

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SHASTA

Date: March 20, 2020


In the Matter of:

EMERGENCY ORDER REGARDING CIVIL DIVISION

NATURE OF PROCEEDINGS: ADMINISTRATIVE ORDER ¹³12-2020 (Supersedes 12-2020)


The Civil Division of the Superior Court of California, County of Shasta, in furtherance of compliance with the CDC and California Department of Public Health guidelines and recommendations, now takes precautionary measures to ensure the health and safety of the community as set forth in the attached Emergency Order Regarding Civil Division, which is incorporated as a part of this Administrative Order.

Dated: March 20, 2020



Daniel E. Flynn
Presiding Judge

Dated: March 20, 2020



Monique D. McKee
Asst. Presiding Judge

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SHASTA**

HON. STEPHEN H. BAKER

**Dept. 3
shb**

EMERGENCY ORDER REGARDING CIVIL DIVISION

NATURE OF PROCEEDINGS: ORDER

In furtherance of compliance with the California Department of Public Health and CDC guidelines and recommendations, the Civil Division of the Superior Court of California, County of Shasta is taking the following precautionary measures to ensure the health and safety of the community. Until further notice, this order pertains to all civil matters pending in Departments 3 and 8.

1. **All Civil Trials** set for trial in the near future will be vacated and re-set by Court order. The Court will begin undertaking a process of issuing orders on all civil trials set within a rolling 4 week period until the policy of suspending civil trials is terminated. The parties will receive an order from the Court vacating the trial and setting a future date for a Review Hearing whereat the Court will consider further case disposition including trial re-setting. Unless otherwise provided by law or stipulation, trial continuance does not operate to continue discovery and disclosure deadlines. The Court will also continue to review and consider stipulations by parties to vacate and re-set trials to dates certain. No trials are vacated unless and until the Court issues an order vacating the trial date.

2. **Mandatory Settlement Conferences** set for hearings in the near future will likewise be suspended by Court order. However, these orders will provide that the parties are to comply with California Rule of Court 3.1380(c) by filing with the Court a Mandatory Settlement Conference Statement no later than 5 court days prior to the date set for the Mandatory Settlement Conference. In addition to the content required by CRC 3.1380(c), the parties are to indicate therein whether they consent to ex parte communication with the Judge concerning issues of settlement consistent with the Code of Judicial Ethics Cannon 3(B)(12) which provides, in pertinent part:

A judge may participate in settlement conferences or in other efforts to resolve matters in dispute, including matters pending before the judge. A judge may, with the express consent of the parties or their lawyers, confer separately with the parties and/or their lawyers during such resolution efforts.

Upon reviewing the Settlement Conference Statements the Court may contact the parties separately and/or by conference call consistent with the above noted authority and the Court may make further orders as stipulated or as otherwise appropriate.

3. The Court will continue to hear **Law and Motion** and **Review Hearings** only through **Monday, March 23, 2020**. Hearings currently set for dates thereafter will be continued by Court Order on an individual basis. After Monday, March 23, 2020, the Civil Division will only hear emergency matters. These matters would include, for example, Work Place Violence Restraining Orders and Emergency Injunctive Relief pertaining to COVID-19. The Bench Officer to whom those matters are assigned may make special orders pertaining to the date, time, locations and conditions under which those matters are heard, so as to comply with applicable Public Health directives.

4. All **Asset Forfeiture Hearings** set in the near future will be vacated and re-set by Court order. The Court will begin undertaking a process of issuing orders on all Asset Forfeiture Hearings set within a rolling 4 week period until the policy of suspending Asset Forfeiture Hearings is terminated. The parties will receive an order from the Court vacating the Asset Forfeiture Hearing and setting a future date.

5. Attorneys, Parties and members of the public will continue to receive current information concerning Emergency Orders of the Shasta County Superior Court on the Court's website, www.shasta.courts.ca.gov. More specific information pertaining to the Civil Division, will also be posted on the tentative decision pages of the Court's website, under the Court's Civil Departments, Departments 3 and 8. The Civil Division can be contacted by email at civil@shasta.courts.ca.gov.

Dated: March 22, 2020

s/ STEPHEN H. BAKER
STEPHEN H. BAKER
Civil Division Presiding Judge