

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SISKIYOU**

IN RE:

ORDER OF THE PRESIDING JUDGE

TEMPORARY ORDERS EFFECTIVE JUNE 1, 2020

Due to the COVID-19 pandemic, the court has issued emergency orders, primarily impacting court calendaring and court operations. The court has also implemented various orders authorized by the Chief Justice of California and the Judicial Council, as well as statewide emergency orders and emergency amendments to the California Rules of Court.

While the public health crisis has not passed and various state and local orders remain in effect, including a statewide State of Emergency, Siskiyou County was given authority by the state to move further into Stage 2 and start lifting some restrictions. The Court continues to balance health and safety concerns with the needs of the community to ensure access to justice and due process.

Various statewide orders issued by the Chief Justice and Emergency Rules of Court remain in effect and will continue to apply until the orders expire or are rescinded.

Given the continuing state and local orders and the continued public health risks, the Court makes the following temporary orders. These orders shall remain in effect until modified or rescinded.

General

All persons entering the courthouse are encouraged to wear a face covering and shall follow social distancing guidelines and remain at least six feet apart. Parties, attorneys, witnesses and members of the public shall not congregate in hallways or other public areas and may be asked to wait in open courtrooms, overflow courtrooms or other areas of the courthouse or courthouse grounds.

Courtrooms will continue to practice social distancing, with any persons in the courtroom instructed to sit at least six feet apart and persons encouraged to wear face coverings. Court customers who do not have a case on calendar or business with the Court are encouraged to not enter the courthouse. Court customers who have business with the court are encouraged to limit the number of people they bring with them to court.

Criminal Matters

A. Orders to Appear and General Orders

1. Pursuant to the California Emergency Rules of Court, counsel can and should appear for clients pursuant to Penal Code section 977 for matters that do not require the personal appearance of the defendant.
2. The Court will accept section 977 waivers executed out of court for a defendant with a pending felony criminal matter who is out of custody, with a representation from counsel that he or she explained the waiver to the defendant consistent with Emergency Rule 5: Personal appearance waivers of defendants during health emergency. (Amendments to the California Rules of Court, adopted by the Judicial Council on April 6, 2020, effective April 6, 2020.)

Counsel for a defendant with a pending misdemeanor criminal matter may appear as authorized by section 977.

3. Counsel and parties may appear via Court Call pursuant to the California Emergency Rules of Court.

B. In-Custody Arraignments

Beginning June 1, 2020, all in-custody arraignments will be heard on Tuesdays and Wednesdays at 3:00 p.m. and/or other days and times as set by the Court. (See April 1, 2020 Siskiyou County Superior Court General Order Re: Implementation of March 30, 2020 Statewide Emergency Order by Chief Justice of California and Chair of the Judicial Council extending Penal Code §825 time period to 7 days.)

C. Jury Trials

1. Jury trials will resume with modified procedures for social distancing. All or part of a trial may be conducted at a location other than the Courthouse.
2. Due to social distancing requirements, public access to the courtrooms may be limited. The court will make efforts to provide electronic access when courtroom access is limited. Any concerns about physical access should be immediately brought to the attention of court administration in Room 206.

D. All Other Pending Criminal Appearances and Hearings

1. Beginning the week of June 1, 2020, all infraction and misdemeanor calendars will resume pursuant to the court's regular calendar.

2. All in-custody felony cases, including preliminary hearings and other hearings, will be calendared for Tuesday at 8:30 a.m. All out-of-custody felony cases, including preliminary hearings and other hearings, will be calendared for Wednesday at 8:30 a.m. Witnesses may be available on call as long as they can be at the courthouse with 10-15 minutes notice.
3. Trial management conferences shall be set on Tuesday at 1:30 p.m. Trial management conferences already set on a different day may be rescheduled with notice to the parties. Parties who do not receive such notice should plan to appear on the date originally scheduled.
4. Other criminal matters currently set on a Thursday may be rescheduled with notice to the parties. Matters with defendants who are in custody will be set on a Tuesday; matters with defendants who are out of custody will be set on a Wednesday.

Civil, Conservatorship, and Probate Matters

A. Generally

1. Civil, conservatorship, and probate matters will continue to be heard as currently set on Thursdays at 8:30 a.m. or 9:30 a.m. Any matters set at a different time under previous emergency orders shall be heard as already set. Counsel and self-represented litigants are encouraged to use Court Call for telephonic appearances. Court Call is at no charge for parties who qualify for a fee waiver. Attorneys who appear in court are encouraged to appear for their clients whenever possible to minimize the number of people in the courtroom. Parties who appear in court are encouraged to appear alone or with no more than one necessary support person whenever possible to minimize the number of people in the courtroom.
2. Evidentiary hearings in civil, conservatorship and probate matters may be set on Fridays at 8:30 a.m., beginning Friday, June 19, 2020, or at a specific time set by the court so as to minimize the number of people in the courtroom.

B. Civil Jury Trials

1. All civil jury trials scheduled to commence beginning June 1, 2020 through July 31, 2020 are vacated. This Order is based on a finding of good cause arising out of the ongoing public health crisis, a backlog of criminal trials with time constraints that take priority and court resource issues.
2. Cases in which trials are vacated will be put on calendar for resetting per court notice.

C. Unlawful Detainers, Foreclosure Injunctions and Small Claims Trials

Beginning June 1, 2020, all matters will be heard as calendared, subject to Emergency Rules 1 and 2 of the Amendments to the California Rules of Court.

Family Law Matters

A. Department of Child Support Services

All child support hearings scheduled beginning June 3, 2020 will be heard as scheduled.

B. Family Law, Domestic Violence, Civil Harassment and Guardianships

1. Family law matters will continue to be heard as currently set on Wednesdays at 8:30 a.m. Domestic violence, civil harassment, and guardianships will remain on calendar at 9:30 a.m. All guardianship annual reviews will be reviewed by a judge and handled by way of a chambers order. In all cases, attorneys and self-represented litigants are encouraged to use Court Call. Court Call is at no charge for parties who qualify for a fee waiver. Attorneys who appear in court are encouraged to appear for their clients whenever possible to minimize the number of people in the courtroom. Parties who appear in court are encouraged to appear alone or with no more than one necessary support person whenever possible to minimize the number of people in the courtroom.
2. Evidentiary hearings in family law, domestic violence, civil harassment and guardianship cases will be heard on Fridays at 8:30 a.m., beginning Friday, June 19, 2020, or at a specific time set by the court so as to minimize the number of people in the courtroom. Any hearings already set under prior emergency orders on a different day or time will be heard as set.
3. Family law settlement conferences will be scheduled at 1:30 p.m. on Fridays, beginning June 19, 2020.

C. Mediations

Mediations shall be coordinated by the mediator and may be telephonic or by video conferencing when available. The mediator will be available for interim mediation on Wednesdays. Interim mediation may be conducted telephonically (via cell phones) and may not exceed one hour, except in unusual cases.

Juvenile Dependency Matters

1. Beginning June 1, 2020, all hearings shall proceed as set. Those cases set for evidentiary hearings and confirmed as going forward shall trail to 1:30 p.m. If an evidentiary hearing is to be confirmed, Counsel are encouraged to appear on behalf for their clients at 8:30 a.m.
2. All Detention Hearings shall be heard on Monday mornings except as otherwise specially set with court authorization. Documents for Detention Hearings shall be filed according to statute.
3. Dependency counsel are encouraged to appear on behalf of their respective clients. The court will waive the personal appearances of the parties without detriment to the party appearing through counsel. Counsel may appear via Court Call. Attorneys are responsible for scheduling Court Call appearances. Attorneys are hereby pre-authorized to appear telephonically and need not submit a request to the court.

Juvenile Justice Matters

1. Beginning June 1, 2020, all juvenile justice matters shall be heard on Mondays at 11:00 a.m.
2. Minor's Counsel are encouraged to waive the appearance of their client at hearings other than evidentiary hearings.
3. Due to the quarantine requirements of the Tehama Juvenile Justice Facility for any juvenile removed from the facility for court hearings and then returned to the facility, all detained minors shall appear by video or telephonic conferencing.

Recovery Court/Family Dependency Recovery Court

Appearances in recovery courts are vacated for the period beginning June 1, 2020 through July 3, 2020. Appearances will resume on July 9, 2020 at the previously assigned times.

Mental Health Court

Mental health court will resume its regular calendar on June 4, 2020.

Self Help Centers

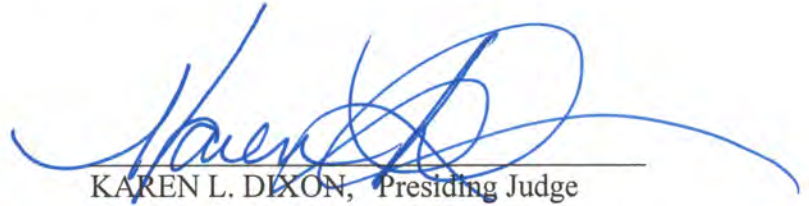
The Self Help Offices shall be closed to in-person assistance until further notice. Self-help staff will assist members of the public via email at mkane@siskiyou.courts.ca.gov, video-conference as scheduled or a message can be left at (530) 842-0197.

Court Closure

The Court will continue to be closed on Fridays through June 12, 2020, except for specially set matters. Judges will continue to be available telephonically on Fridays to handle emergency requests consistent with the existing after-hours duty schedule.

IT IS SO ORDERED

Date: May 29, 2020



KAREN L. DIXON, Presiding Judge