

JUN 18 2020

Clerk of the Superior Court
By *[Signature]*
DEPUTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

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)
) **AMENDED ORDER #4 RELATED**
) **TO UNLAWFUL DETAINER**
) **PROCEEDINGS AND**
) **JUDGMENTS**

Because of the COVID-19 epidemic, leading to health and safety concerns resulting in the temporary cessation of jury services and substantial operational impediments, and the proclamation of a state of emergency by federal, state, and local officials, the Chief Justice of the California Supreme Court has determined that the conditions described in section 68115 of the Government Code are met with regard to the Superior Court of San Mateo County. On March 16, 2020, this Court issued a general order regarding Court operations consistent with the findings of the Chief Justice and section 68115 of the Government Code. On March 19, 2020, this Court issued an "Order Related to Unlawful Detainer Proceedings and Judgments." On April 2, 2020, the Chief Justice issued an Order specifically authorizing the Presiding Judge of the Superior Court, San Mateo County, to extend time deadlines in certain cases. April 3, 2020, this Court issued "Order #2 Related to Unlawful Detainer Proceedings and Judgments." On May 14,

1 2020, and June 11, 2020, the Chief Justice issued Orders which again held that emergency
2 conditions continue to exist in San Mateo County. The Order from the Chief Justice again
3 specifically authorized the Presiding Judge of the Superior Court of San Mateo County to extend
4 time deadlines in certain cases. On May 18, 2020 this Court issued "Order #3 Related to
5 Unlawful Detainer Proceedings and Judgments."
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7 On March 16, 2020, the County of San Mateo issued sweeping a Shelter in Place Order,
8 which was subsequently extended on March 30, 2020, April 29, 2020, and May 28, 2020. While
9 the Shelter in Place Order was rescinded yesterday, the danger from the Coronavirus is still
10 significant, and remains in the population. Therefore, it is a public health priority for residents to
11 maintain housing. The Court will also have limited functional operations, at least until mid-July,
12 with access prioritized to proceedings, not including unlawful detainees.
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14 On March 16, 2020, the Court issued a "Second Amended Court's Emergency Response
15 to Novel Coronavirus Pandemic." The purpose of this Calendar Memo Order was to temporarily
16 discontinue all courtroom and public services that were deemed non-essential. The plan
17 substantially reduced the number of visits by the public to the courthouse and minimized
18 exposure to our court judicial officers and staff, who had to maintain our court services.
19 Approximately 75% of judicial officers and court staff were sent home. On April 9, 2020 May
20 12, 2020, and June 12, 2020 the Court issued subsequent Calendar Memo Orders to extend the
21 period for which non-essential courtroom and public services would be temporarily discontinued
22 through July 14, 2020.
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25 On April 6, 2020, the Judicial Council amended the California Rules of Court to include
26 Emergency Rule 1 regarding unlawful detainees, which shall remain in effect until 90 days after
27 the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or
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1 until amended or repealed by the Judicial Council. Emergency Rule 1 provides that as of April 6,
2 2020, a Court may not: (1) issue a summons on a complaint for unlawful detainer; (2) enter a
3 default or a default judgment for restitution in an unlawful detainer action for failure of
4 defendant to appear; or (3) set a trial date earlier than 60 days after a request for trial is made.
5 Exceptions to these restrictions may be made, at the Court's discretion and on the record, if the
6 action is necessary to protect public health and safety.
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8 Pursuant to the currently effective Calendar Memo Order, which temporarily
9 discontinues all non-essential courtroom and public services through July 14, 2020, there will be
10 no available hearing procedure for determining on the record whether an unlawful detainer
11 action is necessary to protect public health and safety until the Court resumes conventional
12 courtroom services.
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14 Therefore, the Court orders the following with respect to unlawful detainer proceedings
15 and judgments, effective immediately:
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- 18 • For all pending unlawful detainer matters in which a Summons has been issued, June 13,
19 2020 through July 12, 2020 are deemed holidays for purposes of computing the time for
20 filing papers with the court under Code of Civil Procedure sections 12 and 12a (Gov.
21 Code § 68115(a)(4)), which taken together with the holiday periods in previous Orders
22 constitutes a holiday period of March 18, 2020 through July 12, 2020;
 - 23 • During the period of June 12, 2020 through July 12, 2020, no default shall be entered in
24 any pending unlawful detainer matter;
 - 25 • During the period of June 12, 2020 through July 12, 2020, no writ of possession for real
26 property shall be issued in any pending unlawful detainer matter;
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- 1 • Execution of any previously issued writ of possession for real property is hereby stayed
2 through July 12, 2020, and no payment or undertaking for this period shall be owed by
3 any Defendant, consistent with the Court’s discretion under Code of Civil Procedure 918;
4 • All Pretrial Conferences in currently pending unlawful detainer matters shall be
5 scheduled on or after July 16, 2020, and all unlawful detainer Pretrial Conferences
6 currently scheduled for June 18, 2020 are continued to July 16, 2020 for Pretrial
7 Conference and “to Set;”
8 • All unlawful detainer trials currently set for June 22, 2020 are hereby taken off calendar,
9 and are to be set for trial no sooner than July 20, 2020. Unlawful detainer trials in
10 currently pending cases for which a Request to Set for Trial was filed with the Court by
11 April 6, 2020, and for which no trial date has yet been set, are to be assigned to trial
12 courts no sooner than July 13, 2020. Future trial dates for all unlawful detainer matters
13 shall be set no sooner than 60 days after the date that a Request for Trial is filed, unless
14 the Court finds in its discretion and on the record that an earlier trial date is necessary to
15 protect public health and safety. In no event shall any unlawful detainer trial be set
16 sooner than July 13, 2020.
17 • The dates in this Order may be extended if public safety warrants it.
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23 Dated: June 18, 2020.

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25 JONATHAN E. KARESH
26 PRESIDING JUDGE
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