

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTER
JUDICIAL ORDER
APRIL 10, 2020
JO 20-03
(COVID-19)**

HIGHLIGHT: RESTRICTED BUSINESS CONTINUES THROUGH MAY 8, 2020.

On March 20, 2020, the Sutter Superior Court issued a judicial order [hereinafter designated as JO 20-01] restricting court business to essential functions to protect public health and ensure the ability to deliver fair and impartial justice to those coming before the court.

On March 21, 2020, Yuba City Manager Diana Langley signed a Proclamation of a Local Emergency due to the current threat of the coronavirus. (Press Release, City of Yuba City, Coronavirus (COVID-19) Proclamation of Local Emergency.) The City of Yuba City is the county seat for Sutter County and the Sutter County Courthouse lies within its jurisdiction.

On March 22, 2020, the California State Public Health Officer provided a list of “essential critical infrastructure workers” which identified **“The Courts”** as essential workforce. (See <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf> page 10, bullet point 3 (finding these workers exempted from the March 19, 2020 stay at home order N-33-20).)

On March 23, 2020, California Supreme Court Chief Justice Cantil-Sakauye issued a statewide order suspending jury trials and continuing them for a period of sixty days from the date of her order. (Judicial Council of California, Statewide Order, March 23, 2020 (allowing for an earlier date upon a finding of good cause).)

On March 27, 2020, California Governor Gavin Newsom issued (Executive Order N-38-20 <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.27.20-N-38-20.pdf>.) This order recognized that the Judicial Branch retains extensive authority to manage its own operations. (See *id.* Executive Order N-38-20, para. 4.) The Governor granted the Chairperson of the Judicial Council (Chief Justice Cantil-Sakauye) authority to issue emergency orders.

On March 29, 2020, President Donald J. Trump continued his guidelines to slow the spread of the coronavirus for another month. (The President’s Coronavirus Guidelines for America, “30 Days to Slow the Spread,” coronavirus.gov). The guidelines continue to direct avoidance of social gatherings in groups of more than 10 people.

On March 30, 2020, the Chief Justice¹ authorized superior courts to implement orders that extended time for preliminary examination, arraignment for felonies, and criminal and civil trials. (Judicial Council of California, Statewide Order, March 30, 2020.)

¹ The Chief Justice recognized her constitutional, statutory and other legal authority including Executive Order N-38-20 and found good cause to issue her orders.

On April 1, 2020, the California Department of Public Health provided guidance to the general public regarding face coverings to supplement existing guidance about social distancing and handwashing. (Cal. Dept. Public Health, Memorandum April 1, 2020, Face Coverings Guidance.) The memorandum encourages the continued use of physical distancing when completing essential activities and avoiding being around sick people. The memorandum did not mandate the use of facial coverings but recognizes that counties may introduce policies for their residents.

On April 6, 2020, Bi-County Public Health Officer issued an order directing all individuals living in the county to **remain at their residence unless engaging in certain activities and work**. (Order of Sutter County & Yuba County Bi-County Public Health Officer Restricting Activities in Response to COVID-19 Outbreak, with Exceptions and Exemptions, as Specified, April 6, 2020.) The order further directs all businesses and governmental agencies to “cease non-essential operations,” prohibits “non-essential gatherings of any number of individuals,” and orders cessation of all non-essential travel.” (See *id.*)

Governor Newsom’s statewide order directing “all individuals living in the State of California to stay home and at their place of residence” has no end date. (Executive Order N-33-20 issued March 19, 2020.)

Based on the above information, directives and orders and to protect public health and ensure the ability to deliver fair and impartial justice to all those who come before the court, the Court **HEREBY ORDERS AS FOLLOWS:**

1. The Judicial Order dated March 20, 2020 is designated as Judicial Order 20-01 [hereinafter referenced as “JO 20-01”].
2. I incorporate by reference the findings and orders in Sutter County JO 20-01.
3. I incorporate by reference the findings and orders in the Chief Justice’s Statewide Orders dated March 23, 2020 and March 30, 2020. I authorize any judge of the Sutter County Superior Court to implement these orders as necessary in an individual case.
4. Sutter County JO 20-01 will continue in full force and effect **through May 8, 2020**. By this extension, any and all references to April 10, 2020 in JO 20-01 are extended to May 8, 2020.
5. Do not come to the courthouse if you are ill. Make arrangements for another attorney to appear or submit a written request (or stipulation) to continue or appear remotely.
6. **RECOVERY COURT & 1210.1 (DRUG COURT):** Recovery Court matters currently set May 6, 2020 @ 9:00 a.m. are vacated.

7. The Sutter County Superior Court will remain open for restricted business as follows through May 8, 2020.

Criminal Matters:

Search warrants (electronic submission accessible 24 hours)
All in-custody cases
All Felony cases
Bail reviews
Writs of habeas corpus
Other criminal matters as determined by the Presiding Judge or designee

Juvenile Matters:

Delinquency
In custody detention, jurisdictional and dispositional hearings
Other matters as determined by the Presiding Juvenile Judge or designee
(Parents may appear telephonically.)

Dependency

Detention, jurisdictional and disposition hearings
Review hearings requiring federally mandated findings
Other matters as determined by the Presiding Juvenile Judge or designee
(Parents may appear telephonically.)

Family Law, Probate & Civil matters:

Domestic Violence Restraining Orders
Civil Harassment Restraining Orders
Emergency Petitions for Temporary Conservatorships
Emergency Petitions for Temporary Guardianships
Emergency Child Custody Hearings
Other matters as determined by the Presiding Judge or designee

Mental Health matters:

Detained/in-custody Mental Health Hearings

8. These orders are based on a finding of good cause arising out of the public health emergency (COVID-19) as declared by local, state, and federal authorities. The Court has considered the interests and rights of defendants and other parties and finds that this order will facilitate compliance with the directives of local, state and federal entities and minimize non-essential travel & gatherings and ensure fair administration of justice.

9. These orders are temporary and intended to address the current COVID-19 crisis. I reserve the authority to rescind or modify this order, as appropriate, to address changing circumstances. This order may be deemed part of the record in affected cases for purpose of appeal without the need to file the order in each case.

SO ORDERED.

DATED: April 9, 2020



SUSAN E. GREEN, Presiding Judge
Superior Court of California, County of Sutter