

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SHASTA

Date: April 9, 2020

In the Matter of:

**EMERGENCY ORDER PERTAINING TO FAMILY LAW PROCEEDINGS – EXTENSION
THROUGH 5/4/2020**

NATURE OF PROCEEDINGS: ADMINISTRATIVE ORDER 18-2020

The Family Law Division of the Superior Court of California, County of Shasta, in furtherance of compliance with the CDC and California Department of Public Health guidelines and recommendations, now takes precautionary measures to ensure the health and safety of the community as set forth in the attached Emergency Order Pertaining to Family Law Proceedings, which is incorporated as a part of this Administrative Order.

Dated: April 9, 2020

Daniel E. Flynn
Daniel E. Flynn
Presiding Judge

Dated: April 9, 2020

Monique D. McKee
Monique D. McKee
Asst. Presiding Judge

FAMILY COURT and RESTRAINING ORDER MATTERS

OBJECTIVE: Reduce visits by public in family law court proceedings in an effort to promote public safety and health while balancing the due process rights of all litigants.

MODIFICATIONS: Matters will be limited to essential or mandated services as provided for in administrative orders.

- **ALL PARTIES SHALL** provide the telephone and email contact information to the Court within 48 hours of the filing of a *Request for Order and Temporary Emergency Orders* (FL-300; FL 305); *Request for Restraining Order* (DV-100; CH-100; EA-100); or upon service of the *Request for Restraining Order* (DV-100; CH-100; EA-100); or *Request for Order and Temporary Emergency Orders* (FL-300; FL-305).

Parties are instructed to email this information to

FamLaw@shasta.courts.ca.gov and include:

- Case Name
 - Case Number
 - Court Date and Time (if known)
 - Contact Information
- If a party does not have the ability to e-mail, that party shall use a *Notice of Change of Address or Other Contact Information* (form MC-040), and shall fill out the case name, case number, and complete #2 on that form, and shall file that form within 48 hours of receipt of this notice. For further assistance, please contact the family law clerk's division at (530) 245-6789.
- **ALL PARTIES SHALL appear by remote access:** telephonically or as otherwise instructed by the Court.
- **ALL PARTIES** are advised to check the following site:
www.shasta.courts.ca.gov/Online-Services/Tentative-Rulings.shtml for updates regarding Court procedures. The family law courtrooms are listed separately (Department 4, Department 5 and Department 11).

General Filing Procedures Applicable to All Matters Under Administrative Orders:

1. Room 319, the Family Law Clerks Office, is closed to the public until further notice. All *Request for Orders* (FL-300) with requests for *Emergency Orders* (FL-305), *Request for*

Domestic Violence Restraining Orders (DV-100 and 110), Request for Civil Harassment Restraining Orders (CH-100 and 110), Request for Elder Abuse Restraining Orders (EA-100 and 110) and any Response to any of the above-mentioned filings (all hereinafter collectively "filings") must include the party's, or if represented by counsel then the counsel's, telephone number and e-mail. The Court intends to use such means of remote communication to facilitate continued proceedings in family law matters.

UNITL FURTHER ORDER OF THE COURT only the above identified pleadings will be filed. All other pleadings will be stamped "received" and processed after emergency administrative orders expire.

Filing Procedures and Processing for Request for Emergency Orders (FL-305):

1. All Request for Order filings must be placed in the DROP BOX located in the lobby (near screening) at the Shasta County Courthouse. Items placed in the DROP BOX will be retrieved twice daily and processed by the Family Law Clerk's Office.
2. ALL REQUESTS FOR EMERGENCY ORDERS SHALL include the FL-303 form. The FL-303 must demonstrate that notice and a copy of the unfiled documents have been provided to the other party. The FL-300 MUST state with certainty the factual basis for such orders as provided in California Rules of Court, 5.151 and Family Code, Section 3064 (as to temporary custody of a minor child). The Court will decide all requests for emergency orders on the documents submitted and will set the matter for future hearing on the date selected by the Judicial Officer handling the matter. You will be contacted by the Court to notify you of the hearing date and briefing schedule.
 - 2(a). When a Request for Order (filed with the FL-305) is ready for decision by the Judge, i.e. all documents are properly completed, filed and any response has been received by the Court or the time has lapsed for the receipt of any response, a TENTATIVE DECISION will issue and be posted on the Shasta County Superior Court's webpage at www.shasta.courts.ca.gov. The TENTATIVE DECISION will be found using the "Tentative Rulings" tab on the upper left hand side of the webpage. Your TENTATIVE DECISION will be posted under the Family Law Department (4, 5 or 11) hearing your matter. With each tentative decision there will be a date set for the Court to receive argument on your matter. No live testimony will be received. Good cause exists to refuse receipt of live testimony following the issuance of directives from Governor Gavin Newsom made on March 19, 2020, for Californians to shelter in place except for essential services and those receiving such services (See Family Code, Section 217 (b) and California Rule of Court 5.113 subsections (b)(6) and (c)).
 - 2(b). The parties will be provided an opportunity to argue the TENTATIVE DECISION. Argument on Request for Orders will be done telephonically and/or through use of a web based application that allows the parties and counsel to address the court through visual and audible means. Notice will be given of any web based application and its use should it later be used by the Court, but in no event will such

use be mandatory. Telephone appearances will be accepted. After receipt of argument, the Court will issue its decision. Child custody recommended counseling will be handled telephonically.

Procedures for Filing and Processing of Domestic Violence, Elder Abuse and Civil Harassment Restraining Orders:

1. ALL REQUESTS FOR RESTRAINING ORDERS SHALL IDENTIFY, in writing, the case name and number of any restraining order that presently exists, or previously existed, that involves a party and/or their significant other.
2. All request for restraining orders must be placed in the DROP BOX located in the lobby (near security screening) at the Shasta County Courthouse. Items placed in the DROP BOX will be retrieved twice daily and processed by the Family Law Clerk's Office.
3. On April 6, 2020, the Judicial Council adopted amendments to the California Rules of Court in response to the COVID-19 pandemic, Governor Gavin Newsom's March 20, 2020 statewide shelter in place order, and Executive Order N-33-20. Consistent with the Chief Justice's advisory recommendations the Council adopted Emergency Rule 8. Emergency Rule 8 orders that all temporary restraining or protective orders authorized by the Court may be extended temporarily for up to 90 days.

Applicants who are filing and those that have already filed will be notified of a future hearing date for status of receipt of the proof of service and for trial setting.