

COVID-19 Court Closure - Criminal Emergency Protocols

March 26, 2020

In response to the health concerns raised by the coronavirus (COVID19) pandemic, Orange County Superior Court issued an emergency order closing the Court's facilities to the public, at least until March 30, 2020. During closure, the Court has established the following emergency protocols.

Preliminary Hearings

Beginning March 27, 2020, last-day preliminary hearings will be heard. The Court, in collaboration with justice partners, identified these priority preliminary hearings. The Court will calendar these cases in Dept. C5 and publish the calendar the day before the hearing on the Court's public website. Counsel will wait outside of Dept. C5 until called into the courtroom.

Duty Judge, On-Call Magistrate and Night Judge

The process for assistance from the Duty Judge, OCM, or the Night Judge remains the same: contact the Pretrial Services Unit at (714) 647-4581. Pretrial Services Officers will contact the appropriate magistrate based on the type of matter, day of the week, and time.

Duty Judge/OCM/Night Judge matters **only** include arrest warrants, search warrants, Declarations for Bail Increase, and Probable Cause (PC) Declarations Reviews.

Arrest Warrants – District Attorney

Law enforcement agency requests for a warrant of arrest on a new filing will be processed as follows:

- Complaint is filed through the District Attorney Interface with contact information for the officer (*addendum / coversheet with officer contact information*)
- Court staff will initiate the case in Vision and notify Pretrial Services Unit
- Pretrial Services staff will submit the request to the judicial officer for review and approval, as well as notify the officer when the request is processed and disposition.

Arrest Warrants – City Attorney

Law enforcement requests for a warrant of arrest on City Attorney misdemeanor filings will be processed as follows:

- Complaint and request for a warrant of arrest containing contact information for the officer is faxed to **(714) 647-4861 (addendum / coversheet)**
- Court staff will initiate the case in Vision and notify Pretrial Services Unit
- Pretrial Services staff will submit the warrant request to a judicial officer for review and notify the officer when the request has been processed and disposition.

Search Warrant Returns (inc. McNeely)

After the judge signs the warrant return, the affiant or designee will email the warrant return to the following email: s2ortiz@occourts.org.

Penal Code § 1275.1 Bail Hearing Holds

In accordance with the Chief Justice's recent Advisory on Emergency Relief Measures during the pandemic, the Court and justice partners agreed to suspend Penal Code 1275.1 requests until further notice.

Restraining Orders

Pursuant to the *COVID-19 Pandemic Emergency Order* signed on March 17, 2020 (Item #4), the Court extends by no more than 14 days the duration of any restraining order that would otherwise expire from 3/17/20 to 3/27/20. Click on this [link](#) to view the order.

When issuing an *Emergency Protective Order* (EPO) in the field, EPO Referees have been setting the expiration date 21 days from the issuance date, which includes 7 calendar days authorized by FC § 6256, plus 14 calendar days under the Emergency Order issued by the Chief Justice on 3/16/20. Law enforcement should advise protected persons that they can seek a Temporary Restraining Order (TRO) on-line at <http://www.occourts.org/self-help/> after an EPO expires. If the TRO is granted, it provides an additional 21 to 25 days of protection. If the Court remains closed, the TRO will automatically be extended by the Court for an additional 25 days. Restraining order questions from the public may be directed to Family Law at (657) 622-6504.