

FILED

DEC 10 2020

FRESNO COUNTY SUPERIOR COURT

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
CENTRAL DIVISION

ADMINISTRATIVE ORDER REDUCING) GENERAL ORDER
COURT OPERATIONS DUE TO COVID-))
19 REGIONAL STAY-AT-HOME ORDER))
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Due to the health concern presented by the surge in novel coronavirus cases in Fresno County, and the Regional Stay-at-Home Order announced by Governor Newsom made effective Sunday, December 6, 2020 at 11:59 pm by the Fresno County Public Health Department and other health departments in the San Joaquin Valley Region as a protective measure to limit the spread of COVID-19 among the citizen of Fresno County, the Court suspends civil and criminal jury trials until January 11, 2021, and orders court operations proceed as described:

CRIMINAL AND CIVIL JURY TRIALS

1. All matters set for jury trial on the criminal master calendar are ordered continued twenty (20) court days, on a rolling basis, from their currently set court date. In progress

1 jury trials may continue at the discretion of the presiding trial
2 judge.

3 OUT OF CUSTODY FELONY ARRAIGNMENT AND PROBATION VIOLATION
4 HEARINGS

5 2. The Court hereby finds good cause to continue felony out
6 of custody defendant arraignment hearings and probation violation
7 arraignment hearings. If an out of custody defendant fails to
8 appear as ordered or cited, an arrest warrant will issue for the
9 defendant. If an out of custody defendant is not represented by an
10 attorney in the case set for a hearing, the defendant will receive
11 a new court date when he or she appears as ordered or cited and
12 signs a promise to appear form. A defendant who has a private or
13 public attorney should contact the attorney's office before the
14 court date. The attorney may be able to appear on the defendant's
15 behalf.

16 OTHER FELONY HEARINGS

17 All other cases, other than jury trials, will proceed as
18 currently set, utilizing remote hearing processes already in
19 place. All attorneys are encouraged to obtain a waiver of
20 defendant's personal appearance pursuant to Penal Code, § 977.

21 OUT OF CUSTODY MISDEMEANOR ARRAIGNMENT AND PROBATION
22 VIOLATION HEARINGS

23 3. The Court hereby finds good cause to continue misdemeanor
24 out of custody defendant arraignment hearings and misdemeanor out
25 of custody defendant probation violation arraignment hearings. If
26 an out of custody defendant fails to appear as ordered or cited,
27 an arrest warrant will issue for the defendant. If an out of
28 custody defendant is not represented by an attorney, the

1 arraignment hearing will be reset within 120 days from the
2 currently set date. These defendants are to appear at the Fresno
3 Superior Court Main Courthouse on their currently set court date
4 to receive their new hearing date after signing a promise to
5 appear.

6 OTHER MISDEMEANOR HEARINGS

7 All other cases, other than jury trials, will proceed as
8 currently set, utilizing remote hearing processes already in
9 place. All attorneys are encouraged to utilize the waiver of
10 defendant's personal appearance pursuant to Penal Code, § 977.

11 CIVIL UNLIMITED

12 4. All civil unlimited mandatory settlement conferences,
13 trial readiness hearings and jury trials scheduled to occur from
14 Friday, December 11, 2020 through Monday, January 11, 2021,
15 inclusive, will be rescheduled to occur on later dates in 2021 and
16 2022. All of these cases will be re-noticed for Trial Setting
17 Conferences to be held in Department 503 on Tuesday, January 12,
18 2021. Appearance by CourtCall is strongly encouraged. The new
19 settlement conference, trial readiness, and trial dates will be
20 assigned at that time based upon a case-by-case assessment.

21 For the week of December 14, 2020 and the month of January
22 2021, civil unlimited law and motion will be heard as follows:

23 Monday - No matters

24 Tuesday - Dept. 403 @ 9:00 a.m. or 1:30 p.m. (Judge Culver
25 Kapetan)

26 Wednesday - Dept. 501 @ 9:00 a.m. or 1:30 p.m. (Judge Tharpe)

27 Thursday - Dept. 502 @ 9:00 a.m. or 1:30 p.m. (Judge McGuire)

28 Friday - Dept. 503 @ 9:00 a.m. or 1:30 p.m. (Judge Gaab)

1 Notices will be sent with the new hearing dates and times in the
2 cases affected by the changes in schedule.

3 For the week of December 21, 2020, civil unlimited law and
4 motion will be heard as currently set. No law and motion will be
5 heard the week of December 28, 2020 due to reduced staffing days.

6 CIVIL LIMITED/SMALL CLAIMS

7 5. All small claims matters scheduled in Dept. 402 to occur
8 from Tuesday, December 15, 2020 through Thursday, January 28,
9 2021, inclusive, will be rescheduled to occur on later dates in
10 2021. Notices will be sent with the new hearing dates and times.

11 JUVENILE DELINQUENCY

12 6. Juvenile Delinquency proceedings will continue to be heard
13 pursuant to Juvenile Justice Court procedures in light of the
14 current California Rules of Court, Emergency Rules 3 and 7.

15 FAMILY LAW

16 7. All Family Law and Family Law DCSS matters will continue to
17 be heard as scheduled, with the following exceptions:

18 All trials/long cause contested hearings will be continued
19 and rescheduled to a trial setting date in the department of
20 origin. Notices will be sent.

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

26 Attorneys and self-represented litigants are strongly
27 encouraged to appear via CourtCall for Case Management Conferences
28 in Department 202 on Tuesday and Wednesday mornings, and for

1 Settlement Conferences in Department 202 on Tuesday and Wednesday
2 afternoons, however, in-person appearances are still allowed.

3 Please refer to Notification Regarding Family Law Cases and
4 Notification Regarding Family Law DCSS Cases on the Court's
5 website, effective August 1, 2020.

6 PROBATE

7 8. From December 14 through January 8, 2020, all Probate
8 matters on calendar will be continued with the exception of the
9 following:

- 10 > Mental Health Appointments/Reappointments;
- 11 > Mental Health Court Trials;
- 12 > LPS Writ hearings;
- 13 > LPS Riese hearings;
- 14 > Temporary LPS Conservatorships;
- 15 > Emergency Ex parte for Temporary Guardianships and
16 Conservatorship cases.

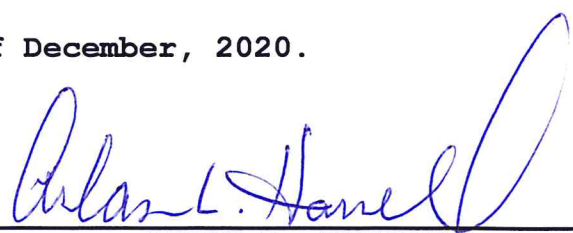
17 Notices will be sent with the new hearing dates and times for the
18 continued cases.

19 TRAFFIC AND DEPENDENCY PROCEEDINGS

20 9. Orders regarding Traffic and Dependency proceedings will be
21 issued shortly.

22 THIS ORDER IS EFFECTIVE December 14, 2020, AND MAY BE AMENDED
23 AS CIRCUMSTANCES REQUIRE.

24 DATED this 10TH day of December, 2020.

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26 _____
27 ARLAN L. HARRELL
28 PRESIDING JUDGE OF THE SUPERIOR COURT