

**Tuesday, March 17, 2020**

**The Napa County Superior Court announces its plan to mitigate the spread of the COVID-19 virus.**

As you know, the Napa County Superior Court judicial officers and executive management have been meeting with our justice partners to address necessary changes to Court operations given the COVID-19 pandemic.

Please note, the schedule set forth below is subject to change based on the evolving nature of this public health crisis. The Court will continue to monitor the situation and make further adjustments as appropriate. Please check the Court's website for further information.

**Effective Wednesday, March 18, 2020, the Court will adjust its Court operations as follows:**

**Civil Matters**

Civil Jury and Bench Trials, Trial Management Conferences and Mandatory Settlement Conferences.

All civil jury and bench trials, trial management conferences and/or mandatory settlement conferences currently set between Wednesday, March 18, 2020 and Friday, April 10, 2020 will be vacated. These cases will be continued to a trial setting conference eight weeks from the currently set Trial Management Conference. Notice of the Trial Setting Conference will be provided by mail.

Parties are strongly encouraged to meet and confer to agree upon a new trial date (and dates for trial management and/or mandatory settlement, as appropriate) and to submit a written stipulation and proposed order for the same. Any such proposed order should include language to vacate the trial setting conference. If the court is unable to accommodate the agreed-upon trial date, it will decline to sign the proposed order and keep the trial-setting conference on calendar.

Law and Motion Calendar

All law and motion matters (including 8:30 probate matters, name change petitions and Case Management Conferences) scheduled between Wednesday, March 18, 2020 and Friday, April 10, 2020, will be continued to a new date eight weeks from the currently set hearing date. Notice of the new hearing date will be provided by mail.

If parties believe a continuance of a law and motion matter results in the need to continue trial, they are strongly encouraged to meet and confer to agree upon a new trial date (and dates for trial management and/or mandatory settlement, as appropriate) and to submit a written stipulation and proposed order for the same and proposed order for the same when filings are again accepted.

Civil Ex Partes and Civil Filings.

The Court will not accept civil *ex parte* applications or civil filings until April 13, 2020. The Court has declared March 18, 2020 through April 10, 2020 a court holiday for purposes of computing the time for filing papers with the court under Code of Civil Procedure sections 12 and 12a. (Gov. Code, § 68115(a)(4).)

### Adoptions

All adoption petitions and motions scheduled between Wednesday, March 18, 2020 and Friday, April 10, 2020, will be continued to a new date that is eight weeks from the currently set hearing date. Notice of the new hearing date will be provided by mail.

### Unlawful Detainers

All unlawful detainer trials scheduled between Wednesday, March 18, 2020 and Friday, April 10, 2020 will be continued approximately four weeks. Parties are strongly encouraged to meet and confer to arrive at agreements that render trial unnecessary, particularly in light of recent statewide guidelines regarding evictions during the COVID-19 pandemic. The Court has declared March 18, 2020 through April 10, 2020 a court holiday for purposes of computing the time for filing papers with the court under Code of Civil Procedure sections 12 and 12a. (Gov. Code, § 68115(a)(4).)

### Mental Health-related Civil Matters

Petitions for permanent conservatorship (both Probate and LPS), as well as biennial reviews and accountings scheduled between Wednesday, March 18, 2020 and Friday, April 10, 2020, will be continued to a new date that is eight weeks from the currently set hearing date, with temporary orders to remain pending the next hearing date. Notice of the new hearing date will be provided by mail. Newly filed petitions will be scheduled for hearing after April 10, 2020. Appearances by CourtCall are strongly encouraged.

Petitions for temporary conservatorships and petitions for renewal of LPS conservatorships will continue to be scheduled as normal, but parties are encouraged to submit the matters on paperwork to be decided without hearing. If a hearing is necessary, efforts will be made to arrange for appearances by CourtCall. Hearings will be scheduled on Thursdays at 8:30 am in Dept. 2.

Petitions for Writs of Habeas Corpus will be scheduled and heard on Thursdays at 8:30 a.m. in Dept. 2. Counsel should make every effort to arrange for appearances by CourtCall.

Petitions for Involuntary Medical Treatment will continue to be scheduled and heard on Thursdays at 8:30 a.m. in Dept. 2. Counsel should make every effort to arrange for appearances by CourtCall.

Petitions for Orders Compelling Involuntary Treatment with Anti-Psychotic Medication, Petitions for Relief from Firearms Prohibition, and Petitions for Electric Shock Therapy currently scheduled between Wednesday, March 18, 2020 and Friday, April 10, 2020, will be continued to a new date that is eight weeks from the currently set hearing date, with current orders to remain in full force and effect pending the next court date. Notice of the new hearing date will be provided by mail.

### **Small Claims Trials**

All small claims trials, including trials *de novo*, currently set beginning Wednesday March 18, 2020 through and including Friday, April 10, 2020, will be continued for eight weeks from the currently scheduled trial dates. The Court clerk will notify the parties of the continued hearings.

## **Criminal Matters**

### Time-Waived Criminal Trials

All time-waived misdemeanor trials currently set beginning Monday, March 23, 2020 through and including Monday, April 6, 2020 will be continued for eight weeks from the currently scheduled trial dates. Notice will be sent to the parties and counsel.

All time-waived felony out-of-custody trials currently set beginning Monday, March 23, 2020 through and including Monday, April 6, 2020 will be continued for eight weeks from the currently scheduled trial dates. Notice will be sent to the parties and counsel.

### No-Time Waiver Criminal Trials

Because of staffing limitations, juror limitations and public safety concerns for litigants, attorneys, jurors, staff and witnesses, the Court will extend the time limits for no-time waiver criminal trials consistent with Government Code § 68115(a)(10) and the Judicial Emergency Order issued by Tani G. Cantil-Sakauye, Chair of the Judicial Council of California (Emergency Order). New trial dates will be set at the currently scheduled Readiness Conferences.

### No-Time Waiver Criminal Hearings

The Court will make every effort to hear in-custody arraignments each day at 1:30 or 2:30 pm. Similarly, the Court will make every effort to conduct no-time waiver preliminary hearings, within time. (If a defendant waived 10 days but not 60 days, this is deemed a no-time waiver matter.) Other no-time waiver hearings will be heard as scheduled. If staff, public safety or other issues arise, the Court may elect to extend time deadlines for these hearings consistent with Government Code § 68115 and the Emergency Order.

### In-Custody Sentencings

The court will make every effort to hear sentencings for in-custody defendants (even those who have previously entered a time waiver) as scheduled. If staff, public safety or other issues arise, the Court may elect to extend time deadlines for these hearings consistent with Government Code § 68115 and the Emergency Order.

### Out of Custody Arraignments

Arraignments for defendants who are out of custody currently set beginning Wednesday, March 18, 2020 through and including Friday, April 10, 2020 will be continued eight weeks. Notice will be sent to the parties and counsel.

### Time-Waived Felony Matters

If a time waiver has previously been entered, all matters set in Department 1, beginning March 18, 2020 through and including April 10, 2020, will be continued eight weeks. The clerk will send notice to the parties and counsel.

### Time-Waived Misdemeanor Matters

All matters set in Department 3 at 9:30 am and 2:00 beginning Wednesday, March 18, 2020 through and

including Friday April 10, 2020, will be continued eight weeks. The clerk will send notice to the parties and counsel. This includes subsequent settlement conferences and jurisdictional transfers.

#### Proposition 36 Calendar

All matters set in Department 3 at 10:00 am beginning Monday, March 23, 2020 through and including Monday April 6, 2020, will be continued eight weeks. Notice will be sent to the parties and counsel.

#### Drug Court Calendar

The Drug Court calendar set for Friday, March 27 will be continued to Friday April 17, 2020 at 10:30 am. The clerk will send notice to the parties and counsel.

#### Mental Health Court

The Mental Health Court calendar scheduled for April 3, 2020 will be continued to Thursday, April 30, 2020. The clerk will send notice to the parties and counsel.

#### **Traffic Trials**

All citations set for traffic trials beginning March 18, 2020 through and including Thursday April 9, 2020 will be postponed. Notice will be sent to the parties.

#### **Family Law Matters**

##### Case Management Conference Calendars

The Self-Represented Case Management Conference (CMC) Calendar set for April 6, 2020 is continued to June 1, 2020. The May 4, 2020 Self-Represented CMC Calendar is continued to July 1, 2020. The Court clerk will mail notice of the continued hearings.

The Represented CMC Calendar set for April 1, 2020 is continued to June 3, 2020 and the May 6, 2020 Represented CMC Calendar is continued to July 6, 2020. The Court clerk will mail notice of the continued hearings.

##### Monday Master Family Law and Wednesday Request for Order Calendars

Family law bench officers will exercise their discretion in continuing non-emergency Request for Order hearings currently set beginning Wednesday, March 18, 2020 through and including, Friday April 10, 2020. The Court clerk will notify the parties if their hearings are continued.

##### Friday Child Support Calendar

The Court is working closely with the Napa County Department of Child Support Services to reschedule all matters on the Friday child support calendar. Unless the parties stipulate to a continuance, the Court clerk will notify the parties of the continued hearings. It is possible that some matters may need to remain on calendar as scheduled. These matters shall be heard on Fridays at 8:30 am in Dept. 2.

##### Family Law Mediations

All family law mediations set beginning March 18, 2020 through and including Friday April 10, 2020 will be rescheduled. Family Court Services will contact the parties to reschedule mediations.

### Self-Help Center

The Self-Help Center will be available by telephone from 8:00 am to 10:00 am Monday through Friday. In-person appointments and visits will not be available, however.

### Family Law Ex Parte Applications

The Court will continue to receive, review and issue *ex parte* family law orders, where appropriate. *Ex parte* applications may be filed through the Court's E-Filing system or left in the Court's after-hours drop box. *Ex parte* applications must be received by 10:00 am to be processed the same day.

### Guardianship Calendar

All guardianship hearings set in Department C beginning Wednesday, March 18, 2020 through and including Friday April 10, 2020, will be continued eight weeks. Temporary guardianships previously granted will remain in full force and effect during this period. Notice will be sent to the parties and counsel. The Court will consider *ex parte* guardianship applications in the same manner as it is considering family law *ex parte* applications.

### **Restraining Orders**

#### Restraining Order Calendar

All restraining order matters set for hearing beginning Wednesday, March 18, 2020 through and including Friday, April 10, 2020, will be continued on a rolling basis for four weeks from the currently scheduled hearing dates. Temporary restraining orders previously granted will remain in full force and effect during this period. The Court clerk will notify the parties of the continued hearings. Temporary restraining orders will remain in full force and effect until the new hearing date.

#### Ex Parte Applications for Temporary Restraining Orders

The Court will continue to receive, review and issue *ex parte* temporary restraining orders, where appropriate. *Ex parte* applications may be filed through the Court's E-Filing system or left in the Court's after-hours drop box. *Ex parte* applications must be received by 10 am to be processed the same day.

### **Juvenile Matters**

The Court, County Counsel (dependency) and probation department (juvenile justice) will work with the parties and their attorneys to schedule all juvenile matters in a manner consistent with this outline and California law.

### **Truancy Court**

Truancy Court scheduled for March 27, 2020, shall be continued to April 24, 2020. The Court clerk will notify the parties of the continued hearing date.

### **Appeals**

The Court has declared that March 18, 2020 through April 10, 2020 a holiday for purposes of computing the time for filing papers with the court under Code of Civil Procedure sections 12 and 12a. (Gov. Code, § 68115(a)(4).)