

Amended Family Law COVID-19 memo, updated April 7, 2020.

To all family law litigants and counsel:

As of April 1, 2020, the San Mateo County Public Health officer's COVID 19 shelter-in-place order has been updated and made more restrictive. In light of statewide shelter-in-place orders by Governor Newsom, California Chief Justice Tani Cantil-Sakauye has issued orders authorizing temporary suspension of jury trials and extension of various timelines. The San Mateo County Superior Court has issued a general order viewable at:

http://www.sanmateocourt.org/documents/court_news_and_notices/040120.pdf suspending all trials until May 21, 2020.

In view of the above restrictions and in consultation with the Family Law Supervising Judge and the family law bench, the San Mateo County Superior Court is implementing the following calendar procedures for family law effective through May 21, 2020.

1. Trials

All court trials scheduled to occur on or before May 21, 2020 will be postponed and rescheduled for a later date.

2. RFO calendars

All pending RFOs dealing only with property division, attorney's fees, and support scheduled to be heard between now and May 21, 2020 will be postponed and rescheduled for a later date. Child custody RFOs where no initial custody orders have been made or where there is a request for emergency modification based on a documented report of abuse, abandonment, or neglect will continue to be heard. All others set between now and May 21, 2020 will be postponed and rescheduled for a later date. Individual family law bench officers are working to identify child custody cases currently scheduled between now and May 21 that will remain on calendar and will adjust scheduling of those matters as necessary to account for reduced available courtroom staffing and minimize the number of calendars being called. In the event of a schedule change affected litigants and counsel will be notified as soon as practicable. For as long as the shelter-in-place orders remain in place, all counsel and parties in direct-calendar RFO hearings that are proceeding have court approval to appear via CourtCall without obtaining an advance written order.

3. Status and Mandatory Settlement Conferences

All status conferences and Mandatory Settlement Conferences between now and May 21, 2020 will be postponed and rescheduled.

4. DVPA hearings

Permanent restraining order hearings scheduled to occur between now and May 21, 2020 will be continued. Existing issued temporary restraining orders will be re-issued and extended until the next scheduled hearing date. **Parties scheduled for a pending DVPA hearing should appear in court on the currently scheduled hearing date. Parties and counsel may appear telephonically using CourtCall pursuant to Emergency Rule 8 of the Amendments to the California Rules of Court adopted April 6, 2020. The Court will reschedule the hearing in open court and provide the parties with reissued notices of hearing and temporary orders.**

5. Family Support/DCSS calendars

Those matters where a participant is in custody will continue to be heard as scheduled. All others scheduled between now and May 21, 2020 will be postponed and rescheduled for a later date. Court staff are working to identify those matters where a participant is in custody and may adjust scheduling as necessary on a case-by-case basis to account for reduced available courtroom staffing. In the event of a schedule change affected litigants and counsel will be notified as soon as practicable.

All parties and attorneys with matters scheduled whose cases will be impacted by the above calendar modifications are encouraged to confer telephonically or via e-mail to determine available dates for rescheduling and to be proactive in contacting the assigned direct calendar department for rescheduling purposes. Please keep in mind that regularly assigned direct calendar department staff may not be working during this time. E-mails should be copied to the department-specific inbox rather than directed to individual clerk e-mail addresses. Counsel and parties who reach stipulations for continuances of calendared matters may e-mail those stipulations directly to the assigned judge with the advance consent of opposing counsel. Please limit any such e-mails to the transmittal of signed stipulations only to avoid impermissible ex parte contacts.

Other changes to Family Law related services during this time include the following:

- 1) Hours at the Family Law Facilitator’s Office in Redwood City will be reduced. The South San Francisco Family Law Facilitator’s Office will be closed. The Family Law Facilitator’s Office will transition all services to Live Chat. Live Chat hours will be Monday thru Thursday 8:30 AM to 12 PM and 1 to 4 PM, and Fridays 8:30 AM to 12 PM.
- 2) Family Court Services will continue to provide services, but will do so remotely via telework. All parties with FCS appointments should expect to be contacted by FCS in advance of the appointment to arrange logistics for use of technology to conduct appointments remotely. Appointments that cannot be accomplished remotely will be rescheduled.

We recognize the ongoing inconvenience to parties and attorneys that the above measures will cause, and are cognizant of the need for prompt resolution of family law matters for the stability of families and children. We are committed to restoring services as soon as it is possible to do so in a way that minimizes the ongoing risk to public health posed by the COVID-19 pandemic. Your patience during this time is appreciated. If further changes to the above procedures occur, updates will be provided through the San Mateo County Bar Association Family Law Section and on the San Mateo County Superior Court website (www.sanmateocourt.org) as soon as practicable. Please take care of yourselves and do your best to protect your health during these challenging times.

Sincerely,

Jonathan E. Karesh

Presiding Judge

Superior Court of California, County of San Mateo

Elizabeth M. Hill

Supervising Family Law Judge