

FILED
Superior Court of California
County of Los Angeles

JUN 11 2020

Sherri R. Carter, Executive Officer/Clerk
By *Rizalinda Mina*, Deputy
Rizalinda Mina

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

ADMINISTRATIVE ORDER OF THE
PRESIDING JUDGE RE COVID-19
PANDEMIC

GENERAL ORDER 2020-GEN-018-00

The COVID-19 pandemic has disrupted every aspect of life in the United States over the past months. In response, national, state and local elected officials declared states of emergency within their respective jurisdictions. To slow and limit the transmission of this novel coronavirus, public health authorities issued orders requiring individuals to remain in their homes (Safe at Home Orders).

Governor Gavin Newsom, in collaboration with local elected officials and public health authorities, seeks to relax the restrictions imposed on personal movement while not compromising public health. California’s judicial system has grappled with how to fulfill trial courts’ statutory and constitutional duties while safeguarding the well-being of court users, justice partners, jurors, judicial officers and court personnel.

In response to the COVID-19 pandemic, the Superior Court of California, County of Los Angeles (Court or LASC), sought and obtained authority to issue judicial emergency orders continuing certain cases. I implemented that authority through a series of General Orders limiting the types of matters the Court would handle during the state of emergency and limiting the number of persons coming to the courthouse to those with essential, time-sensitive and emergent matters.

To enforce social distancing and further reduce foot traffic at the Court, LASC installed drop boxes for filings, established a virtual Clerk’s Office, enhanced virtual services for Self-Help litigants, facilitated remote proceedings in criminal courtrooms, juvenile dependency courtrooms and in

1 juvenile delinquency courtrooms, implemented remote arraignments from various law enforcement
2 stations, authorized telework for the majority of its workforce, marked public spaces to guide court
3 users to remain at least six (6) feet away from others, and installed physical barriers at public counters
4 and in courtrooms.

5 The Court also has implemented an enhanced sanitation regimen using EPA-approved products
6 and increased cleaning schedules, installed sanitizer dispensers in high-traffic areas, distributed hand
7 sanitizer and sanitizing wipes to employees and required all persons to use masks/facial coverings
8 while in public areas of the courthouse.

9 In carrying out these mitigation strategies, the Court has been guided by the dynamic guidance
10 from public health authorities about how best to limit novel coronavirus contagion. Its efforts have
11 been hampered by procurement challenges caused by scarcity, and the threat of a significant budget
12 cut.

13 Some judicial proceedings involve constitutional concerns which foreclose the options
14 available to the Court. Other judicial proceedings are so intimately involved with the safety and
15 welfare of particularly vulnerable populations that, likewise, certain options available to the Court are
16 foreclosed. Furthermore, health concerns among court users, justice partners, jurors, judicial officers
17 and court personnel limit the number of persons available to perform the functions necessary to
18 adjudicate cases. Moreover, the design of court spaces does not facilitate social distancing. This is
19 particularly challenging in courtrooms handling high-volume matters, like traffic, small claims,
20 restraining orders and unlawful detainees or in small courtrooms. While the Court has vigorously
21 implemented technology to facilitate remote proceedings, many counsel and parties are not yet willing
22 to forego in-person hearings. All of these considerations inform the Court's decision about resuming
23 operations.

24
25 **ACCORDINGLY, THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:**

26 **1. Courthouse Access & Remote Appearances:**

- 27 a. Access to LASC courthouses is restricted at all times to judicial officers, court
28 staff, co-lessees, Judicial Council staff, vendors, jurors, authorized persons

1 (which includes news reporters and news media representatives), attorneys,
2 litigants and witnesses with matters on calendars or individuals with confirmed
3 appointments.

- 4 b. Access to LASC proceedings shall be limited to the judicial officer presiding,
5 Court personnel, parties, counsel, witnesses, and those members of the public
6 (including news reporters and news media representatives) as can be
7 accommodated in the designated courtroom while enforcing social distancing.
8 The determination of courtroom capacity is made by the judge presiding therein.
- 9 c. In furtherance of Executive Order N-33-20, paragraph 4, subpart (b), the Court
10 orders all parties who use e-filing to accept electronic service, except in those
11 circumstances when personal service is required by law or where any of the
12 parties are self-represented, as required by the Emergency California Rules of
13 Court, Rule 12.
- 14 d. To enforce social distancing, each court resuming full operations shall schedule
15 only the number of matters during each session that will comply with social
16 distancing requirements.
- 17 e. Parties and counsel are urged to make use of technology for remote appearances,
18 via LACourtConnect (LACC), CourtCall or Webex, and to exchange and stipulate
19 to the authenticity of documentary evidence.
- 20 f. Judicial officers retain the discretion to require the use of technology for remote
21 appearances for the duration of this general order.

22
23 **2. Expanded Court Operations** – in addition to the time-sensitive and essential functions
24 enumerated in section 3 below, the Court is expanding its operations as follows:

25 a. **Effective June 22, 2020:**

- 26 i. **Probate** courtrooms will resume expanded operations and conduct
27 proceedings remotely with LACC.
- 28 ii. **Mental Health** courtrooms will resume full operations at the Hollywood

1 Courthouse. The courtroom hearing proceedings pursuant to the
2 Lanterman-Petris-Short (LPS) Act will resume operations at the
3 Metropolitan Courthouse. Riese hearings and hospital hearings will be
4 conducted remotely by video.

- 5 iii. **Juvenile Dependency** courtrooms will resume full operations. The Court
6 will prioritize adjudications and dispositions involving children who are
7 detained and continue to conduct remote appearances via Webex.
- 8 iv. **Juvenile Delinquency** courtrooms will resume full operations. Priority
9 will be given to arraignments, adjudication, disposition and Welfare and
10 Institutions Code section 777 hearings for detained minors, competency
11 hearings, transfer hearings, warrants and emergency health and safety
12 matters. Remote appearances will continue to be conducted via Webex.
- 13 v. **Civil** courtrooms, with the exception of courtrooms hearing **Small Claims**
14 and **Collections** matters, will expand operations to include case
15 management conferences, law and motion, and informal conferences,
16 which may be conducted remotely via CourtCall until LACC is more
17 widely available on July 6th, and thereafter, for remote appearances.
- 18 1. **Settlement Courts** will resume mandatory settlement conferences
19 and will conduct them remotely with LACC.
 - 20 2. **Writs and Receivers** courtrooms will resume full operations.
 - 21 3. **Complex Civil and Personal Injury Courts** located at Spring
22 Street, will resume full operations on June 22, 2020, and conduct
23 remote hearings and proceedings via CourtCall until LACC is
24 available on July 6, 2020 onwards.
- 25 vi. **Family Law** courtrooms will resume proceedings in a gradual, phased-in
26 fashion, based upon the Division's uniform four-category triaging plan for
27 matters and ex parte applications. Proceedings are initially limited to
28 restraining orders, post-arraignment contempt and Family Code section

1 3130 matters.

2 vii. **Appellate Division** will resume full operations and hold oral arguments
3 starting on June 25, 2020. Proceedings may also be held remotely via
4 Webex.

5 b. **Effective June 29, 2020**, courtrooms handling **Unlawful Detainer** cases may
6 resume law and motion and ex parte applications. Pursuant to Code of Civil
7 Procedure section 166(a)(1), no oral argument will be entertained on an ex parte
8 application for relief.

9 c. **Effective July 6, 2020**, the **Criminal Division** will commence a phased
10 expansion of operations and increase the use of remote proceedings via Webex.

11
12 3. **Continued Essential Operations:** except as otherwise noted above, **from June 11, 2020**
13 **to July 9, 2020**, inclusive, the Court will remain closed for judicial business other than
14 for the following time-sensitive, essential functions:

- 15 a. Civil Temporary Restraining Orders
16 b. Family Temporary Restraining Orders
17 c. Civil Ex Parte Proceedings, including without limitation, Emergency Minor's
18 Compromise Proceedings¹
19 d. Family Ex Parte Proceedings
20 e. Hague Convention (International Kidnapping)
21 f. Probate Ex Parte Proceedings
22 g. Probate Emergency Petitions for Temporary Conservatorship
23 h. Probate Emergency Petitions for Temporary Guardianship
24 i. Riese Hearings
25 j. Search Warrants

26
27 ¹ From June 11, 2020 until July 9, 2020, all parties may appear telephonically in Civil ex parte matters. Opposition papers
28 for any electronically-filed ex parte application must be electronically filed by 8:00 p.m. the day before the hearing on the
ex parte application, unless the party opposing the ex parte application is a self-represented litigant or otherwise exempt
from mandatory electronic filing pursuant to the operative General Order re Mandatory Electronic Filing in Civil.

- 1 k. Arraignments
- 2 l. Criminal Preliminary Hearings
- 3 m. Criminal Ex Parte Proceedings
- 4 n. Bail Bond and Cash Bail Processing
- 5 o. Bail Review
- 6 p. Criminal Mental Competency Hearings
- 7 q. Criminal Sentencing Proceedings
- 8 r. Criminal Post-Sentencing Proceedings
- 9 s. Grand Jury Indictments
- 10 t. Juvenile Ex Parte Proceedings
- 11 u. Emergency Orders Relating to the Health and Safety of a Child
- 12 v. Juvenile Restraining Orders
- 13 w. Juvenile Delinquency Detention Hearings and related case processing
- 14 x. Juvenile Dependency Detention Hearings and related case processing
- 15 y. Petitions for Writ Seeking Emergency Relief in Misdemeanor, Limited Civil and
- 16 Infractions
- 17 z. Emergency Writs Challenging COVID-19 Emergency Measures
- 18 aa. Writs of Habeas Corpus Challenging Medical Quarantines
- 19 bb. Emergency Protective Orders
- 20 cc. Proceedings under the Lanterman-Petris-Short (LPS) Act
- 21 dd. Judicial Commitments for Dangerous Persons based on Mental Health Conditions
- 22 ee. Parole and Post-Release Community Supervision Revocation Hearings
- 23 ff. Juvenile Delinquency Adjudications and Dispositions, and related case processing
- 24 gg. Juvenile Petitions pursuant to Welfare and Institutions Code section 388e
- 25 hh. Expedited Petitions to Approve Compromise of Disputed Claim or Pending Action
- 26 or Disposition of Proceeds of Judgment for Minor or Person with a Disability
- 27 Pursuant to Rule 7.950.5 of the Cal. Rules of Court, if no hearing is required.
- 28

- 1 ii. Writ proceedings under Welfare and Institutions Code sections 4800-4801 seeking
2 release of persons judicially committed to a state hospital, development center, or
3 other facility.

4
5 **4. Continuances:**

6 a. Criminal:

- 7 i. Pursuant to the March 30, 2020 Statewide Emergency Order by Tani G.
8 Cantil-Sakauye, Chief Justice of California and Chair of the Judicial
9 Council, the June 10, 2020 Statewide Emergency Order by Chief Justice
10 Cantil-Sakauye, and the authority provided by the June 10, 2020 order
11 issued by Chief Justice under Government Code section 68115, the Court
12 extends the time period provided under section 825 of the Penal Code within
13 which a defendant charged with a felony offense must be taken before a
14 magistrate from 48 hours to not more than seven (7) days, applicable only to
15 cases in which the statutory deadline otherwise would expire from **June 20,**
16 **2020 to July 9, 2020, inclusive.**
- 17 ii. The Court extends the time period provided in section 1382 of the Penal
18 Code for the holding of a criminal trial by not more than 30 days, applicable
19 only to cases in which the original or previously extended statutory deadline
20 otherwise would expire from **June 15, 2020 to August 17, 2020, inclusive.**
- 21 iii. The Court extends by 90 court days the time to submit status reports and
22 progress reports for defendants for whom a status report or progress report
23 was due from **June 11, 2020 to July 9, 2020, inclusive.** The Court shall
24 provide notice of when the new proceeding will be held.
- 25 iv. The Court extends by 90 court days, unless statutorily required otherwise,
26 the time to hold misdemeanor post-arraignment proceedings in which the
27 defendant is out of custody that would otherwise be set from **June 11, 2020**
28 **to July 9, 2020, inclusive.**

1 v. Select Criminal courtrooms will resume or initiate Early Disposition and/or
2 Late Disposition proceedings, commencing on June 15, 2020, and until
3 further notice.

4 b. Juvenile Dependency and Juvenile Delinquency:

- 5 i. The Court extends the time periods provided in section 313 of the Welfare
6 and Institutions Code within which a minor taken into custody pending
7 dependency proceedings must be released from custody to not more than
8 **seven (7) days**, applicable only to minors for whom the statutory deadline
9 would otherwise expire from **June 11, 2020 to July 9, 2020**, inclusive.
- 10 ii. The Court extends the time periods provided in section 315 of the Welfare
11 and Institutions Code within which a minor taken into custody pending
12 dependency proceedings must be given a detention hearing to not more than
13 **seven (7) days**, applicable only to minors for whom the statutory deadline
14 would otherwise expire from **June 11, 2020 to July 9, 2020**, inclusive.
- 15 iii. The Court extends the time periods provided in sections 632 and 637 of the
16 Welfare and Institutions Code within which a minor taken into custody
17 pending wardship proceedings and charged with a felony offense must be
18 given a detention hearing or rehearing to not more than **seven (7) days**,
19 applicable only to minors for whom the statutory deadline would otherwise
20 expire from **June 11, 2020 to July 9, 2020**, inclusive.
- 21 iv. The Court extends the time period provided in section 334 of the Welfare
22 and Institutions Code within which a hearing on a juvenile dependency
23 petition must be held by not more than **fifteen (15) days**, applicable only to
24 minors for whom the statutory deadline would otherwise expire from **June**
25 **11, 2020 to July 9, 2020**, inclusive.
- 26 v. The Court extends the time period provided in section 657 of the Welfare
27 and Institutions Code within which a hearing on a wardship petition for a
28 minor charged with a felony offense must be held by not more than **fifteen**

1 (15) days, applicable only to minors for whom the statutory deadline
2 otherwise would expire from **June 11, 2020 to July 9, 2020**, inclusive.

3 c. Unlawful Detainer:

4 The Court deems **June 11, 2020 to July 9, 2020**, inclusive, a holiday/holidays
5 for purposes of computing time under Code of Civil Procedure section 1167.

6 The Court finds good cause to continue all unlawful detainer trials without a
7 determination pursuant to Code of Civil Procedure section 1170.5(c).

8 d. Small Claims:

9 The Court deems **June 11, 2020 to July 9, 2020**, inclusive, a holiday/holidays
10 for purposes of computing the time under Code of Civil Procedure section
11 116.330(a) (requires a small claims matter to be scheduled for hearing no earlier
12 than 20 days but not more than 70 days from the date of the order directing the
13 parties to appear at the hearing).

14 e. Traffic and Infractions:

15 All traffic and infraction arraignments and trials scheduled from **June 11, 2020**
16 **to July 9, 2020**, inclusive, are continued. The parties shall receive notice of the
17 date on which the hearing shall be set.

18 f. Trials:

19 i. All non-jury trials, unless statutorily required otherwise, including in Civil,
20 Criminal, Family Law, Probate, and Traffic, scheduled from **June 11, 2020**
21 **to July 9, 2020**, inclusive, are continued until further notice. All pre-trial
22 dates for trials that are continued pursuant to paragraph (f) also are
23 continued consistent with the new trial date.

24 ii. All Civil jury trials, including Unlawful Detainer trials, scheduled from
25 **June 11, 2020 to July 9, 2020**, are continued. The parties shall be notified
26 of the continued trial date by the court. All pre-trial dates for trials continued
27 pursuant to this paragraph also are continued consistent with the new trial
28 date.

1 **THIS ORDER IS EFFECTIVE IMMEDIATELY AND WILL REMAIN IN EFFECT**
2 **UNTIL JULY 9, 2020, AND MAY BE AMENDED AS CIRCUMSTANCES REQUIRE.**

3 **GOOD CAUSE APPEARING THEREFOR, IT IS SO ORDERED.**

4
5
6 DATED: June 11, 2020



7 *Kevin C. Brazile*
8 KEVIN C. BRAZILE
9 Presiding Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28