



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MONTEREY**

240 Church Street, Salinas, California 93901 - (831) 775-5400
www.monterey.courts.ca.gov

JULIE R. CULVER
Presiding Judge
2020 - 2022

PAMELA L. BUTLER
Asst. Presiding Judge

CHRIS RUHL
Court Executive Officer

**REVISED INTERIM ORDER RE MODIFICATION TO COURT
OPERATIONS AND SERVICES**

This Court HEREBY FINDS AND ORDERS AS FOLLOWS:

1. Since March 4, 2020, the State of California has been in a State of Emergency as a result of the threat of COVID-19.
2. Effective March 18, 2020 at 12:01 a.m., the County of Monterey issued an order directing all individuals living in Monterey County to shelter at their place of residence except to provide or receive essential services or engage in certain essential activities and work for essential business and governmental agencies.
3. On March 12, 2020, Governor Gavin Newsom issued an order mandating compliance with state and local public health officials to control the spread of COVID-19.
4. On March 19, 2020, Governor Newsom issued an order directing all Californians to shelter in place at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors to protect public health and ensure the healthcare delivery system is capable of serving all and prioritizing those at the highest risk and vulnerability.
5. Essential functions of the Superior Court at this time are limited to proceedings that are required to comply with defendants' constitutional rights, protect the health and safety of parties and address jail population concerns.
6. Protection of public health and safety in connection with the COVID-19 threat has resulted or is expected to result in significant interference with Superior Court services and proceedings.
7. Consonant with the above orders of the Governor and Monterey County, the Superior Court of California, County of Monterey has suspended all non-essential functions starting March 18, 2020 through April 3, 2020. All clerk's office functions will be closed to the public while the order remains in place.

COURTHOUSE ACCESS:

1. Monterey Courthouse is closed to the public.
2. Marina Courthouse is closed to the public.
3. Salinas Courthouse is closed to the public except for essential parties for in-custody felony arraignment hearings.

4. Juvenile Courthouse on Natividad Road is closed to the public with the exception of essential parties for in-custody juvenile matters, which will include one parent.
5. Access to the Salinas and Juvenile Courthouses is restricted to those persons required to appear in person for a court hearing. This will generally include and be limited to parties, their attorneys and witnesses subpoenaed to testify. No other persons will be permitted entry without good cause.

For non-Criminal hearings or other matters that may proceed during the court closure, CourtCall or appearance by phone may be mandated by judicial officers where possible and consistent with existing California statutes and rules.

Casual dress is encouraged so that clothing can be easily laundered.

ELECTRONIC FILING:

No documents should be brought to the courthouse for filing. All filings should be submitted electronically using e-file.

Persons who are unable to file documents electronically in Civil, Family or Probate cases may file by mail, or by using the drop box at any courthouse location. If possible, persons wishing to file by mail or drop box are requested to wait until after April 6th. The mailing address is Monterey County Superior Court, Clerks Office, 1200 Aguajito Road, Monterey, CA 93940.

CRIMINAL MATTERS:

All out of custody matters scheduled to be heard between March 18 and April 3, 2020 will be continued to a new date that is 60 days from the date of the current hearing. Notices with new appearance dates will be mailed to out of custody individuals who have hearings scheduled between March 17 and April 3 to notify those individuals of the new dates.

Consistent with the March 23, 2020 order of the Chief Justice, all jury trials are suspended and continued for a period of sixty (60) days from March 23. The Court may conduct such a trial at an earlier date, upon a finding of good cause shown or through the use of remote technology, when appropriate.

The court is limiting hearings to in-custody matters and matters in which time has not been waived.

TEMPORARY BAIL/OWN RECOGNIZANCE (O.R.) RELEASE CHANGES:

1. Health and Safety violations – Inmates who are arrested for any Health and Safety Code violation which does not include an enhancement for weight or firearms shall be considered for release on own recognizance.
2. Multiple warrants – Multiple misdemeanor warrants shall not prohibit an own recognizance release, unless they are three or more warrants that involve domestic violence (Penal Code sections 166(c)(1); 166(c)(2), 166(d)(1) 243(e)(1), 273.5; 273.6, 646.9.)

3. O.R. dates to appear – court appearance dates for those who are released on their own recognizance shall be given a court appearance date 60-90 calendar days from the date of release.

JUVENILE MATTERS:

With limited exceptions, all out of custody matters scheduled to be heard between March 18 and April 3 will be continued to a new date that is 60 days from the date of the current hearing. Notices with new appearance dates will be mailed to out of custody individuals who have hearings scheduled between March 17 and April 3 to notify those individuals of the new dates.

All Truancy matters scheduled between March 18 and April 3, 2020 will be continued to a future date in June, 2020.

TRAFFIC MATTERS:

No traffic hearings or trials will be held during the court closure. All hearings that were scheduled to be heard between March 18 and April 3 will be continued to a new date. Notices will be mailed to all parties at the address the court has on file.

Traffic payments will be accepted through the court's online portal. The court is considering written payment extension requests from those who are unable to pay using the electronic system.

FAMILY MATTERS:

No family hearings will be heard during the court closure. All hearings that were scheduled to be heard between March 18 and April 3 will be continued to a new date. Notices will be mailed to all parties at the address that the court has on file.

Emergency matters will be considered on a case by case basis.

CIVIL MATTERS:

No civil hearings will be heard during the court closure. Hearings that were scheduled to be heard between March 18 and April 3 will be continued between 30 and 60 days from the date of the original hearing. Notices will be mailed to all parties.

If all parties agree in writing, a request may be submitted for the Court to rule on a filed noticed motion without a hearing for matters that were scheduled to be heard on the following Civil Calendars:

- Dept 13 Civil Law & Motion Monday at 9:05
- Dept 13 Civil Complex Law & Motion Tuesday at 8:30
- Dept 13 Civil Ex Parte Thursday at 10:00
- Dept 14 Civil Law & Motion Friday at 9:00
- Dept 15 Civil Law & Motion Friday at 9:00

All interested parties must waive the hearing in writing. After the agreement is processed, the Court will determine whether the filed motion is appropriate to rule on without a hearing.

PROBATE MATTERS:

All probate hearings set on March 18, March 25, and April 1 are rescheduled to dates on or after April 8, 2020. Parties may continue to file documents electronically during this period of court closure. Any matters filed during this time that require urgent court attention will be set on April 8 or April 15 (subject to further orders by the Presiding Judge); non-urgent matters will be calendared on the next available date.

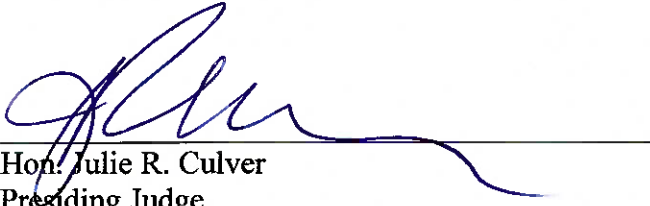
All temporary orders set to expire during the Court's closure through April 3 have been extended by order of the court. Parties will receive a copy of the order by mail.

UNLAWFUL DETAINER/EVICTIONS

Processing of unlawful detainer/eviction actions will continue consonant with any locally-enacted orders or ordinances enacted in response to the COVID-19 threat and the impact thereof.

IT IS SO ORDERED.

Dated March 26, 2020



Hon. Julie R. Culver
Presiding Judge
Monterey County Superior Court