

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 IN AND FOR THE COUNTY OF MERCED

3
4 GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF
5 AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY
6 CHAIR OF JUDICIAL COUNCIL
7 #2020-05

8 Effective March 17, 2020, this Court issued Standing Order 2020-04 entitled
9 Merced Superior Court Plan to Mitigate the Spread of the COVID-19.

10 On March 18, 2020, this Court issued its First General Order Re:
11 Implementation of Emergency Relief Authorized Pursuant to Government Code
12 Section 68115 By Chair of Judicial Council. That order addressed statutory
13 deadlines that would otherwise expire during the period March 24, 2020 through
14 April 28, 2020.

15 On March 20, 2020, this Court issued its Second General Order Re:
16 Implementation of Emergency Relief Authorized Pursuant to Government Code
17 Section 68115. Among other things, that order provided that from March 23, 2020
18 to April 17, 2020, inclusive, all courtrooms will remain closed for judicial
19 business, except for twenty-three enumerated categories of time-sensitive,
20 essential functions.

21 This Order (1) Extends the periods covered by the First General Order
22 issued March 18, 2020 and the Second General Order issued March 20, 2020 to a
23 period that will end 90 days after the Governor declares that the state of
24 emergency related to the COVID-19 pandemic is lifted or until amended or
25 revoked by the Presiding Judge of the Merced Superior Court, and (2) Orders that
26 all hearings conducted with regard to the twenty-three enumerated categories of
27 time-sensitive, essential functions authorized by the Second General Order will be
28 conducted remotely according to the Guidelines provided herein. Accordingly,
this Court does HEREBY FIND and ORDER:

1 All hearings will be conducted by electronic conferencing medium, either
2 Zoom, CourtCall, telephone, other electronic conferencing medium, or a
3 combination thereof. The specific medium or combination of medium used for a
4 specific hearing will be at the discretion of the Judicial Officer, and the Court Staff
5 will provide all parties to a specific hearing with the instructions and access codes
6 necessary to access the conferencing medium so that they may participate in the
7 hearing remotely. No individuals other than Judicial Officers, Court Staff, or
8 Security will be permitted in the Courtroom during hearings.

9
10 Absent exceptional circumstances, Individuals who appear at the Courthouse at the
11 time of the hearing will not be permitted to enter the Courtroom. Security will
12 obtain their names and telephone numbers and forward such information to the
13 Courtroom clerk who will then call those individuals when the hearing is ready to
14 proceed and add them to the hearing. If an individual who appears at the
15 courthouse does not have a telephone or other means to participate in a remote
16 hearing, Security will provide that information to the Courtroom Clerk and the
17 Court will make a determination as to whether the matter must be continued or
18 whether suitable alternative arrangements can be made.

19
20 All in-custody individuals participating in a hearing shall participate remotely by
21 whatever means are available at the time of the hearing. In-custody individuals
22 will not be brought into the Courthouse for their own safety because the Sheriff's
23 Department cannot assure that appropriate social distancing will occur during
24 transport.

25
26 Judicial Officers may, at their discretion, conduct hearings by either being
27 physically present in the courtroom, or by accessing the hearing remotely using the
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1 electronic conferencing medium selected for that hearing. Judicial Officers are
2 strongly encouraged to conduct hearings using remote access.

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4 **This order, General Order 2020-04, General Order issued March 18, 2020,**
5 **and General Order issued March 20, 2020 remains in effect until 90 days after**
6 **the Governor declares that the state of emergency related to the COVID-19**
7 **pandemic is lifted, unless modified, canceled or extended by written order.**

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10 Dated: April 10, 2020

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12 
13 Hon. Donald J. Proietti, Presiding Judge