



Family Law COVID-19 Protocols and FAQ's

The Court is expanding the use of remote appearances by way of Zoom Audio/Video to be used in family law by justice partners and litigants to appear remotely for certain family law calendars and hearing types. Please refer to the [Calendar Appearance Requirement Matrix](#), a separate attachment, for specific details as to calendar appearance requirements (Zoom, in-person, etc.).

Appearance by video is **strongly** requested; however, you may also appear by audio. If the calendar you are appearing on requires a Zoom appearance, only those who are unable to appear by way of Audio/Video may appear in person.

General Protocols

For added convenience, Zoom credentials are now available on the [Court's website](#)

The following is required of all Audio/Video conferencing attendees:

- Follow the same courtroom etiquette requirements when appearing remotely as you would in person
- Change your zoom name to reflect your first name and last name
- Mute your audio when you are not speaking
- Should you be unable to appear by video as is **strongly** requested, and you appear by calling in only:
 - If you are using the audio only option, you must dial in; you cannot join with the audio only credentials on a desktop or tablet
 - Do not put the call on hold as music will play, and you will be disconnected by the Audio/Video conferencing host, and you will need to rejoin the Audio/Video conferencing session
- Attorneys, parties, witnesses, and any third parties are not permitted to record the proceeding without advance permission from the judicial officer calling the calendar; unauthorized recording of court proceedings violates California Rule of Court 1.150 and is punishable by monetary sanctions or contempt proceedings against the offending party
- If your case requires an interpreter:
 - The Court will only supply an interpreter if one is available and the parties provide sufficient notice to the interpreter coordinator
 - Interpreter requests must be received a minimum of two days prior to the hearing for the following languages: Spanish, Cantonese, Mandarin, Tagalog, Portuguese, Arabic, Vietnamese, Russian, Korean, Tongan
 - If any other language is desired, a minimum of seven days' notice is required; a timely request for an interpreter does not guarantee the Court will be able to supply one
 - Please submit all interpreter requests through the Court's website at www.sanmateocourt.org, select 'Divisions,' and then select '[Interpreter Services](#)'
 - Counsel that needs to have a private conversation with their client and are utilizing a Court provided interpreter, phone the interpreter coordinator at 650-261-5023, and we will connect you with an interpreter on standby who may assist you

Hearing-Specific Protocols

Mandatory Settlement Conferences

- Remote appearance is mandatory
- Zoom credentials are now available on the [Court's website](#)
- The judicial officer conferencing the matter will host the Zoom conference
- If judicial officer generates any written order as a result of MSC hearing, the judicial officer will transmit it to the parties via email in .pdf format

Requests for Order

- Remote appearance is mandatory
- Zoom credentials are now available on the [Court's website](#)
- Change your Zoom name to reflect your first name and last name

Domestic Violence Prevention Act-Temporary Restraining Order

- If the matter proceeds to a hearing, the hearing will be conducted in person; therefore, personal appearance is required of counsel and/or parties if the matter will proceed on the hearing date
- The moving party is expected to prepare a Proposed Order prior to the hearing and provide it to the Court for consideration (Orders will need to be completed before they leave the courtroom)
- Prior to a hearing, the standard admonishments will be presented to the parties. Parties will have the opportunity to view the admonishment video outside the courtroom or to read it in advance. Parties will be asked to confirm on the record that they have seen and understand the admonishment.

Family Law Support

- Remote appearances are required
- Change your Zoom name to reflect your first name and last name
- Prior to a hearing, the standard admonishments regarding the hearing being held by a Commissioner will be read over Zoom, in the courtroom, and in the hallway. If necessary to reach all parties while maintaining social distancing, it may also be provided in writing. Parties will be asked to confirm on the record that they have heard or read, and understand the admonishment.

Frequently Asked Questions

Is my DCSS matter being heard? Department of Child Support Services cases are still being heard. Parties are strongly encouraged to appear via Zoom.

Is my DVPA matter being heard? DV Restraining order hearings (long cause and short cause) scheduled to occur between January 11, 2021 and February 12, 2021 will be continued. Existing issued temporary restraining orders will be reissued and extended until the next scheduled hearing date. Parties scheduled for a pending DVPA/TRO hearing should appear in court on the currently scheduled hearing date. Parties and counsel may appear remotely via Zoom video (Zoom audio if the matter is set on the Presiding Judge Master Calendar).

Is my matter in my Direct Department (Dept. 14, Dept. 15, Dept. 26) being heard?

-RFOs

-Court Trials that are 1 day or less

- MSCs where the case is set for Court Trial (1 day or less) in the next 120 days.

All other matters will be continued and notices will be sent. Status Conferences are being continued, and notice will be sent of the new date. There is currently no set date to resume pre-Covid Status Conferences. Please check your case online for any updates or continuances.

What if I have a Court Trial?

Family Law Court Trials that are in progress will be heard. Court Trials with a time estimate of 1 day or less will be heard. Currently, there is no set date to resume Court Trials with estimates greater than 1 day. Any Court Trial with an estimate greater than 1 day will be vacated, placed on a Status to Set date, and notices will be sent. If your Court Trial is going forward, please contact the department in advance in regards to exhibits.

If my matter is being heard, do I have to appear in person?

In order to ensure social distancing and reduce the spread of COVID-19, RFOs and MSCs in the Family Law Direct Departments (Department 14, 15, and 26) are being heard via Zoom. If your matter is going forward, Zoom credentials are now available on the [Court's website](#)

What if I have not received notice?

Due to the volume of cases being rescheduled, there may be a delay in receiving notice. You may also need to update your address with the Court. Your address will only be updated upon filing a [change of address form MC-040](#). For assistance, you may contact Self-Help/Family Law Facilitators please visit http://www.sanmateocourt.org/self_help/

I submitted an RFO months ago and have not received a court date, what should I do?

The clerk's office is closed to the public. You may still submit your documents via e-filing, and submit hard copy filings for the exceptions listed on the Court's home page. The clerk's office will process filings in the order they are received. Due to reduced staff, there may significant delays. Any inquiries about the status of submitted documents should be directed to the Family Law Clerk's Office via e-mail at: family_law_webmaster@sanmateocourt.org

I just filed a document, and I want to provide it to the Judge. Can I appear in person to bring in a courtesy copy?

Please do not deliver physical courtesy copies to the department or the courtroom. If your matter is going forward within 3 court days of filing your documents, please e-mail the department a courtesy copy of your filing, along with proof of service to the opposing party. Be advised, you will still need to file your documents via e-filing, or in the clerk's office, if applicable.

I called or e-mailed the department and did not get a response. What should I do?

Due to the Court's limited resources and the volume of inquiries, the Family Law Direct Department e-mails and phone lines cannot ensure an immediate response. If you have not received a response within one week, please follow up with an e-mail to the department.

Department 14: Dept14@sanmateocourt.org

Department 15: Dept15@sanmateocourt.org

Department 26: Dept26@sanmateocourt.org

Why won't the Courtroom Clerk help me?

The Courtroom Clerk cannot assist you with legal advice. Please consult legal counsel or the Family Law Facilitator http://www.sanmateocourt.org/self_help/

Resources

For the most current emergency order please visit www.sanmateocourt.org

For Self-Help/Family Law Facilitators please visit http://www.sanmateocourt.org/self_help/

Not receiving notices for your case? Your address may need to be updated. To update your address please submit a [change of address form MC-040](#)