



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MONTEREY**

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www.monterey.courts.ca.gov

JULIE R. CULVER
Presiding Judge
2020 - 2022

PAMELA L. BUTLER
Asst. Presiding Judge

CHRIS RUHL
Court Executive Officer

**INTERIM ORDER RE MODIFICATION TO COURT OPERATIONS AND
SERVICES (2020-03)**

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 to engage in certain essential activities and work for essential businesses and governmental agencies. Court personnel are categorically exempt from the order and the subsequent order issued on April 2, 2020.
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 with certain exceptions.
5. On March 30, 2020, Chief Justice of the California Supreme Court, and Chair of the Judicial Council, Hon. Tani Cantil-Sakauye issued a Statewide Emergency Order encouraging courts to make use of available technology, when possible, to conduct judicial proceedings and court operations remotely in order to protect the safety of the public, court personnel, judicial officers, litigants, and witnesses.
6. On April 6, 2020, the Judicial Council adopted Emergency Rules providing for the use of technology for remote appearances and allowing the courts to require that judicial proceedings and court operations be conducted remotely.
7. On May 1, 2020 the Monterey County Health Officer reissued a shelter at home order, effective May 4, 2020 through May 31, 2020. This order supersedes the April 2, 2020 order and allows for additional essential services not included in the April 2, 2020 order. Court personnel remain categorically exempt from this order.
8. The Superior Court has focused on providing the capability for conducting proceedings remotely to limit the physical appearance of litigants or attorneys at the courthouse.
9. Protection of public health and safety in connection with the COVID-19 threat has resulted in, or is expected to result in, interference with Superior Court services and proceedings.
10. Consonant with the above orders of the Governor, Monterey County, and the Chief Justice of the California Supreme Court, the Superior Court of California, County of Monterey may continue to limit functions in which the public may physically appear at the courthouse. Litigants, essential parties and

those in need of court services who cannot appear remotely will be allowed entrance into the courthouse as needed or required. Clerk's office functions will be limited.

COURTHOUSE ACCESS:

1. Monterey Courthouse has limited public accessibility. Essential parties may be required to appear remotely via phone or video. Essential parties and those in need of court services who cannot appear remotely will be allowed entrance into the courthouse as needed or required.
2. Marina Courthouse has limited public accessibility. Essential parties may be required to appear remotely via phone or video. Essential parties and those in need of court services who cannot appear remotely will be allowed entrance into the courthouse as needed or required.
3. Salinas Courthouse has limited public accessibility. Essential parties for dependency, and felony and misdemeanor criminal matters may be required to appear remotely via phone or video. Essential parties and those in need of court services who cannot appear remotely will be allowed entrance into the courthouse as needed or required.
4. Juvenile Courthouse on Natividad Road has limited public accessibility. Essential parties may be required to appear remotely via phone or video. Essential parties and those in need of court services who cannot appear remotely will be allowed entrance into the courthouse as needed or required. Upon approval of the court and in exceptional circumstances, one parent may be physically present in the courtroom during these proceedings.
5. Access to the above courthouses is restricted to persons required to appear in person for a court hearing; other essential parties or individuals having business to conduct at the courthouse. No other persons will be permitted entry without good cause.
6. Media will be allowed access upon approval by the court. Media requests for access should be submitted on Judicial Council form MC-500.
7. Individuals who are not essential parties may submit requests to appear in specific cases. Access will be allowed upon approval by the court.
8. Casual dress is encouraged so that clothing can be easily laundered.
9. Information regarding telephonic access to the public to listen to public court hearings is provided on the court website.

ELECTRONIC FILING:

All filings in all case types should be filed electronically.

Persons who are unable to file documents electronically may file by mail; by using the drop box; or in person at any courthouse location.

CRIMINAL MATTERS:

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 calculated from the date for which the trial was set pursuant to statutory deadlines or extended. 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.

Jury trials will resume in selected criminal matters beginning June 1, 2020.

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

Pursuant to Emergency rule 4 adopted by the Judicial Council on April 6, 2020, a statewide Emergency Bail Schedule is in effect beginning April 13, 2020 until 90 days after the Governor declares the state of emergency order related to the COVID-19 pandemic is lifted, or until amended or repealed by the Judicial Council.

JUVENILE MATTERS:

Out of custody matters that have previously been continued will resume on May 11, 2020. Notices with new appearance dates will be mailed to out of custody minors who have hearings scheduled between March 18, 2020 and May 11, 2020 to notify those minors of the new dates.

TRAFFIC MATTERS:

Limited traffic hearings and trials may be held beginning May 4, 2020. Preference will be given to hearings that can be conducted remotely via audio or video technology. Many hearings that were scheduled to be heard beginning March 18, 2020 will be continued to new dates. 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 or at the clerk window.

FAMILY MATTERS:

A limited number of family law matters are being heard. Hearings will be conducted telephonically or via video conferencing. Essential matters that cannot proceed remotely will proceed at an in person hearing as determined by the court. Some hearings that were scheduled to be heard beginning March 18, 2020 will be continued. Notices of any continuance 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:

A limited number of civil hearings are currently being heard. Preference will be given to hearings that can be conducted telephonically. Hearings that were scheduled to be heard between March 18, 2020 and through the duration of the shelter in place order may be continued between 30 and 60 days from the date of the original hearing. Notices will be mailed to all parties.

Some temporary orders set to expire during the court's closure may be extended by order of the court. Parties will receive a copy of the order by mail.

Ex Parte matters will be conducted telephonically. Essential matters that cannot proceed remotely will proceed at an in person hearing as determined by the court.

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:

Many non-urgent and non-essential probate hearings set beginning March 18, 2020 may be rescheduled to a new date upon review by a judicial officer. A limited number of probate matters will resume beginning May 4, 2020. Preference will be given to emergency matters and matters that can be heard remotely via audio or video technology. Matters that cannot proceed remotely will proceed at an in person hearing as determined by the court. Parties may continue to file documents electronically during this period of court closure.

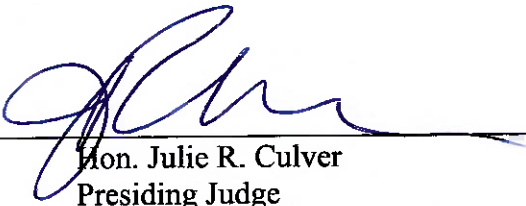
Some temporary orders set to expire during the court's closure may be extended by order of the court. Parties will receive a copy of the order by mail.

UNLAWFUL DETAINERS/EVICTIONS

Processing of unlawful detainer/eviction actions will continue consonant with Emergency Rule 1, adopted by the Judicial Council on April 6, 2020 and any local orders or ordinances enacted in response to the COVID-19 threat and the impact thereof.

IT IS SO ORDERED.

Dated May 4, 2020



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