



Chambers of

**KIRK H. NAKAMURA**  
PRESIDING

# Superior Court of California County of Orange

700 CIVIC CENTER DRIVE WEST  
SANTA ANA, CA 92702-1994

## SECOND AMENDED ADMINISTRATIVE ORDER 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 and April 24, 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.
2. March 17, 2020 through May 22, 2020 are holidays for purposes of computing the time to file 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 the date of the Court's first business day, to be established through an amended Administrative Order.
  - 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 the date of the Court's first business day, to be established through an amended Administrative Order.
3. All Unlawful Detainer hearings set from March 17, 2020 through June 30, 2020 will be rescheduled in priority order for a date after June 15, 2020, with notice to all parties. All hearings will be heard at the Central Justice Center. At this time, there is no change to hearings scheduled on or after July 1, 2020.
4. All Small Claims hearings set for March 17, 2020 through June 30, 2020 will be rescheduled to a date after June 15, 2020, with notice to all parties. All hearings will be heard at the Central Justice Center. At this time, there is no change to hearings scheduled on or after July 1, 2020.
5. All Order to Show Cause (OSC) hearings relating to Civil Harassment, and Gun Violence Restraining Order hearings set for March 17, 2020 through May 29, 2020 will be rescheduled to be heard at the Central Justice Center starting on May 1, 2020. Notice will be provided to all parties and all appearances will be conducted via video appearance. All OSC hearings scheduled to begin on or after June 1, 2020 will be rescheduled for a future date via notice to all parties.

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6. Claim of Exemption hearings set for March 17, 2020 through July 1, 2020 will be rescheduled to a date after June 15, 2020, with notice to all parties. All hearings will be heard at the Central Justice Center. At this time, there is no change to hearings scheduled on or after July 2, 2020.
7. Trials that were in progress as of March 17, 2020 will be vacated and a Status Conference will be set for June 15, 2020, with notice to all parties.
8. Trial dates for all trials scheduled to begin as of March 17, 2020 forward will be 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 538.310 and 583.320, and subject to California Rules of Court Emergency Rule 10, will be granted preference by separate minute order.
9. Mandatory Settlement Conferences (MSC) set as of March 17, 2020 forward will be rescheduled approximately 21 weeks from the currently scheduled MSC date, with notice to all parties.
10. All other Civil Limited, Unlimited, and Complex hearings set as of March 17, 2020 forward, including law and motion matters, will be rescheduled approximately 13 weeks from the currently scheduled hearing date, with notice to all parties. Hearings will resume the week of June 15, 2020.
11. Pursuant to California Rule of Court 3.720(b) and a forthcoming local rule, no Case Management Conference (CMC) hearings will be heard through December 31, 2020.

For cases not deemed complex:

- a. All currently scheduled CMC hearings are vacated and a Mandatory Settlement Conference (MSC) and Trial date will be scheduled 19 to 21 months from the date the case was filed.
- 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. MSC and Trial dates will be scheduled 19 to 21 months from the date the case was filed.

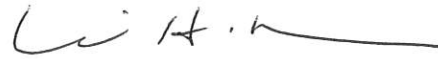
For cases deemed complex:

- 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.
12. The following essential time-sensitive matters will continue to be processed through May 22, 2020 pursuant to the established procedures published via press release:
    - a. Civil Temporary Restraining Orders
    - b. Claim of Exemption Filings
    - c. Emergency Gun Violence Restraining Orders
    - d. Emergency Ex-parte Lock-out Matters (Unlawful Detainers)
    - e. Emergency Civil Temporary Injunctions (CRC 3.1150)

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The court continues to assess the possibility of increasing services and conducting remote hearings for matters that are not time-sensitive and will provide information as decisions are made.

IT IS SO ORDERED this 24<sup>th</sup> day of April 2020, at Santa Ana California.



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Kirk H. Nakamura  
Presiding Judge