

## **EMERGENCY LOCAL RULES: CIVIL**

The Court adopts the following as Emergency Local Rules (“Rules”) intended to address the impact of the COVID-19 pandemic, under the authority granted the Court by the March 23, 2020, Order of the Chief Justice of the California Supreme Court, as Chair of the Judicial Council (“Order”). These Rules are effective April 6, 2020, subject to the limitations imposed by the Order, and shall remain in effect until either rescinded by this Court or by withdrawal or change to the Order.

1. **Application.** These rules shall apply only to Civil cases.

2. **Filing of Papers.**

- a. *Acceptance of Filings.* Effective Monday, April 6, 2020, the Court will permit filings each day via drop box, excluding weekends and Court holidays. Two separate drop boxes will be provided at the Main Street entrance to the Wakefield Taylor Building, at 725 Court St., Martinez.

One designated drop box will be for Civil Ex Parte matters as identified in Local Rule 3.47 and Civil Restraining Orders, which are defined to include the following:

- i. Requests for Civil Harassment Restraining Orders pursuant to CCP §527.6;
- ii. Requests for Workplace Violence Restraining Orders pursuant to CCP §527.8;
- iii. Requests for Elder or Dependent Abuse Restraining Orders pursuant to Welfare and Institutions Code §15657.03;
- iv. Petitions for Gun Violence Restraining Orders pursuant to Penal Code § 18100 et seq.

The second designated drop box will be for all other Civil filings.

b. *Procedure for obtaining Civil Restraining Orders.*

- i. Completed paperwork for all Civil Restraining Orders will be accepted via drop box at the Main Street entrance to the Wakefield Taylor Building, 725 Court St., Martinez, each court day between 9:00 AM and 10:30 AM. Packets including all necessary forms for Civil Harassment Restraining Orders and Elder or Dependent Abuse Restraining Orders are available through these links:

<http://www.cc-courts.org/forms/packets/CV644-CivilHarassmentPacket-A-B-C.pdf>

[http://www.cc-courts.org/forms/local/Packet\\_EA.pdf](http://www.cc-courts.org/forms/local/Packet_EA.pdf)

- ii. The completed Requests for Restraining Orders will then be reviewed by a judicial officer. If approved, the orders will be issued, filed with the court and a hearing date will be assigned.
- iii. Endorsed filed copies of issued Restraining Orders will be available for pick up at 1:00 PM outside of the Peter Spinetta Family Law Center, 751 Pine St., Martinez, on the same day that they were submitted to the Court. Litigants and attorneys are reminded to stay a safe distance (at least 6 feet) away from each other and court staff at the time of distribution of these Orders.

c. *Procedure for Civil Ex Parte matters.*

- i. Given the limited Court services available during this emergency, parties are directed to only submit Ex Parte matters that truly present special issues that require immediate court attention. When possible, parties shall participate in a meaningful meet and confer process before any Ex Parte matter is submitted to the Court.
- ii. At the time a party seeking an Ex Parte Order gives notice to all parties pursuant to the requirements of Rule 3.1203 of the California Rules of Court, such party shall also notify all

parties of the existence and substance of these Emergency Local Rules.

- iii. All moving and opposition papers, along with proposed orders, will be accepted via drop box at the Main Street entrance to the Wakefield Taylor Building, at 725 Court St., Martinez, each court day between 9:00 AM and 10:30 AM. All such submissions shall include any necessary filing fee, as well as copies of any papers submitted and a self-addressed stamped envelope so that an endorsed filed copy can be returned to the parties.
- iv. Hearings will be conducted at 11:00 AM on the same day that the moving papers are submitted to the court. Since the court is closed to the public at this time, all hearings will be conducted by CourtCall. When scheduling the CourtCall appearance, parties should request to be connected to Department 33, Supervising Civil Judge Steven Austin, for hearing. Instructions for setting an appearance through CourtCall are found at this link:

<http://www.cc-courts.org/civil/court-call.aspx>

d. *All other Civil filings.*

- i. All other Civil filings will be accepted via a separate drop box at the Main Street entrance to the Wakefield Taylor Building, 725 Court St., Martinez, each court day between 9:00 AM and 3:00 PM. All such submissions shall include any necessary filing fee, as well as copies of any papers submitted and a self-addressed stamped envelope so that endorsed filed copies can be returned by mail.
- ii. No new unlawful detainer filings will be accepted. For those unlawful detainer matters involving violence, threats of violence, or health and safety issues, parties should seek a restraining order first, and then seek permission from the hearing judge to file an unlawful detainer action.