

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SUTTER
JUDICIAL ORDER
MARCH 20, 2020 4:00 PM
(COVID-19)**

On March 4, 2020, California Governor Gavin Newsom declared a state of emergency based on “an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19).” (Executive Department, State of California, Proclamation of A State of Emergency, March 4, 2020.)

On March 10, 2020, Bi-County Health Officer Dr. Phuong Luu declared a state of local health emergency based on the threat to public health from COVID-19 and recommended the Board of Supervisors also proclaim a state of emergency. (Emergency Management (BePreparedSutter.org) Coronavirus Update for the Yuba-Sutter Area, March 10, 2020)(www.suttercounty.org/doc/government/dept/cao/em/cs_es_home.)

On March 10, 2020, the Sutter County Administrative Officer as the Emergency Operations Director proclaimed a state of emergency based on “conditions of the possibility of extreme peril to the safety of person and property have arisen within Sutter County, as a result of/caused by THE COVID-19 epidemic.” (Proclamation of Existence of a County-Wide Local Emergency (Incorporated and Unincorporated Areas of Sutter County, March 10, 2020 14:01 [hrs] (capitalization in original).) The proclamation proclaimed and ordered that “the powers, functions and duties of the emergency orders of the government” shall include those outlined in Government Code Section 8634.

Government Code Section 8634 provides as follows:

During a local emergency the governing body of a political subdivision, or officials designated thereby, may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread publicity and notice.

(Govt. Code §8634.)

On March 12, 2020, the National Center for Disease Control (CDC) issued guidance recommending that community-wide mass gatherings (250+ people) be canceled. (Interim

Guidance: Get Your Mass Gatherings or Large Community Events Ready for Coronavirus Disease 2019 (COVID-19), Revised March 12, 2020.) The CDC recommended that gatherings of no more than 10 people for organizations that service higher-risk populations. The CDC also recommended canceling mass gatherings of any size when community transmission is at a substantial level.

On March 13, 2020, President Donald J. Trump declared a national emergency based on a public health emergency related to outbreaks of the coronavirus disease COVID-19. (Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak, March 13, 2020.)

On March 15, 2020, the CDC recommended that events of 50 people or more be canceled or postponed for two months. (See Yuba-Sutter Health Officer Directive, Press Release, March 18, 2020 (discussing gatherings < 250, to 50 to 10 people or less; see also Interim Guidance: Get Your Mass Gatherings or Large Community Events Ready for Coronavirus Disease 2019 (COVID-19), Revised March 15, 2020.)

On March 16, 2020, President Donald J. Trump issued new guidelines to slow the spread of the coronavirus. (The President's Coronavirus Guidelines for America, "15 Days to Slow the Spread," coronavirus.gov.) The guidelines directed individuals to follow the directions of state and local authorities. The guidelines also directed older persons, persons with serious underlying health conditions, and persons feeling sick to stay home. The guidelines recommended avoiding social gatherings of more than 10 people.

On March 18, 2020, the Bi-County (Yuba-Sutter) Health Officer Phuong Luu, M.D. issued a directive to Yuba and Sutter County residents "to remain at home except to engage in 'essential activities,' effective 11:59 p.m. Thursday, March 19 [2020], in response to the regional spread of COVID-19." In the directive Dr. Luu stated, "We are directing residents to stay home and avoid public places where possible to slow the spread of COVID-19 to the utmost extent possible."

On March 19, 2020, California Governor Gavin Newsom issued a statewide order directing "all individuals living in the State of California to stay home and at their place of residence" exempting only those "needed to maintain continuity of operations of the federal critical infrastructure sectors." (Executive Department, State of California, Executive Order N-33-20, March 19, 2020.)

Based on the above information, directives and orders and in order 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 Sutter County Superior Court will remain open for restricted business, as set forth below:

2. **TIMEFRAME:** From March 20, 2020 through April 10, 2020 only the following

functions will be conducted by the Court.

Criminal matters:

- Search Warrants (electronic submission accessible 24 hours)
- All in-custody cases
- All Felony cases (except see paragraph 4)
- 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 disposition 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 and children 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 civil, family or probate matters as determined by the Presiding Judge or designee

Mental Health matters:

- Detained/in-custody Mental Health Hearings.

3. FELONY CASES GENERALLY: Attorneys representing defendants may appear 977 with written waivers executed out of court, and for matters currently scheduled between March 23, 2020 and April 10, 2020 are encouraged to stipulate to continuances of four weeks or more for defendants waiving time.

4. OUT OF CUSTODY MISDEMEANOR MATTERS: All out of custody misdemeanor matters currently scheduled between March 23, 2020 and April 10, 2020 will be continued for exactly eight (8) weeks from the date they are currently calendared.

5. **CIVIL CASE MANAGEMENT:** The dates currently scheduled between March 20, 2020 and April 10, 2020 are vacated. The parties will be notified by the Court of new case management dates.

6. **PROBATE HEARINGS:** The dates currently scheduled between March 20, 2020 and April 10, 2020 are vacated. All matters currently scheduled are continued for exactly eight (8) weeks from the date they are currently calendared.

7. **FAMILY LAW MATTERS:** For all matters not specified in paragraph 2 above, the dates currently scheduled between March 20, 2020 and April 10, 2020 are vacated and continued for exactly eight (8) weeks. All court orders remain in full force and effect.

8. **RECOVERY COURT & 1210.1 (DRUG COURT):** Recovery Court matters currently set for April 1, 2020 are vacated. The parties will appear at the next regularly scheduled date (May 6, 2020 @ 9:00 a.m.).

9. **DCSS NON-ENFORCEMENT PROCEEDINGS:** Matters calendared between March 20, 2020 and April 10, 2020 will be continued for eight (8) weeks from the date currently scheduled. The Court continues to accept filings via electronic filing and in-person via drop box.

10. **SELF HELP CENTER & FAMILY LAW INFORMATION CENTER:** The Self-Help and Family Law Information Center will be closed to all in-person business between March 20, 2020 and April 10, 2020. Please check our website at suttercourts.com for available services and updates.

11. **JURORS:** Jurors summoned to appear between March 20, 2020 and April 10, 2020 need not appear. Jurors will be re-summoned for a date in the future.

12. **EXTENSION OF JAIL TURN-IN DATES:** The Court authorizes the Sutter County Sheriff to extend jail turn-in dates for up to 120 days.

13. **SMALL CLAIMS COURT:** All small claims court trials between March 20, 2019 and April 10, 2020 are vacated. The parties will be notified by the Court of new trial dates.

14. **TRAFFIC:** All traffic matters scheduled for court hearings between March 20, 2019 and April 10, 2020 are vacated. All matters currently scheduled for trial are continued for exactly eight (8) weeks from the date currently calendared.

15. **UNLAWFUL DETAINERS:** All unlawful detainer matters scheduled for court hearings between March 20, 2020 and April 10, 2020 are vacated. The parties will be notified by the Court of the continued hearing date.

16. Any counsel or parties with vacated matters may file an ex-parte application requesting the calendaring of proceedings based on an appropriate showing of good cause. Any such

request must comply with all applicable procedural requirements under the California Rules of Court and local rules of court.

17. All individuals in the gallery of each courtroom and other individuals in other portions of the courthouse, to the extent feasible must remain at least six (6) feet apart (excluding individuals who live together).

18. This order may be modified, expanded, or suspended at any time to account for the developing nature of the public health emergency (COVID-19).

19. These Orders are based on a finding of good cause arising out of the public health emergency (COVID-19) as declared by the Sutter County Board of Supervisors, the Governor of the State of California and the President of the United States of America. The Court has considered the interest of defendants and other parties and finds that this order will facilitate compliance with the directives of local, state and national entities and minimize non-essential travel and public gatherings.

SO ORDERED.

DATED: March 20, 2020

A handwritten signature in black ink, appearing to read "Susan E. Green", written over a horizontal line.

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