

SANTA BARBARA SUPERIOR COURT



COURT OPERATIONS PLAN*

I. JUVENILE

A. Emergency Operations Plan - During the period of emergency operations from March 16, 2020 through May 4, 2020, the court will operate only essential services.

1. In order to ensure the safety of the public, staff and the justice partners the following courtrooms schedule will be observed:

SMJ1 - All Juvenile Matters (M-F)
SB14 - Closed

2. All juvenile operations are calendared in the Santa Maria juvenile facility (SMJ1) during emergency operations. The reduced staff at SMJ1 will process all juvenile matters. All delinquency detentions, dependency detentions, scheduled review hearings, and pretrial conferences will be conducted in SMJ1.

3. All non-mandated appearances, such as dependency informal review hearings, Hart Court (Commercially Sexually Exploited Children) reviews, and FDTC (Dependency family drug treatment court reviews) are suspended.

4. The partner agencies, probation/child welfare services and treatment providers will staff cases but not all cases will be called on the calendar. The personal presence of attorneys and clients have been waived in dependency reviews.

5. Telephonic appearances for counsel, probation and other appropriate agencies are authorized. Since juvenile matters are confidential parents are not authorized to appear telephonically. To accommodate parents, however, counsel is authorized to keep those individuals in their office waiting rooms and have them enter the attorney's office when their case is called.

B. Reduced Services Operation Plan - During the period of operations from May 4, 2020 until the Stay-at-Home Order is lifted, the court will operate reduced services:

1. In order to ensure the safety of the public, staff and the justice partners the following courtrooms schedule will be observed:

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SMJ1 - All Juvenile Matters (M-F)

SB14 - Closed

2. All juvenile operations are calendared in the Santa Maria juvenile facility (SMJ1) during emergency operations. The reduced staff at SMJ1 will process all juvenile matters. All delinquency detentions, dependency detentions, scheduled review hearings, and pretrial conferences will be conducted in SMJ1.

3. The partner agencies, probation/child welfare services and treatment providers will staff cases but not all cases will be called on the calendar. The personal presence of attorneys and clients have been waived in dependency reviews.

4. Telephonic appearances for counsel, probation and other appropriate agencies are authorized. Since juvenile matters are confidential parents are not authorized to appear telephonically. To accommodate parents, however, counsel is authorized to keep those individuals in their office waiting rooms and have them enter the attorney's office when their case is called.

C. Long Term Services Operation Plan - During the period of operations from lifting of the Stay-at-Home Order until normal operations are restored the court will operate substantial services:

1. In order to ensure the safety of the public, staff and the justice partners the following courtrooms schedule will be observed:

SMJ1 - Juvenile Matters (M-F)

SB14 - Juvenile Matters (W, F)

2. Proceedings by video to be implemented to the extent possible.

II. CRIMINAL

A. Emergency Operations Plan - During the period of emergency operations from March 16, 2020 through May 4, 2020, the court will operate only essential services.

1. In order to ensure the safety of the public, staff and the justice partners the following courtrooms schedule will be observed:

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SM5 - Closed	SB1 - Closed
SM6 - Closed	SB2 - Closed
SM7 - Closed	SB7 - Closed
SM8 - Closed	SB8 - Custody Arraignments
SM9 - Custody Arraignments	SB10 - Closed
L1 - Closed	SB11 - Closed
S1 - Closed	SB12 - Closed

2. Arraignments

- a. During emergency operations only Custody Arraignments will be conducted.
- b. All Cite Releases and Letters to Appear should be scheduled for 90 days from the day of issuance.
- c. Walk-in modification requests will be limited. The Clerk of the Court is delegated the authority to extend dates.
- d. The court will process any matters ex parte with a stipulation as follows:

If the parties agree they may submit a stipulation and order to the email filing address: (Santa Barbara (SB) to sbcriminalfilings@sbcourts.org; Lompoc (LM) to lmcriminalfilings@sbcourts.org; Santa Maria (SM) to santamaria@sbcourts.org). A Judge will review stipulation and sign the Order. The courtroom clerk will prepare the Agreement for Supervised OR Release (see attached document). A courtroom clerk will email the Order and Agreement for Supervised OR Release documents to the Pretrial Assessor Unit at PROBPTSSSTAFFDG@co.santa-barbara.ca.us. The Pretrial Assessor will locate inmate, review release conditions, and have defendant sign Agreement for Supervised OR Release documents. The Pretrial Assessor will provide a copy to inmate records to process the release. The Pretrial Assessor will email paperwork to appropriate court location SB, LM, or SM. The Clerk will enter and scan documents in Odyssey and change custody status to OR. The clerk will send notice of next court date.

3. All traffic matters will be conducted by written declaration. Any request for traffic trial or a trial de novo will be continued after January 1, 2021.
4. No Time Waiver Preliminary Hearings will be conducted via video.
5. No trials will be conducted during this period.

B. Reduced Services Operation Plan - During the period of operations from May 4, 2020 until the Stay-at-Home Order is lifted, the court will operate reduced services:

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1. In order to ensure the safety of the public, staff and the justice partners the following courtrooms schedule will be observed:

SM5 - Closed	SB1 - Closed
SM6 - Limited Hearings (M-F)	SB2 - Closed
SM7 - Closed	SB7 - Closed
SM8 - Closed	SB8 - Custody Arraignments (M-F)
SM9 - Custody Arraignments (M-F)	SB10 - Closed
L1 - Closed	SB11 - Limited Hearings (M-F)
S1 - Closed	SB12 - Closed

2. During reduced operations Custody Arraignments and PC 977 arraignments and video arraignments will be conducted.

3. Trial Departments that are in session will conduct hearings via video when possible. Civil departments and treatment courts will be assigned criminal matters until hearing backlogs have been eliminated.

4. Appearances waivers (PC 977) will accepted in all cases.

5. Priority will be given to bail hearings, sentencing and preliminary hearings.

Parties are required to meet and confer prior to making a calendar request. The court will limited the number of cases per day per courtroom.

6. Preliminary Hearings will be conducted via video when possible.

7. Jury trials will be conducted on limited basis once the Chief Justice suspension is lifted.

C. Long Term Services Operation Plan - During the period of operations from lifting of the Stay-at-Home Order until normal operations are restored the court will operate substantial services:

1. In order to ensure the safety of the public, staff and the justice partners the following courtrooms schedule will be observed:

SM5 - Limited Hearings	SB1 - Limited Hearings
SM6 - Limited Hearings	SB2 - Limited Hearings
SM7 - Limited Hearings	SB7 - Limited Hearings (M,T,Th)
SM8 - Limited Hearings	SB8 - Arraignments
SM9 - Arraignments	SB10 - Limited Hearings
L1 - Video Arraignments/Hearings	SB11 - Limited Hearings
S1- Closed	SB12 - Limited Hearings

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2. Trial Departments that are in session will conduct hearings via video when possible. Priority will be given to bail hearings, felony non-jury trials, preliminary hearings and sentencing. The court will limited the number of cases per day per courtroom.
3. Treatment courts will be reduced to monitor only the highest at risk individuals and violation hearings.
4. Jury trials will be conducted as feasible.

D. Bail

The Emergency Bail Schedule Adopted by the Judicial Council on April 6, 2020, shall be applied as of April 13, 2020.

III. CIVIL

A. Emergency Operations Plan - During the period of emergency operations from March 16, 2020 through May 4, 2020, the court will operate only essential services.

1. In order to ensure the safety of the public, staff and the justice partners the following courtrooms schedule will be observed:

SM1 - Closed	SB3 - Closed
SM2 - Closed	SB4 - Closed
SM3 - Emergency Civil Matters	SB5 - Closed
SM4 - Closed	SB6 - Emergency Civil Matters
L2 - Emergency Restraining Orders	SB9 - Emergency Restraining Orders

2. Unless the court issues a more specific order in an individual case, the expiration of any temporary restraining order is extended 90 days from its scheduled calendar date set after March 16, 2020. (Gov. Code, § 68115(a)(7).)

3. Emergency Matters

(a) While this or a successor order pursuant to Government Code section 68115 remains in effect, the civil court will only hear true emergencies that require court orders. True emergencies include domestic violence restraining orders, restraining orders, and other emergency matters where a court order is necessary prior to when this or a successor order pursuant to Government Code section 68115 terminates.

(b) Parties with true emergencies requiring court orders must contact by telephone the judicial assistant for the Emergency Judge:

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(i) Santa Barbara Emergency Judge is Judge Maxwell backed up by Judge Anderle. The telephone number for Judge Maxwell's judicial assistant is 805-882-4590.

(ii) Santa Maria Emergency Judge is Judge Staffel backed up by Judge Beebe. The telephone number for Judge Staffel's judicial assistant is 805-614-6500.

(c) Ex parte papers in compliance with California Rules of Court, rules 3.1200 to 3.1207, shall be e-filed as provided in Local Rule 1012 whenever possible.

(d) The Emergency Judge will review the request for emergency relief, and all supporting and opposing papers, and determine the appropriate manner of resolving the request, which may include deferring all or part of the request to a later date or to the judge regularly assigned to that matter or type of matter, granting or denying the request on the papers submitted, issuing temporary orders, posting written tentative decisions, or requiring hearings electronically or by telephone.

4. Civil trials:

(a) The trial dates for all cases on the civil trial calendar are hereby vacated. The court will set a new trial date for each case ("new trial date").

(b) For all applicable cases, except where the dates to conduct discovery passed on or prior to March 16, 2020, the last dates to conduct discovery and expert discovery and to file motions for summary judgment and summary adjudication are hereby vacated. Effective immediately, the last date to conduct discovery and expert discovery and to file motions for summary judgment and summary adjudication for every applicable case is based on the new trial date.

(c) The dates for mandatory settlement conferences in all applicable cases are hereby vacated. When the court resumes normal operations, the court will set new mandatory settlement conferences dates for all applicable cases.

5. Civil Law and Motion Matters/ Hearings:

(a) The hearing dates for all law and motion and discovery matters currently calendared for hearing are hereby vacated and will be rescheduled by the court. The court will announce how it intends to reschedule hearing dates for these matters at a later date. Motions, oppositions, replies, and other papers already filed need not be re-filed with the court.

6. Unlawful Detainer Cases. (a) Unlawful detainer trials are hereby vacated. The court will set a new trial date for each case. (b) Application: Notwithstanding any other law, including Code of Civil Procedure sections 1166, 8 1167, 1169, and 1170.5, this rule applies to all actions for unlawful detainer. (c) Issuance of summons: A court may not issue a summons on a complaint for unlawful detainer unless the court finds, in its discretion and on the record, that the action is necessary to protect public health and safety. (d) Entry of default: A court

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may not enter a default or a default judgment for restitution in an unlawful detainer action for failure of defendant to appear unless the court finds both of the following:

(1) The action is necessary to protect public health and safety; and (2) The defendant has not appeared in the action within the time provided by law, including by any applicable executive order.

7. Family Law Cases Other Than DVRO.

(a) The hearing dates for all family law trials and evidentiary hearings, excluding Requests for Domestic Violence Restraining Orders (DVRO), currently calendared are hereby vacated and will be rescheduled by the court. The court will announce procedures for rescheduling trials and hearing dates for these matters (“new trial date”). Motions, oppositions, replies, and other papers already filed need not be re-filed with the court.

(b) For all affected family cases, except where the dates to conduct discovery have passed, the last dates to conduct discovery and expert discovery are hereby vacated. The last date to conduct discovery and expert discovery for every affected family case where discovery did not close will be determined by the new trial date. The trial department assigned to a particular affected family case may issue case specific orders for different deadlines where the trial department finds the circumstances of the particular case require different treatment.

8. Probate.

(a) Non-emergency probate hearings will not be held for the duration of this General Order or its successor order. Probate matter scheduled in Santa Maria from March 16, 2020 until the Stay-at-Home Order is lifted, inclusive, consult the probate notes posted for the date the matter was originally set to be heard.

(b) Any letters of temporary guardianship or temporary conservatorship, or orders under the Lanterman Petris Short (LPS) Act with an expiration date after March 16, 2020, are hereby extended for 30 days from the date this or a successor order pursuant to Government Code section 68115 terminates. For letters of temporary guardianship or temporary conservatorship, paragraph 3 of all such orders is amended to read, “These letters shall expire on July 31, 2020 or upon earlier issuance of Letters to a general guardian or conservator.” New Letters of Temporary Guardianship or Conservatorship shall be issued by the clerk upon request.

(c) Requests for release under Welfare and Institutions Code § 5256, 5275 – 5276, and 5334 under the LPS Act will be heard by the South County Civil Emergency Civil Judge. (See above, Section III, Civil, A, 5) The hearing shall be conducted, at the discretion of the judge, by telephone or video appearance.

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9. Stipulations in Civil Matters. As to any issue other than scheduling, the parties may electronically file stipulations requesting orders in civil matters, including family and probate matters, at any time. The court will address such stipulations as feasible, based on staffing and other limitations caused by this emergency. The court may on its own motion issue case management orders directed to particular cases on calendar to move them toward resolution as time and staffing may allow.

B. Reduced Services Operation Plan - During the period of operations from May 4, 2020 until the Stay-at-Home Order is lifted, the court will operate reduced services. This does not mean that all these services listed below will commence on May 4, 2020. It only means that at some time after May 4, 2020 the court will endeavor to increase services. Increasing services will be provided by Zoom and conference call. Lawyers, litigants, and the public will be notified when any increased services are offered. The current order extending time and closure of the clerk's office continues in effect through May 23, 2020:

1. In order to ensure the safety of the public, staff and the justice partners the following courtrooms schedule will be observed:

SM1 - TBD	SB3 - Limited Criminal/Civil
SM2 - TBD	SB4 - Civil Matters
SM3 - Limited Criminal/Civil	SB5 - Civil Matters
SM4 - Civil Matters	SB6 - Limited Criminal/Civil
SM10 - Restraining Orders/PX/DCSS	SB9 - Restraining Orders/PX/DCSS
L2 - Restraining Orders/PX/ DCSS	

2. Civil trials:

(a) The trial dates for all cases on the civil trial calendar with trial dates from Monday, March 16, 2020, through until the Stay-at-Home Order is lifted ("applicable cases") are hereby vacated. The court will set a new trial date for each case ("new trial date").

(b) For all applicable cases, except where the dates to conduct discovery passed on or prior to March 16, 2020, the last dates to conduct discovery and expert discovery and to file motions for summary judgment and summary adjudication are hereby vacated. Effective immediately, the last date to conduct discovery and expert discovery and to file motions for summary judgment and summary adjudication for every applicable case is based on the new trial date.

(c) The dates for mandatory settlement conferences in all applicable cases are hereby vacated. When the court resumes normal operations, the court will set new mandatory settlement conferences dates for all applicable cases.

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3. Civil Law and Motion Matters/ Hearings:

(a) The hearing dates for all law and motion and discovery matters currently calendared for hearing between March 16, 2020 and the date the Stay-at-Home Order is lifted, inclusive, are hereby vacated and will be rescheduled by the court. The court will announce how it intends to reschedule hearing dates for these matters at a later date. Motions, oppositions, replies, and other papers already filed need not be re-filed with the court.

(b) Where the trial department finds the circumstances of the particular case require different treatment, trial departments may in that case issue case management orders or other procedural orders to set conferences, to schedule deadlines, or to address other non-substantive matters at a different time or in a different manner than set forth in this order.

4. Stipulations in Civil Matters. As to any issue other than scheduling, the parties may electronically file stipulations requesting orders in civil matters, including family and probate matters, at any time. The court will address such stipulations as feasible, based on staffing and other limitations caused by this emergency.

C. Long Term Services Operation Plan - During the period of operations from lifting of the Stay-at-Home Order until normal operations are restored the court will operate substantial services:

1. In order to ensure the safety of the public, staff and the justice partners the following courtrooms schedule will be observed:

SM1 - Civil Matters	SB3 - Limited Criminal/Civil
SM2 - Civil Matters	SB4 - Civil Matters
SM3 - Limited Criminal/Civil	SB5 - Civil Matters
SM4 - Civil Matters	SB6 - Limited Civil/Criminal
SM10 - Restraining Orders/PX/DCSS	SB9 - Restraining Orders/PX/DCSS
L2 - Restraining Orders/PX/ DCSS	

2. Civil trials:

(a) The trial dates for all cases on the civil trial calendar with trial dates from Monday, March 16, 2020, through December 31, 2020 (“applicable cases”) are hereby vacated. The court will set a new trial date for each case (“new trial date”).

(b) For all applicable cases, except where the dates to conduct discovery passed on or prior to March 16, 2020, the last dates to conduct discovery and expert discovery and to file motions for summary judgment and summary adjudication are hereby vacated. Effective immediately, the last date to conduct discovery and expert discovery and to file

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motions for summary judgment and summary adjudication for every applicable case is based on the new trial date.

(c) The dates for mandatory settlement conferences in all applicable cases are hereby vacated. When the court resumes normal operations, the court will set new mandatory settlement conferences dates for all applicable cases.

3. Stipulations in Civil Matters. As to any issue other than scheduling, the parties may electronically file stipulations requesting orders in civil matters, including family and probate matters, at any time. The court will address such stipulations as feasible, based on staffing and other limitations caused by this emergency.

* Subject to change.