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FEB 11 2021

FRESNO COUNTY SUPERIOR COURT

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO  
CENTRAL DIVISION

ADMINISTRATIVE ORDER CONTINUING) GENERAL ORDER  
REDUCED COURT OPERATIONS DUE TO)  
COVID-19 )  
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Due to the health concern presented by the surge in novel coronavirus cases in Fresno County, and the County's continued placement in the Purple (widespread risk) Tier by the State of California, the Court orders that court operations proceed as described below:

1. IN-CUSTODY MISDEMEANOR, FELONY, AND VIOLATION OF SUPERVISION HEARINGS

The Court will hear in-custody (misdemeanor, felony, and violation of supervision) criminal cases. All parties are encouraged to attend hearings via Zoom. Counsel is strongly encouraged to obtain a waiver of the defendant's personal appearance, pursuant to Penal Code § 977 (977 waiver).

1           2. OUT OF CUSTODY FELONY AND MISDEMEANOR ARRAIGNMENT AND  
2 VIOLATION OF SUPERVISION HEARINGS

3           The Court hereby finds good cause to continue felony and  
4 misdemeanor out-of-custody defendant arraignment hearings and  
5 violation of supervision arraignment hearings, including  
6 probation, Mandatory, Post Release Community, and Parole  
7 supervision, where an attorney has not yet made an appearance.

8           If an out of custody defendant fails to appear as ordered or  
9 cited, an arrest warrant will issue for the defendant. If an out  
10 of custody defendant is not represented by an attorney in the case  
11 set for a hearing, the defendant will receive a new court date  
12 when he or she appears as ordered or cited and signs a promise to  
13 appear form. The time of any new appearance date will 8:30 a.m.

14           A defendant who has a private or public attorney should  
15 contact the attorney's office *before the court date*. The attorney  
16 may be able to appear on the defendant's behalf. Counsel is  
17 encouraged to appear on behalf of the client, using the 977  
18 waiver. If the defendant appears at the Main Courthouse, the  
19 matter will be addressed by court personnel and the defendant will  
20 be advised to contact their attorney immediately.

21           3. OTHER FELONY HEARINGS

22           All other cases will proceed as currently set, utilizing  
23 remote hearing processes already in place. All attorneys are  
24 encouraged to obtain a waiver of defendant's personal appearance  
25 pursuant to Penal Code, § 977.

26           4. OTHER MISDEMEANOR HEARINGS

27           All other cases, other than jury trials, will proceed as  
28 currently set, utilizing remote hearing processes already in

1 place. All attorneys are encouraged to utilize the waiver of  
2 defendant's personal appearance pursuant to Penal Code, § 977.

3 5. TRAFFIC

4 The Traffic Division will continue current operations. Zoom  
5 appearances are available for arraignment and court trials and are  
6 strongly encouraged. Personal appearances in Court are  
7 discouraged.

8 The Traffic Department will continue to hold the morning  
9 arraignment calendar from 9:00 a.m. to 12:00 p.m., heard Monday  
10 through Wednesday, with limited seating if appearing in-person. A  
11 request to appear remotely via Zoom could be made, but the request  
12 must be submitted for consideration three (3) days before the  
13 hearing.

14 Traffic Court Trial hearings will continue as scheduled  
15 either in-person or via Zoom.

16 The Traffic Department's Clerk's office will only be open for  
17 customers checking-in for a hearing.

18 For further options on how to resolve a case without coming  
19 to court, please visit the Traffic Department website at  
20 <http://www.fresno.courts.ca.gov/traffic/>.

21 For additional information, the Department can be reached at  
22 457-1700 or email your request to  
23 [InfoDeskCrim@fresno.courts.ca.gov](mailto:InfoDeskCrim@fresno.courts.ca.gov).

24 6. JUVENILE DELINQUENCY

25 Juvenile Delinquency proceedings will continue to be heard,  
26 pursuant to Juvenile Justice Court procedures, in light of the  
27 current California Rules of Court, Emergency Rules 3 and 7.

1           These procedures also apply to Family Behavioral Health  
2 Court, Juvenile Drug Court, and Friday Court.

3           For additional information, the Department can be reached at  
4 457-4810.

5           7. JUVENILE DEPENDENCY

6           Juvenile Dependency will continue to hear all cases, in light  
7 of the current California Rules of Court, Emergency Rules 3 and  
8 6. All parties are encouraged to utilize Zoom. However, if  
9 parties appear in person will go through the screening process and  
10 the Court Security Unit will send them to the 2nd-floor dependency  
11 clerk's office. Staff will check in the parties and direct them  
12 to the appropriate courtroom.

13           These procedures also apply to the Family Dependency  
14 Treatment Court.

15           For additional information, the Department can be reached at  
16 457-4810.

17           8. FAMILY LAW

18           All Family Law and Family Law DCSS matters will continue to  
19 be heard as scheduled, with the following exceptions:

20           All trials/long cause contested hearings may be continued on  
21 a case by case basis. If continued, the hearing will be  
22 rescheduled to a trial setting date in the department of origin.  
23 Notices will be sent with the new hearing dates and times.

24           Courtroom appearances are limited to attorneys and parties on  
25 the case. In departments utilizing Zoom, attorneys and self-  
26 represented litigants are strongly encouraged to appear remotely  
27 whenever possible (unless ordered to be present), however, in-  
28 person appearances are still allowed.

1 Attorneys and self-represented litigants are strongly  
2 encouraged to appear via CourtCall for Case Management Conferences  
3 in Department 202 on Tuesday and Wednesday mornings, and for  
4 Settlement Conferences in Department 202 on Tuesday and Wednesday  
5 afternoons, however, in-person appearances are still allowed.

6 Please refer to Notification Regarding Family Law Cases and  
7 Notification Regarding Family Law DCSS Cases on the Court's  
8 website, effective August 1, 2020.

9 9. CIVIL UNLIMITED

10 All civil unlimited mandatory settlement conferences, trial  
11 readiness hearings, and jury trials scheduled to occur from  
12 Tuesday, February 16, 2021, through Wednesday, March 17, 2021,  
13 inclusive, will be rescheduled to occur on later dates in 2021 and  
14 2022. All of these cases will be re-noticed for Trial Setting  
15 Conferences to be held on Thursday, March 18, 2021, at 9:00 a.m.,  
16 in Department 503. The new settlement conference, trial readiness  
17 hearing, and trial date will be assigned at that time based upon a  
18 case-by-case assessment. Appearance by CourtCall is strongly  
19 encouraged.

20 Court trials scheduled to occur from Tuesday, February 16,  
21 2021, through Wednesday, March 17, 2021, inclusive, will remain on  
22 calendar but may be continued on a case-by-case basis.

23 The Trial Setting Conferences currently set for Wednesday,  
24 February 17, 2021, at 9:00 a.m., in Department 503, will remain on  
25 calendar. Appearance by CourtCall is strongly encouraged.

26 Effective February 16, 2021, civil unlimited law and motion  
27 will return to Tuesdays, Wednesdays, and Thursdays, at 3:30 p.m.,  
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1 in Departments 403, 501, 502, and 503. Appearance by CourtCall is  
2 strongly encouraged.

3 For additional information, the Department can be reached at  
4 457-1900.

5 10. CIVIL LIMITED/SMALL CLAIMS

6 All civil limited jury trials scheduled to occur from  
7 Tuesday, February 16, 2021, through Wednesday, March 17, 2021,  
8 inclusive, will be rescheduled to occur on later dates in 2021 and  
9 2022. All small claims matters scheduled to be heard from Tuesday,  
10 February 16, 2021, through Thursday, March 18, 2021, in Department  
11 97D, will be rescheduled to later dates in 2021. Notices will be  
12 sent with the new hearing dates and times.

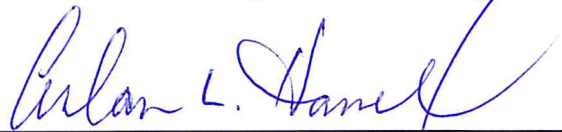
13 11. PROBATE

14 All Probate matters will continue to be heard as scheduled,  
15 with the following exception:

16 Court trials may be continued on a case-by-case basis.

17 THIS ORDER IS EFFECTIVE FEBRUARY 16, 2021, AND WILL REMAIN IN  
18 EFFECT UNTIL FURTHER NOTICE.

19 Dated this 11th day of February 2021.

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22 ARLAN L. HARRELL  
23 PRESIDING JUDGE OF THE SUPERIOR COURT  
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