

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SISKIYOU

In Re:

**Temporary Emergency Orders
April 6, 2021**

Order of the Presiding Judge

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In consideration of the public health crisis affecting our state, local, national, and international communities and the elevation in tier status to widespread issued on November 16, 2020, the Siskiyou County Superior Court issued temporary emergency orders on December 3, 2020 making calendar changes and limiting access to the courthouse. The December 3, 2020 orders are hereby rescinded and the following orders issued. The court continues to implement emergency orders granted by the Chief Justice of California by separate orders, hereby incorporated by reference. The court also continues to utilize statewide emergency orders and emergency Rules of Court that remain in effect.

Criminal Matters:

A. Orders to Appear and General Orders

Counsel may appear for clients pursuant to Penal Code §977 for matters that do not require the personal appearance of the defendant, consistent with California Rules of Court, Emergency Rule 5.

B. In-Custody Arraignments

Emergency orders allowing an extension of time within which to conduct arraignments expired on March 22, 2021. In-custody arraignments shall be heard on Mondays, Wednesdays and Fridays at 3:00 p.m. and specially set on Tuesdays or Thursdays, upon advance request, as necessary to meet statutory time requirements.

C. Misdemeanors

Commencing November 30, 2020 and until further order of this court, Mandatory Settlement Conferences shall be conducted virtually each Monday from 8:30 until noon for cases to be heard on that day's 1:30 Misdemeanor Pre-Trial calendar. Attorneys are expected to have exchanged discovery, discussed offers and counter offers and have authority for clients to attempt settlement prior to settlement conference.

D. Felony Warrant Recall

Commencing November 30, 2020 and until further order of this court, attorneys may request via memo to the court, that a matter in which an arrest or bench warrant has been issued be placed on calendar for the appearance of the defendant and recall of the warrant.

E. Trial Setting, Trial Management Conferences


1. Emergency orders authorizing the extension of Penal Code §1382 deadlines remain in effect. Criminal jury trials have resumed but there is only one courtroom in which trials can be held in a manner that allows for social distancing. That courtroom will not safely accommodate co-defendant cases or cases that require more than the usual number of participants. Trials also take more time because potential jurors must be summoned in small groups over a multi-day time period.
2. Given the backlog of trials resulting from the pandemic, more trials are set on a weekly basis than the court can reasonably accommodate, requiring counsel to engage in trial preparation and subpoena witnesses for trials that have to be continued.
3. When a misdemeanor or felony case is ready to be set for a jury trial, it will be scheduled for a trial management conference (TMC) with a settlement conference set prior to the TMC. If there is not a time waiver, the TMC will be set on a Tuesday at 1:30 p.m. approximately two weeks prior to the statutory deadline. Mandatory settlement conferences will be set on Thursdays as determined between the court and counsel. At the TMC, a case will either be scheduled for a pre-voir dire conference and trial or a further TMC will be set.
4. The court will maintain a list of cases set for TMC or trial in order of expected priority. The list will be available to counsel upon request. At any given time, two to four cases will be set for pre-voir dire conferences and trials and should be ready to proceed to trial on or before the scheduled dates. If a case with a higher priority resolves or is continued, the next case in line will take its place. Cases set for trial may remain on the TMC calendar for status reviews pending the start of trial.
5. Counsel will not be required to file and serve the documentation required by Local Rule 6.14 C or D (commonly known as TMC documents) until the Friday before the first scheduled pre-voir dire conference or as otherwise ordered by the court. Failure to file required documentation when due may result in sanctions.

Civil, Probate and Juvenile Matters

Temporary orders issued on December 3, 2020 are rescinded. Matters will be scheduled pursuant to statute, California Rules of Court and Local Rules, subject to statewide emergency orders, emergency Rules of Court and emergency orders issued pursuant to Government Code § 68115.

IT IS SO ORDERED

Date: April 6, 2021



KAREN L. DIXON, Presiding Judge