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STANDING ORDER 2020-01
SUPERIOR COURT OF CALIFORNIA
JUVENILE DIVISION
COUNTY OF SAN BENITO

BY: 
AURELIA RODRIGUEZ

**STANDING ORDER TEMPORARILY SUSPENDING IN-PERSON VISITATION WITH
FOSTER CHILDREN DURING THE SAN BENITO COUNTY SHELTER IN PLACE ORDER
DUE TO COVID-19**

On March 4, 2020, the Governor of the State of California declared a State of Emergency due to the introduction and spread of the international COVID-19 virus. On March 13, 2020 the President of the United States of America also declared a National Emergency. On March 19, 2020, the Governor of the State of California issued Executive Order N-33-20 ordering all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors.

As of March 20, 2020, the Center for Disease Control reported 15,219 cases and 201 deaths due to COVID-19. As of March 20, 2020, there are 5 confirmed cases of COVID-19 and one death in San Benito County.

As of March 17, 2020, the San Benito County Public Health Officer issued an Order applicable to all individuals living in the County of San Benito to Shelter in Place and directing all businesses and governmental agencies to cease non-essential operations within the county, and to prohibit all non-essential gatherings of any numbers of individuals or non-essential travel. Said Order is effective until April 7, 2020, with violations punishable by fine, imprisonment, or both (California Health and Safety Code 120295). The Shelter in Place order has resulted in the need for closure of agencies providing services to dependent children and their families, including visitation services as they are not enumerated essential services or essential businesses.

Welfare and Institutions Code section 361.2 mandates that visitation between children in out-of-home care and their parents must be as frequent as possible, consistent with the well-being of the child. Section 361.2 also outlines the importance of preserving and promoting sibling relationships.

This court and collaborative partners recognize that visitation is vital for health and wellbeing of children and families. Given the extent of the COVID-19 emergency/pandemic and the Shelter in Place orders, it is not reasonable to require dependent children, their parents and resource families to participate in visitation at this time.

Balancing the conflict between the legal mandates to support reunification and the current emergent safety of all children and participants in the dependency system, the court finds it appropriate and urgent to make the following orders:

1. Court-ordered visitation between children placed out of home and their parents or guardians or siblings or others shall be suspended temporarily ~~for the duration of the Shelter in Place orders.~~ *until April 8, 2020.*
2. In order to protect everyone involved as well as the general public, San Benito

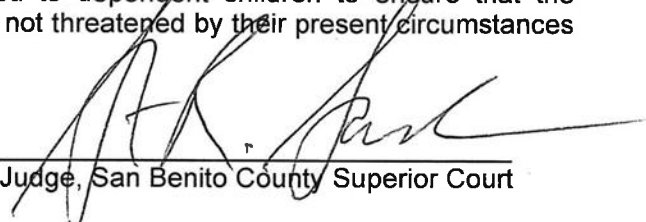
County Health & Human Services Agency is hereby ^{ordered} authorized to substitute computer/cell phone assisted video conferencing (i.e. Skype, Zoom, FaceTime, WhatsApp) and/or telephonic contact in place of court ordered in person visitation ~~whenever feasible~~. Health & Human Services Agency is also authorized to delegate supervision of any such computer/cell phone assisted video conferencing and/or telephonic contact to a dependent's caregiver or other responsible adult whenever possible, given the staffing and resource shortage caused by this health emergency. Health & Human Services Agency continues to have discretion to facilitate alternative visitation on a case-by-case, depending on the best interests of the child.

3. This order does not prohibit Health & Human Services Agency, in appropriate cases when all parties agree, from authorizing an extended visit^{if court ordered or} (where a child removed from the home of their parent is allowed to live with the parent(s) under the expectation that a plan of reunification Family Maintenance would be ordered by the court once the Sheltering in Place order is lifted) despite the lack of a pending court date. _{authorize}

This order is effective immediately and shall continue until April 8, 2020. This issue shall be reassessed by the Juvenile Court on April 8, 2020 to determine whether the Sheltering in Place Order was extended, thereby an extension of this order would be necessary for the safety of children, their biological families, their resource parents, and service providers.

This order is intended to meet the statutory requirement pursuant to Welfare and Institutions Code Section 19 that protective services are fully provided to dependent children to ensure that the physical, mental and moral welfare of the children are not threatened by their present circumstances or environment.

Date: 3-23-2020



Judge, San Benito County Superior Court

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BENITO

MAR 20 2020

BY 
DEPUTY CLERK

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BENITO**

**IN RE CONTINUANCE OF CERTAIN) ORDER No. 2020-02
CHILD SUPPORT CASES)
) ORDER TO CONTINUE
) CHILD SUPPORT CALENDARS
)
_____)**


In an effort to mitigate the spread of the COVID-19 virus, the Superior Court of California, County of San Benito will continue certain child support cases beginning Friday, March 20, 2020 through Monday, May 4, 2020.

IT IS HEREBY ORDERED, that the Clerk of the Court continue the calendars to be heard in Department 2, located at 450 Fourth Street, Hollister, California as follows:

- A. Cases set on April 3, 2020 and May 1, 2020 are hereby continued to June 5, 2020.
- B. Cases set on April 17, 2020 are hereby continued to June 12, 2020.
- C. Cases set on April 24, 2020 are hereby continued to June 26, 2020.

IT IS FURTHER ORDERED that the Department of Child Support Services shall notify all affected parties upon receipt of this order.

Dated: March 20, 2020


STEVEN R. SANDERS, Presiding Judge

General Order 2020- 03

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BENITO

WHEREAS, on March 4, 2020 the Governor of the State of California declared a State of Emergency due to the introduction and spread of the international COVID-10 virus. On March 13, 2020 the President of the United States of America declared a National Emergency.

As of March 17, 2020, the San Benito County Public Health Officer issued an Order applicable to all individuals living in the County of San Benito to Shelter in Place and directing all businesses and governmental agencies to cease non-essential operations within the county, and to prohibit all non-essential gatherings of any numbers of individuals or non-essential travel.

And on March 19, 2020, the Governor of the State of California issued Executive Order N-33-20 ordering all individuals living in the Stat of California to stay home or their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors

The federal, state and local officials have taken these actions to reduce the transmission of the COVID-19 virus in order to protect public health and safety.

Accordingly, the Presiding Judge of the Superior Court of the State of California, County of San Benito hereby orders for as long as the State of Emergency declared by Governor Gavin Newsome on March 4, 2020, remains in effect:

With limited exceptions as specified herein, anyone taken into custody pursuant to a misdemeanor or felony warrant for \$10,000 or less issued before the emergency Amendment to the San Benito County Superior Court Bail Schedule, dated March 24, 2020, shall be released on their own recognizance.

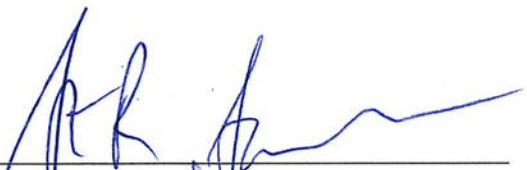
The exceptions are:

- 1) Warrants issued with express language forbidding Cite/Release or such similar language,
- 2) PC §243(e)(1),
- 3) PC §273.5,
- 4) PC §273.6, if the detained person made threats to kill or harm, or has engaged in violence against, or has gone to the residence or workplace of the protected party,

- 5) VC §23152, with one prior conviction of VC §§23152, 23153, or 23103.5, or
- 6) VC §23152, with two or more prior conviction of VC §§23152, 23153, or 23103.5.

If any of the above exceptions apply, the bail for such person remains as stated on the face of the warrant.

Dated: March 25, 2020



Steven R. Sanders
Presiding Judge of the Superior Court

1 **SUPERIOR COURT OF CALIFORNIA**

2 **COUNTY OF SAN BENITO**

3
4 **CHANGES TO COURT OPERATIONS IN**
5 **RESPONSE TO GLOBAL COVID-19 OUTBREAK**

SPECIAL MATTER ORDER

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NO. 2020-04

WHEREAS Governor Gavin Newsom on March 4, 2020 proclaimed the existence of a state of emergency in California in response to the global COVID-19 outbreak, and on March 19, 2020 issued Executive Order N-33-20 recommending the practice of social distancing;

WHEREAS the Centers for Disease Control, the California Department of Public Health, and local county health departments have recommended increasingly stringent social distancing measures of at least six feet between people, and encouraged vulnerable individuals to avoid public spaces;

WHEREAS Chief Justice Cantil-Sakauye recognized in her Statewide Order dated March 23, 2020 that the health restrictions implemented to combat the spread of COVID-19 prevent superior courts from operating normally; and

WHEREAS the health and safety of the parties in civil and criminal proceedings, the public, court staff, judicial officers, attorneys, witnesses, jurors, and others present at these proceedings is of great importance.

NOW, THEREFORE, I find good cause to order that:

1. CERTAIN CALENDAR SETTINGS VACATED

The calendar settings of matters that fall within the following categories between March 24 and May 4, 2020 are hereby vacated and re-set for the court day six weeks thereafter, at the same time of day:

- Out of custody criminal arraignments on complaints, excluding felony arraignments on information.

- Out of custody misdemeanor pre-trial conferences

- Truancy court

- Drug court

- Behavioral health court

- Traffic arraignments

- Criminal fine reviews

- Civil and probate jury and court trials

- Unlimited civil motions
- Limited civil motions and trials – excepting unlawful detainers
- Small claims hearings
- Adoption proceedings
- Non-urgent trust & estate matters
- Case management conferences
- Mandatory settlement conferences
- Non-emergency family hearings and trials
- Non-emergency child support hearings
- Friday morning walk-in calendar

2. All time waived criminal trials, jury or bench, shall be vacated and re-set. All jury trials, criminal and civil, shall be vacated within the scope of the Chief Justice’s March 23, 2020, order.

3. SELF-HELP CENTER SUSPENSION

All self-help center appointments and walk-in visits are suspended until May 5, 2020.

4. CLERK’S OFFICE HOURS CLOSED

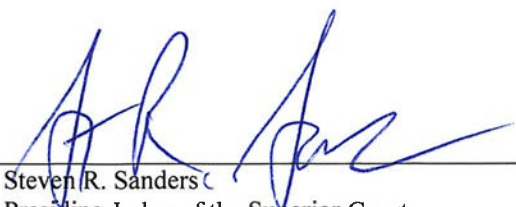
The clerk’s office hours will be closed. This reduction in hours shall remain in effect until Governor Newsom lifts the state of emergency. Clerk’s office staff will remain available by phone until 4 p.m. daily. Parties may deposit documents in the drop box located inside the courthouse entrance. Documents deposited in the drop box before 4:30 p.m. will be accepted for filing on that court day. Documents deposited after 4:30 p.m. will be accepted for filing as of the following court day.

This order is taken, in part, in light of the authority granted to the trial courts in the “Statewide” order of Chief Justice Tani Cantil-Sakauye dated March 23, 2020.

This order may be deemed part of the record in affected cases without the need to file the order in each case.

SO ORDERED.

Dated this 26th of March, 2020.



Steven R. Sanders
Presiding Judge of the Superior Court