

## **SUPPLEMENTAL EMERGENCY LOCAL RULES: CIVIL**

The Court adopts the following as Supplemental Emergency Local Rules (“Rules”) intended to address the impact of the COVID-19 pandemic, under the authority granted the Court by the March 23, 2020, and March 30, 2020, Orders of the Chief Justice of the California Supreme Court, as Chair of the Judicial Council (“Orders”) and by the Emergency Rules in Response to the COVID-19 Pandemic issued by the Judicial Council on April 6, 2020 (“Judicial Council Emergency Rules”). These Rules are effective April 8, 2020, subject to the limitations imposed by the Orders. These Rules supplement the prior Rules effective April 6, 2020, and they shall remain in effect until either rescinded by this Court or by withdrawal or change to the Orders or to the Judicial Council Emergency Rules.

1. **Application.** These Rules shall apply only to Civil cases and shall supplement (not replace) those issued on April 6, 2020.
2. **Filings in Non-Urgent Civil Cases.** While a drop box for Civil cases is available, non-urgent matters will not be immediately processed. The Court deems this to substantially interfere with parties’ ability to file papers, and so the period through April 28, 2020, is considered a Court holiday for purposes of such filings.
3. **Hearings and Trials.**
  - a. *Hearing and Trial Dates Prior to May 18, 2020.* Unless otherwise ordered by the Court, all hearing dates on any Civil case set to take place from the effective date of these Rules through May 18, 2020 (including Case Management Conferences, Orders to Show Cause, Law and Motion, Orders of Examination, Issue Conferences, Settlement Conferences and Court or Jury trials in progress or calendared to begin during this timeframe) are vacated. Although hearings may continue to display as calendared in electronic online case access, no hearings will be conducted during this period.
  - b. *Court and Jury Trials Set May 18, 2020 and Thereafter.* All Court or Jury Trials set between May 18, 2020 and June 12, 2020 are vacated and converted to a Trial Setting Conference on the date previously set for trial.

- c. *Trial Deadlines for Vacated Trials.* For those cases with trial dates vacated under Rule 3a or 3b, all deadlines that run from the initial trial date – including the discovery cutoff and expert disclosure deadline – shall run from the reset trial date.
  
- d. *Rescheduling of Hearings/Parties to Provide Notice.* Civil hearing dates that are vacated pursuant to these Rules and all hearing dates that have been previously vacated due to the Court closure that began on March 16, 2020, will be reset by the Court. Notice of the new hearing date will not be sent out by the Court. Instead, all new hearing dates will be available through the Open Access web portal on the Court’s website. Once these new dates are set, the following parties are ordered to serve written or electronic notice to all other parties to an action of the new date for hearing:
  - i. On Law and Motion matters, the moving party shall give notice.
  - ii. On all other matters, the Plaintiff or Petitioner shall give notice.
  
- e. *Small Claims Hearings.* All Small Claims hearings and Small Claims Trial De Novo hearings set to take place prior to July 1, 2020 are vacated. All such hearing dates that are vacated pursuant to these Rules and all hearing dates that have been previously vacated due to the Court closure that began on March 16, 2020, will be reset by the Court. Any new hearing date, time and location will be available through the Open Access web portal on the Court’s website. The Court will also send notice of the new hearing date, time and location to the Plaintiff in Small Claims matters, who shall then serve written or electronic notice of the reset hearing to all other parties.
  
- f. *Civil Restraining Order Hearings*
  - i. Definitions. For purposes of these Rules, Civil Restraining Orders are defined to include the following:
    - 1. Requests for Civil Harassment Restraining Orders pursuant to CCP §527.6,

2. Requests for Workplace Violence Restraining Orders pursuant to CCP §527.8,
3. Requests for Elder or Dependent Abuse Restraining Orders pursuant to Welfare and Institutions Code §15657.03
4. Petitions for Gun Violence Restraining Orders pursuant to Penal Code § 18100 et seq.

ii. Vacated Hearing Dates / Protected Party to Provide Notice of Rescheduled Date. All Civil Restraining Order hearings set to take place prior to June 15, 2020 are vacated. All such hearing dates that are vacated pursuant to these Rules and all hearing dates that have been previously vacated due to the Court closure that began on March 16, 2020, will be reset by the Court. Any new hearing date, time and location will be available through the Open Access web portal on the Court's website. The Court will also send notice of the new hearing date, time and location to the protected party, who shall then serve written or electronic notice of the reset hearing to the restrained party.

iii. Restraining Orders Set for Hearing During Closure Extended 90 Days. Pursuant to the Judicial Council Emergency Rules, any Temporary Restraining Order issued in case types identified in subsection (i) above that was set for a hearing which has been vacated by way of these Rules or due to the Court closure that began on March 16, 2020, shall remain in effect to the time of the reset hearing, not to exceed a period of 90 days from date the Temporary Restraining Order was issued.

- g. *Filing Deadlines for Rescheduled Hearings.* For hearings reset by these Rules, the statutory deadlines for papers not yet filed shall be based on the new hearing date.
- h. *Tentative Rulings.* The Court's existing tentative ruling procedure remains in effect during the emergency.

#### **4. Remote Appearances.**

- a. The Court may require that judicial proceedings be conducted remotely. Conducting proceedings remotely includes, but is not limited to, the use of video, audio, and telephonic means for remote appearances; the electronic exchange and authentication of documentary evidence; e-filing and e-service; the use of remote interpreting; and the use of remote reporting and electronic recording to make the official record of an action or proceeding.
- b. Parties are not required to obtain prior Court permission to appear by phone for any law and motion hearing. Parties are, however, required to notify the Court and all other parties of any telephonic appearance in a law and motion matter no later than 4:00 P.M. the Court day before the appearance.