

MAR 18 2020

JASON B. GALKIN
EXECUTIVE OFFICER & CLERK
By: , Deputy Clerk

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF NEVADA**

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In Re Reduction of Court Operations in Response to
COVID-19 Pandemic

EXECUTIVE ORDER NO.

178

Whereas the President of the United States of America has declared a national emergency in response to the COVID-19 pandemic;

Whereas the Governor of the State of California has declared a public health emergency throughout the State in response to the spread of COVID-19;

Whereas Nevada County has declared a local public health emergency in response to the increased spread of COVID-19 across neighboring counties as well as this county;

Whereas the Centers for Disease Control and Prevention, California Department of Public Health and other public health authorities have advised the taking of precautions, including limiting gathering sizes and practicing social distancing, to reduce the possibility of exposure to the virus and to slow the spread of the disease;

Whereas many persons at risk of serious or even fatal illness are involved in court proceedings as parties, attorneys, or court staff, or are being asked to serve the court as jurors, or observe court proceedings as members of the public;

Whereas slowing the transmission of the virus in the community is an important part of mitigating the impact of the disease on potentially vulnerable individuals and reducing the immediate burden on the health care system and the community at large;

1 Whereas the need for in court hearings and trials under constitutional and statutory law
2 must be balanced against the current risks stemming from associated interpersonal contact;

3 Whereas certain specific emergency orders have been granted under Government Code
4 Section 68115 and the March 16, 2020 order of Chief Justice Tani G. Cantil-Sakauye, Chair of
5 the Judicial Council of California, in response to the March 13, 2020 request for an emergency
6 order by this court,

7 Accordingly, in order to protect public health, reduce the size of public gatherings and
8 unnecessary travel, and ensure the ability to deliver fair and impartial justice to all those who
9 come before the court, the court **HEREBY ORDERS AS FOLLOWS:**

10 1. Both the Nevada City courthouse and the Truckee courthouse will remain open for
11 restricted business, as set forth below.

12 2. **From March 19, 2020 until April 14, 2020, only the following functions will be
13 conducted by the court:**

14 a. Civil Temporary Restraining Orders

15 b. Family Temporary Restraining Orders

16 c. Domestic Violence Restraining Orders

17 d. Civil Ex Parte Proceedings

18 e. Family Ex Parte Proceedings

19 f. Probate Ex Parte Hearings

20 g. Probate Emergency Petitions for Temporary Conservatorship

21 h. Probate Emergency Petitions for Temporary Guardianship

22 i. Search Warrants

23 **All in-custody criminal matters listed in j, m, n and o, below, will be conducted
24 via videoconference unless a party requests an in-court appearance. Preliminary
25 hearings require the defendant to be present in court.**

26 j. In Custody Arraignments

27 k. No Time Waiver Criminal Preliminary Hearings

28 l. Criminal Ex Parte Hearings

 m. Bail Review

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- n. Criminal Mental Competency Hearings
- o. No Time Waiver Criminal Sentencings
- p. Juvenile Ex Parte Orders
- q. Juvenile Delinquency Detention Hearings; in-custody no time waiver jurisdictional and disposition hearings.
- r. Juvenile Dependency Detention Hearings, or Review Hearings requiring federally mandated reasonable efforts findings. The Court asks that children not be transported to the court for dependency proceedings.
- s. Emergency Child Custody Hearings
- t. Termination of Parental Rights Hearings
- u. Assisted Outpatient Treatment: New petitions and hearings deemed necessary by treatment providers.
- v. DCSS Non-Enforcement Proceedings
- w. Currently scheduled Civil Case Management Conferences, Unopposed Probate and Conservatorship matters and Unopposed Law and Motion Matters will be addressed by tentative rulings without personal appearances. Any matter in which the tentative ruling is contested will be continued to a date set by the court.
- x. Presently calendared Petitions for Change of Name, if complete and uncontested, will be granted without appearances. Incomplete and/or contested petitions will be continued to a date set by the court.
- y. Hearings on Petitions for Gun Violence Restraining Orders.

3. MENTAL HEALTH COURT:

The dates currently set for Mental Health Court between March 18, 2020 and April 14, 2020 are vacated. Future dates remain set unless vacated by subsequent order of the court.

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4. DUI COURT:

Nevada City: The dates currently set for DUI Court between March 18, 2020 and April 14, 2020 are vacated. Future dates remain set unless vacated by subsequent order of the court.

Truckee: DUI Court in Truckee on April 6, 2020 is vacated.

5. ADULT DRUG COURT:

The dates currently set for Adult Drug Court between March 18, 2020 and April 14, 2020 are vacated. Future dates remain set unless vacated by subsequent order of the court.

6. PROP 36 COURT:

The dates currently set for Prop 36 Court between March 18, 2020 and April 14, 2020 are vacated. Future dates remain set unless vacated by subsequent order of the court.

7. Any previously issued orders to appear in court between March 19, 2020 and April 14, 2020, except orders to appear issued in any of the hearings delineated in Paragraphs 2 through 6 above, are vacated.

8. JURY TRIALS AND OTHER CALENDARED MATTERS:

All other scheduled proceedings between March 18, 2020 and April 14, 2020, including Civil and Criminal jury trials, are VACATED. Counsel and non-represented parties for all vacated matters will be notified by the Clerk of dates to appear in the future.

9. Any counsel or parties with vacated Criminal or Civil cases 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 local rules and rules of procedure.

10. SELF-SURRENDERS:

Nevada City: Defendants with warrants in misdemeanor cases may self-surrender on Wednesdays between 8:00 a.m. and 9:00 a.m. Defendants with warrants in felony

1 cases may self-surrender on Thursdays between 8:00 a.m. and 11:00 a.m. Self-
2 surrenders will be handled at the Department 3 window on the second floor of the
3 courthouse.

4 **Truckee:** Defendants with warrants may self-surrender on Mondays at 8:00 a.m.

5 **11. PUBLIC LAW CENTER:**

6 The Public Law Center shall be closed to all in-person assistance between March 18,
7 2020 and April 14, 2020. Public Law Center staff will assist the public via email
8 (selfhelpcenter@nccourt.net) and telephone (530-362-4309, extension 4).

9 **12. JURORS:**

10 Jurors summoned to appear between March 18, 2020 and April 14, 2020 need not
11 appear on said date. Jurors will be re-summoned for a date in the future.

12 **13. SMALL CLAIMS COURT:**

13 All small claims court trials between March 19, 2020 and April 14, 2020 are vacated.
14 The parties will be notified by the court of new trial dates.

15 **14. TRAFFIC:**

16 All currently scheduled hearings in traffic matters are vacated. Cases will be continued
17 for 90 days. The parties will be notified by the court of new dates.

18 15. All individuals in the gallery of each courtroom must sit at least six (6) feet apart
19 and all other individuals in other portions of the courtroom, to the extent feasible, must
20 sit at least six (6) feet apart.

21 16. This order may be modified, expanded, or superseded at any time to account for
22 the developing nature of the public health emergency.

23
24 IT IS SO ORDERED.

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26 DATED: March 18, 2020



LINDA J. SLOVEN
Presiding Judge of the Superior Court