



Chambers of
KIRK NAKAMURA
PRESIDING JUDGE

Superior Court of California County of Orange

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October 14, 2020

Fourth Amended Administrative Order No. 20/06

CIVIL ORDER REGARDING COURT CLOSURE

On May 29, 2020, I, as Presiding Judge, issued the Third Amended Administrative Order No. 2020/06 outlining various orders to support the restoration of Civil operations that had been paused as a result of the COVID-19 pandemic. At that time, California Supreme Court Chief Justice Tani Cantil-Sakauye had 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, May 26, 2020 and May 29, 2020. On April 6, 2020, the Chief Justice approved Emergency Rule 1 addressing unlawful detainers, Emergency Rule 2 addressing judicial foreclosures, Emergency Rule 9 tolling the statute of limitations for civil actions, and Emergency Rule 10 extending the time to bring civil actions to trial.

On August 31, 2020, Governor Newsom signed the Tenant, Homeowner, and Small Landlord Relief Act of 2020 (Assembly Bill 3088) establishing new rules for the processing of unlawful detainer actions. In addition, the court has extended the centralization of Civil Limited courtrooms and operations at the Central Justice Center (CJC) until further notice. Therefore, I, as Presiding Judge, hereby modify the applicable orders noted below.

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 were suspended from March 23, 2020 through May 22, 2020, with the exception of time sensitive matters. The court resumed 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).)

Page 2

- a. Electronically filed documents that were automatically processed by the court's case management system and reflect a " filed" date designated a court holiday under the Emergency and Implementation Orders, were 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, were deemed filed on May 26, 2020, the court's first business day.
3. Due to the ongoing impact of the pandemic on available court resources, limited social distanced space in court buildings, and ongoing budgetary constraints, the court is extending the centralization of Civil Limited courtrooms and operations at the Central Justice Center (CJC) until further notice. No Unlawful Detainer, Small Claims and Civil Harassment Restraining Order 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 continue to be heard at the Central Justice Center until further notice. Hearings will be conducted via video appearance through Microsoft Teams. Further information is available on the court's COVID-19 Civil website.

All hearings relating to Unlawful Detainer matters will be processed in accordance with the Tenant, Homeowner, and Small Landlord Relief Act of 2020 (Assembly Bill 3088) signed by Governor Newsom on August 31, 2020 and effective September 1, 2020.

5. All hearings relating to Small Claims matters will continue to be heard at Civil Complex Center until further notice. Hearings will be conducted by in-person appearance. Further information is available on the court's COVID-19 Civil website.
6. All Small Claims Appeals will continue to be heard at the Central Justice Center and resumed on June 22, 2020 with notice to all parties. Hearings will continue to be conducted by in-person appearance.
7. All Order to Show Cause (OSC) hearings relating to Civil Harassment and Gun Violence Restraining Order hearings resumed on May 1, 2020 and will continue to be heard at Central Justice Center. Notice was provided to all parties and all appearances will be conducted via video appearance through Microsoft Teams. Further information is 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 scheduled trial date prior to the closure, 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 scheduled MSC date prior to the closure, 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 scheduled hearing date prior to the closure, with notice to all parties. Hearings resumed the week of June 15, 2020.
12. Matters regarding foreclosure on a mortgage or deed of trust will be processed according to the Tenant, Homeowner, and Small Landlord Relief Act of 2020 (Assembly Bill 3088) signed by Governor Newsom on August 31, 2020 and effective September 1, 2020.
13. Due to various restrictions relating to the COVID-19 pandemic including limited socially distanced courtroom space, the court will continue to significantly limit in-person appearances. The court has also created virtual civil courtrooms (VCC1 through VCC4) that will be dedicated to remote hearings via telephonic and/or video appearances. Virtual courtrooms will be assigned courtroom telephone numbers as well as CourtCall accounts as needed.
 - a. Effective October 19, 2020, VCC4 will be assigned to Hon. Sheila Fell and her current unlimited inventory will be moved with notice to all parties. Judge Kimberly Knill will move to C25.
 - b. Effective November 2, 2020, VCC1 will be assigned to Comm. Glenn Mondo to hear Civil Harassment hearings and other matters as assigned.
 - c. Other VCCs will be assigned as needed.
14. Until further notice, remote appearances will continue to be conducted as follows:
 - a. For hearings in C61, C25/C62, C66, and VCC1 relating to Unlawful Detainers, Restraining Orders, as well as all other hearings heard in C66:
 - I. Appearances will continue to 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 is available on the court's COVID-19 Civil website.
 - b. For hearings relating to Civil Limited matters heard in C3:
 - I. Unless otherwise ordered by the court, appearances will continue to be telephonic via CourtCall or by telephonic conference line. Further information will be available on the court's COVID-19 Civil website.

- c. For hearings relating to Civil Unlimited and Complex matters:
 - I. Unless otherwise ordered by the court, all Unlimited and Complex proceedings will continue to be conducted via telephonic appearance through CourtCall with each party/attorney having the option to appear by CourtCall video if the judge, in his/her discretion, permits a video appearance instead of an audio appearance.
 - II. Trial related hearings may be heard by video via WebEx as directed by the judge.
15. Pursuant to California Rule of Court 3.720(6) 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 CMC hearing dates scheduled prior to the closure were vacated and trial date were 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 were not 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 CMC hearing dates scheduled prior to the closure were vacated and a Status Conference hearing was scheduled after June 15, 2020.
- b. Cases filed that were not 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 CMC hearing dates scheduled prior to the closure were vacated and a Status Conference was scheduled 13 weeks from the vacated CMC date.
- b. Cases filed that were not 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 14th day of October 2020, at Santa Ana California.



Kirk H. Nakamura
Presiding Judge