

FILED

MAY 26 2020

JAMES M. KIM, Court Executive Officer
MARIN COUNTY SUPERIOR COURT
By: J. Minkiewicz, Deputy

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MARIN

ADMINISTRATIVE ORDER RE:)	
IMPLEMENTATION OF ADDITIONAL)	ADMINISTRATIVE ORDER NO. 20-08
EMERGENCY RELIEF AUTHORIZED)	
PURSUANT TO GOVERNMENT CODE)	
§68115 AND OTHER ORDERS BY CHAIR)	ADMINISTRATIVE ORDER RE:
OF JUDICIAL COUNCIL AND ORDER RE)	IMPLEMENTATION OF ADDITIONAL
COURT OPERATIONS EFFECTIVE JUNE)	EMERGENCY RELIEF AUTHORIZED
1, 2020)	PURSUANT TO GOVERNMENT CODE
)	§68115 AND OTHER ORDERS BY
)	CHAIR OF JUDICIAL COUNCIL AND
)	ORDER RE COURT OPERATIONS
)	EFFECTIVE JUNE 1, 2020
)	
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Due to the Covid-19 pandemic, on March 16, 2020, March 17, 2020, April 1, 2020 and April 28, 2020 the Court issued Administrative Orders 20-04, 20-05, 20-06 and 20-07. Since those orders were issued, the pandemic has worsened. The President of the United States, the Governor of California, the California Judicial Council and the Chief Justice have all issued orders that recognize the continued need to protect the health and safety of the public and court personnel. In addition, the Judicial Council passed temporary Emergency Rules related to the Covid-19 pandemic. Pursuant to the authority granted under Government Code section 68115, issued in response to the renewed request for an emergency order made by the Superior Court of Marin County ("Court"), the May 22, 2020, Order ("Order") of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, and based on the Court's inherent authority to control its own calendars and the Presiding Judge's duty to take into account the needs and safety of the public and the Court as they relate to the efficient and effective management of the Court's calendar (California Rules of Court, rule

1 10.603(c)), this Court HEREBY FINDS AND ORDERS AS FOLLOWS:

- 2 1. This Administrative Order 20-08 supplements Administrative Orders 20-07, 20-06, 20-05,
3 and 20-04. Except as specifically modified herein, Administrative Orders 20-07, 20-06, 20-
4 05, and 20-4 remain in full force and effect;
- 5 2. The Marin County Superior Court will remain closed for all non-essential matters until 11:59
6 p.m. on May 29, 2020;
- 7 3. During the above time period, all courtrooms and clerk's offices will remain closed, except
8 the following will be open to hear essential matters only:
- 9 • One Criminal courtroom that will address in custody arraignments and matters where
10 statutory time is not waived;
 - 11 • One Family Law and Civil courtroom for all types of emergency restraining orders
12 (including CLETS Temporary Restraining Orders), ex parte applications and other
13 essential orders; and
 - 14 • One Juvenile delinquency and dependency courtroom.

15 Pursuant to paragraph 4 below, when possible, all matters shall proceed by use of remote
16 technology. Personal appearance by litigants, counsel and witnesses is prohibited unless
17 specifically authorized by any judge of the Court. Please check the Court's website for
18 updates and instructions about how to remotely appear;

- 19 4. Any judge of the Court is hereby authorized to make use of available technology, when
20 possible, to conduct judicial proceedings and court operations remotely, in order to protect the
21 health and safety of the public, court personnel, judicial officers, litigants, and witnesses. This
22 includes the use of video, audio, and telephonic means for remote appearances, reporting, and
23 interpreting in judicial proceedings, and the electronic exchange and authentication of
24 documentary evidence. Any rule in the California Rules of Court to the extent such rule
25 would prevent a court from using technology to conduct judicial proceedings and court
26 operations remotely is suspended (March 30, 2020 Statewide Emergency Order by Chief
27 Justice, paragraph C);
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- 1 5. Consistent with the Governor of California's March 27, 2020 Executive Order N-38-20,
2 related statutes that impose limitations on the subject of these emergency orders are
3 suspended.
- 4 6. The Self-Help Office will be physically closed until further notice, but help is accessible by
5 email and phone;
- 6 7. Court sessions may be held anywhere in the county, including in correctional and juvenile
7 detention facilities, from May 27, 2020, to June 20, 2020, inclusive (Gov. Code
8 §68115(a)(1));
- 9 8. For purposes of computing time for filing papers under Code of Civil Procedure sections 12
10 and 12a, May 27, 2020, through May 29, 2020, inclusive, are deemed holidays (Gov. Code
11 §68115(a)(4));
- 12 9. For purposes of computing time under Welfare and Institutions Code sections 313, 315, 334,
13 631, 632, 637, and 657, May 27, 2020, through June 20, 2020, inclusive, are deemed holidays
14 (Gov. Code, §68115(a)(5));
- 15 10. Any judge of the Court may extend the time period provided in section 1382 of the Penal
16 Code for the holding of a criminal trial by not more than 30 days, applicable only to cases in
17 which the original or previously-extended statutory deadline otherwise would expire from
18 June 16, 2020, to July 17, 2020, inclusive (Gov. Code, §68115(a)(10); Executive Order N-38-
19 20 (03-27-20));
- 20 11. Any judge of the Court may extend the time period provided in section 313 of the Welfare
21 and Institutions Code within which a minor taken into custody pending dependency
22 proceedings must be released from custody to not more than 7 days, applicable only to minors
23 for whom the statutory deadline otherwise would expire from May 27, 2020 through June 20,
24 2020, inclusive (Gov. Code, §68115(a)(11));
- 25 12. Any judge of the Court may extend the time period provided in section 315 of the Welfare
26 and Institutions Code within which a minor taken into custody pending dependency
27 proceedings must be given a detention hearing to not more than 7 days, applicable only to
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1 minors for whom the statutory deadline otherwise would expire from May 27, 2020 through
2 June 20, 2020, inclusive (Gov. Code, §68115(a)(11));

3 13. Any judge of the Court may extend the time periods provided in sections 632 and 637 of the
4 Welfare and Institutions Code within which a minor taken into custody pending wardship
5 proceedings and charged with a felony must be given a detention hearing or rehearing to not
6 more than 7 days, applicable only to minors for whom the statutory deadline otherwise would
7 expire from May 27, 2020 through June 20, 2020, inclusive (Gov. Code, §68115(a)(11));

8 14. Any judge of the Court may extend the time period provided in section 334 of the Welfare
9 and Institutions Code within which a hearing on a juvenile dependency petition must be held
10 by not more than 15 days, applicable only to minors for whom the statutory deadline
11 otherwise would expire from May 27, 2020 through June 20, 2020, inclusive (Gov. Code,
12 §68115(a)(12));

13 15. Any judge of the Court may extend the time period provided in section 657 of the Welfare
14 and Institutions Code within which a hearing on a wardship petition for a minor charged with
15 a felony offense must be held by not more than 15 days, applicable only to minors for whom
16 the statutory deadline otherwise would expire from May 27, 2020 through June 20, 2020,
17 inclusive (Gov. Code, §68115(a)(12));

18 16. The Court has instituted protocols to comply with the most recent Public Health Order issued
19 by the County of Marin Public Health Officer on May 15, 2020.

20 17. Due to the protocols the Court has implemented and the need to expand the Court's
21 operations, I hereby order that additional judicial proceedings be added to the Court's current
22 limited operations. This order is effective June 1, 2020 as specified in the attached table;

23 18. All proceedings, unless otherwise noted, will be conducted through the use of remote
24 technology. In person appearances, unless otherwise noted, are prohibited;

25 19. The limitations of Court operations, including the requirement that all proceedings will be
26 through the use of remote technology, are to protect the health and safety of the public, court
27 personnel, judicial officers, counsel, litigants and witnesses in connection with the Covid-19
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1 threat while at the same time protecting individual and procedural constitutional and civil
2 rights protections.

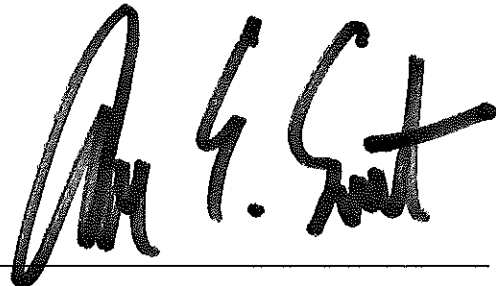
3 20. All vCourt fees are waived for all courtrooms from May 27, 2020 through June 20, 2020,
4 inclusive (Cal. Rules of Court, Rule 3.670(j)(2));

5 21. It is therefore ordered that the Court operations listed in the attached table will be effective
6 June 1, 2020;

7 22. The Clerk's Offices will be open June 1, 2020.
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10 IT IS SO ORDERED.

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12 DATED: May 26, 2020

A handwritten signature in black ink, appearing to read "Andrew E. Sweet", is written over a horizontal line.

17 ANDREW E. SWEET
18 Presiding Judge
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SUMMARY

Limited Court Operations – Remote Only

IN PERSON APPEARANCES PROHIBITED

UNLESS OTHERWISE AUTHORIZED

<u>Division</u>	<u>Courtrooms</u>
Criminal	1 courtroom: Master Calendar 1 courtroom: Auxiliary Court
Jury	1 courtroom: Jury trial
Civil	1 courtroom: All civil matters
Family	1 courtroom: All family matters
Juvenile	1 courtroom: All juvenile matters
Small Calendars	1 courtroom: M- F 8:30 misdemeanor o/c arr. M, W 10, 1:30, 3:00 traffic video trials T 1:30, Th all day DCSS M 1:30 Probate