



Chambers of
KIRK NAKAMURA
PRESIDING JUDGE

Superior Court of California County of Orange

700 CIVIC CENTER DRIVE WEST

P.O. BOX 1994
SANTA ANA, CA 92702-1994

May 29, 2020

Third Amended Administrative Order No. 20/06

CIVIL ORDER REGARDING COURT CLOSURE

Pursuant to the provisions of Government Code section 68115, at the Court's request, California Supreme Court Chief Justice Tani Cantil-Sakauye has issued emergency orders due to the COVID-19 emergency permitting the significant reduction of services to the public, with minimal exceptions for critical functions. I, as Presiding Judge, therefore issued various Implementation Orders and Administrative Orders on March 17, 2020, March 23, 2020, March 24, 2020, March 27, 2020, April 1, 2020, April 24, 2020 and May 26, 2020. On April 6, 2020, the Chief Justice approved Emergency Rule 9, tolling the statute of limitations for civil actions and Emergency Rule 10, extending the time to bring civil actions to trial.

Pursuant to the authority granted by the Emergency Rules and Orders, the Court hereby orders:

1. Pursuant to the Chief Justice's Advisory of March 20, 2020 and Administrative Order 20/09, all civil trials, hearings, and proceedings are suspended from March 23, 2020 through May 22, 2020, with the exception time sensitive matters. The court will resume processing all civil matters effective May 26, 2020.
2. March 17, 2020 through May 22, 2020 were holidays for purposes of computing the time to file civil documents in court under Code of Civil Procedure sections 12 and 12a. (Gov. Code § 68115(a)(4).)
 - a. Electronically filed documents that are automatically processed by the court's case management system, and reflect a "filed" date designated a court holiday under the Emergency and Implementation Orders, will be deemed filed on May 26, 2020, the court's first business day.
 - b. All other documents received by the court during the designated holiday period, which are not associated with essential functions, will be deemed filed on May 26, 2020, the court's first business day.
3. Due to the operational impacts of the COVID-19 pandemic, all Unlawful Detainer, Small Claims and Restraining Order matters will be centralized at the Central Justice Center through December 31, 2020. No filings will be accepted and no hearings will be conducted at the branch courts until further notice.
4. All hearings relating to Unlawful Detainer matters will be heard at the Central Justice Center starting after June 15, 2020 through December 31, 2020. Hearings will be conducted via video appearance through Microsoft Teams. Further information will be available on the court's COVID-19 Civil website.

Unlawful detainer matters will be processed in accordance with Governor Newsom's executive order regarding the enforcement of evictions affected by COVID-19 and Judicial Council's Emergency Rule 1 impacting the issuance of summons, entry of default and trial setting.

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5. All hearings relating to Small Claims matters will be heard at Civil Complex Center starting June 15, 2020 through December 31, 2020. Hearings will be conducted at the Civil Complex Center via in-person appearance. Further information will be available on the court's COVID-19 Civil website.
6. All Small Claims Appeals will be heard at the Central Justice Center and scheduled to resume on June 22, 2020 with notice to all parties. Hearings will be conducted by in-person appearance.
7. All Order to Show Cause (OSC) hearings relating to Civil Harassment and Gun Violence Restraining Order hearings will be heard at Central Justice Center starting May 1, 2020. Notice will be provided to all parties and all appearances will be conducted via video appearance through Microsoft Teams. Further information will be available on the court's COVID-19 Civil website.
8. Trials that were in progress as of March 17, 2020 were vacated and a Status Conference was set for June 15, 2020, with notice to all parties.
9. Trial dates for all trials scheduled to begin as of March 17, 2020 forward were rescheduled approximately 25 weeks from the currently scheduled trial date, with notice to all parties.
 - a. The rescheduling of the trial date resets all dates tied to the trial date.
 - b. Modification to the newly set trial dates will be considered by the court via stipulation and order.
 - c. Trials approaching the 5 year or 3 year deadlines set forth in Civil Code of Procedure sections 583.310 and 583.320, and subject to California Rules of Court Emergency Rule 10, will be granted preference by separate minute order.
10. Mandatory Settlement Conferences (MSC) set as of March 17, 2020 forward were rescheduled approximately 21 weeks from the currently scheduled MSC date, with notice to all parties.
11. All other Civil Limited, Unlimited, and Complex hearings set as of March 17, 2020 forward, including law and motion matters, were rescheduled approximately 13 weeks from the currently scheduled hearing date, with notice to all parties. Hearings will resume the week of June 15, 2020.

Matters regarding foreclosure on a mortgage or deed of trust pertaining to Judicial Council's Emergency Rule 2 will be stayed accordingly.

12. Due to various restrictions relating to the COVID-19 pandemic, the court will significantly limit in-person appearances. Until further notice, remote appearances will be conducted as follows:
 - a. For hearings in C61, C62, and C66 relating to Unlawful Detainers, Restraining Orders, as well as all other hearings heard in C66:
 - i. Appearances will be conducted by video via Microsoft Teams, unless ordered otherwise by the court on a case-by-case basis.
 - ii. If a party does not have the ability to connect via video, the party is to call the court to request an alternative means to appear.
 - iii. Further information will be available on the court's COVID-19 Civil website.
 - b. For hearings relating to Civil Limited matters heard in C3:
 - i. Appearances will be telephonic via Court Call or by telephonic conference line. Further information will be available on the court's COVID-19 Civil website.

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- c. For hearings relating to Civil Unlimited and Complex matters:
 - i. Unless otherwise ordered by the court, all Unlimited and Complex proceedings will be conducted via telephonic appearance through Court Call with each party/attorney having the option to appear by Court Call video if the judge, in his/her discretion, permits a video appearance instead of an audio appearance.
13. Pursuant to California Rule of Court 3.720(b) and Local Emergency Rule 1, no Case Management Conference (CMC) hearings will be heard through December 31, 2020.

For Civil Unlimited cases not deemed complex:

- a. All currently scheduled CMC hearings are vacated and Trial date will be scheduled 19 to 21 months from the date the case was filed, with a Mandatory Settlement Conference (MSC) one month prior.
- b. Cases filed that have not been previously set for CMC and new cases filed through December 31, 2020 not already exempt from case management review (e.g. unlawful detainers and cases exempt under the California Rules of Court), will not be set for CMC hearing. Trial dates will be scheduled 19 to 21 months from the date the case was filed, with an MSC one month prior.

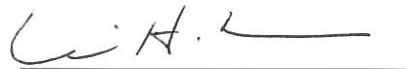
For Civil Unlimited cases deemed complex:

- a. All currently scheduled CMC hearings are vacated and a Status Conference hearing will be scheduled after June 15, 2020.
- b. Cases filed that have not been previously set for CMC and new cases filed through December 31, 2020 will have a Status Conference hearing scheduled within 120 days from the date the case was filed.

For Civil Limited cases:

- a. All currently scheduled CMC hearings are vacated and a Status Conference will be scheduled 13 weeks from the vacated CMC date.
- b. Cases filed that have not been previously set for CMC and new cases filed through December 31, 2020 not already exempt from case management review (e.g. unlawful detainers and cases exempt under the California Rules of Court), will not be set for CMC hearing. A Status Conference will be scheduled approximately 10 months from the date the case was filed.

IT IS SO ORDERED this 29th day of May 2020, at Santa Ana California.



Kirk H. Nakamura
Presiding Judge