

Since March 4, 2020, the State of California has been in a State of Emergency as a result of the COVID-19 pandemic.

On March 18, 2020, this Court issued an order (Executive Order No. 178) reducing access to the Nevada County Superior Court in an effort to protect the health and safety of the community, court staff, attorneys, litigants, defendants, law enforcement and judicial officers, and still proceed with the most essential functions of the Court.

On March 19, 2020, the Governor of the State of California issued an order directing all Californians to shelter in place at their place of residence, except as needed to maintain continuity of operations of critical infrastructure sectors, to protect public health and insure that the healthcare delivery system is capable of serving all and prioritizing those at the highest risk. State courts are included in the definition of critical infrastructure in the Governor's order.

In order to balance the aforementioned circumstances with the obligations of the Superior Court to ensure that the business of the Court is conducted to the extent possible;

And under the authority of California Rules of Court, Rule 10.603, and the responsibility of the Presiding Judge to ensure effective management of the court,

The Court HEREBY ORDERS, AS AN ADDENDUM TO EXECUTIVE ORDER 178 ISSUED ON MARCH 18, 2020, AS FOLLOWS:

1. Both the Nevada City courthouse and Truckee courthouse will remain open for restricted business, as set forth below.

2. From the date of this order through May 15, 2020, only the following functions will be conducted by the Court:

- a. Civil Temporary Restraining Orders
- b. Family Temporary Restraining Orders
- c. Domestic Violence Restraining Orders
- d. Civil Ex Parte Proceedings
- e. Family Law Proceedings, as deemed necessary by the judicial officer. All parties shall appear via telephonic appearance unless their hearing has been continued by the Court.

- f. Probate Ex Parte Hearings

- g. Probate Emergency Petitions for Temporary Conservatorship
- h. Probate Emergency Petitions for Temporary Guardianship
- i. Search Warrants

With the consent of the defendant, all in-custody criminal matters listed in j, k, l, m, n and o, below, will be conducted via video-conference. Pursuant to California Rules of Court, Emergency Rule 3(a)(2), “consent of the defendant” means that the consent of the defendant is required only for the waiver of the defendant’s appearance as provided in Emergency Rule 5¹. For good cause shown, the court may require any witness to personally appear in a particular proceeding.

- j. In Custody Arraignments
- k. No Time Waiver Criminal Preliminary Hearings
- l. Criminal Ex Parte Hearings
- m. Bail Review
- n. Criminal Mental Competency Hearings
- o. No Time Waiver Criminal Sentencings
- p. Juvenile Ex Parte Orders
- q. Juvenile Delinquency Detention Hearings; in-custody no time waiver jurisdictional and disposition hearings.
- r. Juvenile Dependency Detention Hearings, or Review Hearings requiring federally mandated reasonable efforts findings. The Court asks that children not be transported to the court for dependency proceedings.
- s. Emergency Child Custody Hearings, as deemed necessary by the judicial officer. All parties shall appear via telephonic appearance unless their hearing has been continued by the Court.
- t. Termination of Parental Rights Hearings
- u. Assisted Outpatient Treatment: New petitions and hearings deemed necessary by treatment providers.
- v. DCSS Non-Enforcement Proceedings

¹ Emergency Rules 1 through 11 of the California Rules of Court can be accessed on the Court’s website.

w. Currently scheduled Civil Case Management Conferences, Unopposed Probate and Conservatorship matters and Unopposed Law and Motion matters will be addressed by tentative rulings without personal appearances. Any matter in which the tentative ruling is contested will be continued to a date set by the Court.

x. Presently calendared Petitions for Change of name, if complete and uncontested, will be granted without appearances. Incomplete and/or contested petitions will be continued to a date set by the Court.

y. Hearings on Petitions for Gun Violence Restraining Orders

z. Adult Drug Court, Mental Health Court, DUI Court and Prop 36 Court Team meetings, via video-conference, as set by the Court.

aa. Family Law mediations via video-conference and/or telephonic conference.

3. At the direction of the judicial officer, parties and/or counsel may be ordered to appear via telephone and/or video-conference on any matter heard pursuant to this Order.

4. As to any criminal matters listed in Item 2, above, any other pending cases against said defendant will be called at the same time.

5. **MENTAL HEALTH COURT, DUI COURT, ADULT DRUG COURT, PROP 36 COURT:**

The dates set for for these courts between the date of this Order and May 15, 2020 are vacated.

The next meetings of these courts are:

Mental Health Court: Monday, June 8, 2020

DUI Court: Friday, May 22, 2020

Adult Drug Court: Monday, June 8, 2020

Prop 36 Court: Monday, June 1, 2020

These dates are subject to change as a result of changing circumstances.

The parties will be notified if these dates change.

6. **JURY TRIALS AND OTHER CALENDARED MATTERS:**

All other proceedings scheduled between the date of this Order and May 15, 2020, including Civil and Criminal jury trials are VACATED. Counsel and parties for all vacated matters will be notified by the Clerk of dates to appear in the future.

7. Any counsel or parties with vacated Criminal or Civil Cases may file an ex parte application requesting the calendaring of proceedings based on an appropriate showing of good cause. Any such request must comply with applicable procedural requirements under local rules and rules of procedure.

8. The Court, on its own motion, will schedule mandatory settlement conferences in pending felony and misdemeanor criminal matters. These will be in the form of a "chambers conference" with counsel for the parties present via telephone or video-conference. If a resolution is reached, the matter will be calendared for a court hearing. Counsel will be contacted directly by the Court regarding the date and time of conferences. Additionally, counsel may request "chambers conferences" in any case wherein a settlement discussion with the Court might be useful. These will be conducted via telephone or video-conference. Counsel may make such requests for Nevada City cases via email to both Sharry.Shumaker@nccourt.net and Gigi.Haines@nccourt.net and for Truckee cases via email to Amber.Wiberg@nccourt.net.

9. **PUBLIC LAW CENTER:**

The Public Law Center shall be closed to all in-person assistance through May 15, 2020. Public Law Center staff will assist the public via email (selfhelpcenter@nccourt.net) and telephone (530-362-4309, extension 4).

10. **JURORS:**

Jurors summoned to appear through May 15, 2020 need not appear. Jurors will be re-summoned for a date in the future.

11. **SMALL CLAIMS COURT:**

All small claims court trials scheduled on or before May 15, 2020 are vacated. The parties will be notified by the Court of new trial dates.

12. **SELF-SURRENDERS:**

Nevada City: Defendants with warrants in criminal cases may self-

surrender on Thursdays between 8:00 a.m. and 11:00 a.m. Self-surrenders will be handled at the Department 3 window on the second floor of the courthouse.

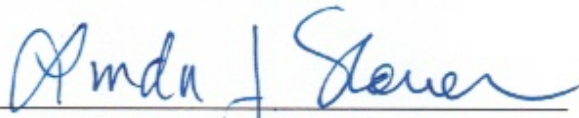
Truckee: Defendants with warrants may call the Court at 530-362-4309, extension 6 to arrange a self-surrender date.

13. This Order supersedes any prior Orders in conflict with this Order. Any prior Orders not in conflict with this Order remain.

14. This Order may be modified, expanded, or superseded at any time to account for the developing nature of the public health emergency.

IT IS SO ORDERED.

DATED: April 10, 2020



LINDA J. SLOVEN

Presiding Judge of the Superior Court