which are attached.
6. **Law and Motion, Trials, Long cause and Short cause hearings.** All hearings currently scheduled to appear between March 17, 2020 to and including April 16, 2020 will be reset on the Court's own motion for case management/trial setting conference for the purpose of setting a new date on or after April 17, 2020.

Pending Family Law Matters in all El Dorado County Courthouses:

A. Self-help center

The Self-Help Offices shall close to in-person assistance effective March 17, 2020 to and including April 16, 2020. Self-Help staff will assist members of the public via email and/or telephone only.

B. Child Custody Recommending Counseling

During the period between March 17, 2020 to and including April 16, 2020, the Court mandate all Child Custody Recommending Counseling appointments shall be held telephonically.

C. Department of Child Support Services.

All Child Support Hearings scheduled between March 17, 2020 to and including April 16, 2020 will be reset for hearing on or after April 17, 2020. If a matter is of an emergency nature, parties reserve the right to submit their ex parte motion for review by the judge.

D. Law and Motion, Trials, Long cause and Short cause hearings

1. All matters scheduled between March 17, 2020 to and including April 16, 2020 will be reset for hearing after April 17, 2020. If a matter is of an emergency nature, parties reserve the right to submit their ex parte motion for review by the judge.
2. **Petitions for Domestic Violence Restraining Orders.** Please refer to the Chief Justice's March 18, 2020 emergency order and this Court's Amended Implementation Order, copies of which are attached.

Veterans Court/DUI Court/Adult Drug Court/Behavioral Health Court

Appearances in these courts are vacated between March 17, 2020 to and including April 16, 2020 and will resume at their usual days and times effective April 17, 2020.

Family Wellness Court/Tribal Court

Appearances in these courts are vacated between March 18, 2020 to and including May 5, 2020 have been vacated.

IT IS SO ORDERED.

Dated: March 18, 2020


SUZANNE N. KINGSBURY
Presiding Judge of the Superior Court of California

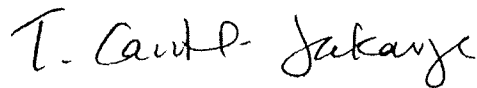
THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of the COVID-19 pandemic, and the proclamations of a state of emergency by Governor Newsom and President Trump, it has been determined that the conditions described in section 68115 of the Government Code are met with regard to the Superior Court of California, County of El Dorado. Upon the request of Presiding Judge Suzanne N. Kingsbury, it is ordered that the Superior Court of California, County of El Dorado is authorized to do the following:

- Declare that from March 17, 2020, to March 20, 2020, inclusive, be deemed holidays for purposes of computing the time for filing papers with the court under Code of Civil Procedure sections 12 and 12a (Gov. Code, § 68115(a)(4));
- Declare that from March 17, 2020 to March 20, 2020 inclusive, be deemed holidays for purposes of computing time under Penal Code section 825 and Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657 (Gov. Code, § 68115(a)(5));
- Extend the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial by not more than 30 days, applicable only to cases in which the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(6));
- Extend by not more than 21 days the duration of any temporary restraining order that would otherwise expire on from March 17, 2020 to April 16, 2020 inclusive, because the emergency condition described herein prevented the court from conducting proceedings to determine whether a permanent order should be entered (Gov. Code, § 68115(a)(7));
- Extend the time period provided in section 825 of the Penal Code within which a defendant charged with a felony offense must be taken before a magistrate from 48 hours to not more than seven days, applicable only to cases in which the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020 inclusive (Gov. Code, § 68115(a)(8));
- Extend the time period provided in section 859b of the Penal Code for the holding of a preliminary examination from 10 court days to not more than 15 court days, applicable only to cases in which the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(9));
- Extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by not more than 30 days, applicable only to cases in which the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(10));

- Extend the time period provided in section 313 of the Welfare and Institutions Code within which a minor taken into custody pending dependency proceedings must be released from custody to not more than seven days, applicable only to minors for whom the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(11));
- Extend the time period provided in section 315 of the Welfare and Institutions Code within which a minor taken into custody pending dependency proceedings must be given a detention hearing to not more than seven days, applicable only to minors for whom the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(11));
- Extend the time periods provided in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into custody pending wardship proceedings and charged with a felony offense must be given a detention hearing or rehearing to not more than seven days, applicable only to minors for whom the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(11));
- Extend the time period provided in section 334 of the Welfare and Institutions Code within which a hearing on a juvenile dependency petition must be held by not more than 15 days, applicable only to minors for whom the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(12)); and
- Extend the time period provided in section 657 of the Welfare and Institutions Code within which a hearing on a wardship petition for a minor charged with a felony offense must be held by not more than 15 days, applicable only to minors for whom the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(12)).

Date: March 18, 2020



Hon. Tani G. Cantil-Sakauye
Chief Justice of California and
Chair of the Judicial Council

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF EL DORADO**

AMENDED

**GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF
AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION
68115 BY CHAIR OF JUDICIAL COUNCIL**

Exercising the authority granted under Government Code section 68115 and the March 18, 2020 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the March 17, 2020 request for an emergency order made by the Superior Court of El Dorado County (“Court”), this Court **HEREBY FINDS AND ORDERS AS FOLLOWS:**

1. For purposes of computing time for filing papers with the Court under Code of Civil Procedure sections 12 and 12a, March 17, 2020 through March 20, 2020 are deemed holidays (Gov. Code, § 68115(a)(4));

2. For purposes of computing time under Penal Code section 825, and Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657, March 17, 2020 through March 20, 2020 are deemed holidays (Gov. Code, § 68115(a)(5));

3. In cases in which the statutory deadline otherwise would expire between March 17, 2020 and April 16, 2020, any judge of the Court may extend the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial by not more than one day (Gov. Code, § 68115(a)(6));

4. Any judge of the Court may extend by not more than twenty one days the duration of any temporary restraining order that would otherwise expire from March 17, 2020 to April 16, 2020, inclusive, because the emergency condition described in the Order prevented the Court from conducting proceedings to determine whether a permanent order should be entered (Gov. Code, § 68115(a)(7));

5. In cases in which the statutory deadline otherwise would expire from March 17, 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in section 825 of the Penal Code within which a defendant charged with a felony offense must be

1 taken before a magistrate from 48 hours to not more than seven days, applicable only to cases in
2 which the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020
3 inclusive (Gov. Code, § 68115(a)(8));

4 6. In cases in which the statutory deadline otherwise would expire from March 17,
5 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in
6 section 859b of the Penal Code for the holding of a preliminary examination from ten court days
7 to not more than fifteen court days (Gov. Code, § 68115(a)(9)); and,

8 7. In cases in which the statutory deadline otherwise would expire from March 17,
9 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in
10 section 1382 of the Penal Code for the holding of a criminal trial by not more than thirty days
11 (Gov. Code, § 68115(a)(10)).

12 8. In cases in which the statutory deadline otherwise would expire from March 17,
13 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in
14 section 313 of the Welfare and Institutions Code within which a minor taken into custody
15 pending dependency proceedings must be released from custody to not more than seven days,
16 applicable only to minors for whom the statutory deadline otherwise would expire on from
17 March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(11));

18 9. In cases in which the statutory deadline otherwise would expire from March 17,
19 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in
20 section 315 of the Welfare and Institutions Code within which a minor taken into custody
21 pending dependency proceedings must be given a detention hearing to not more than seven days,
22 applicable only to minors for whom the statutory deadline otherwise would expire on from
23 March 17, 2020 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(11));

24 10. In cases in which the statutory deadline otherwise would expire from March 17,
25 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in
26 sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into
27 custody pending wardship proceedings and charged with a felony offense must be given a
28 detention hearing or rehearing to not more than seven days, applicable only to minors for whom

1 the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020,
2 inclusive (Gov. Code, § 68115(a)(11));

3 11. In cases in which the statutory deadline otherwise would expire from March 17,
4 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in
5 section 334 of the Welfare and Institutions Code within which a hearing on a juvenile
6 dependency petition must be held by not more than fifteen days, applicable only to minors for
7 whom the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020,
8 inclusive (Gov. Code, § 68115(a)(12)); and

9 12. In cases in which the statutory deadline otherwise would expire from March 17,
10 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in
11 section 657 of the Welfare and Institutions Code within which a hearing on a wardship petition
12 for a minor charged with a felony offense must be held by not more than fifteen days, applicable
13 only to minors for whom the statutory deadline otherwise would expire on from March 17, 2020
14 to April 16, 2020, inclusive (Gov. Code, § 68115(a)(12)).

15
16 **THIS ORDER IS EFFECTIVE IMMEDIATELY.**

17
18 Dated: 3/18/2020

19 
20 HON. SUZANNE N. KINGSBURY
21 Presiding Judge