



OCAABA COVID-19 Response Committee Court Update

February 11, 2021

Hello OCAABA members and supporters,

As you know, in December, Governor Gavin Newsom announced a regional stay-at-home order, which imposed stricter restrictions on much of the state. However, the stay-at-home orders were all lifted on January 25, 2021. With the stay-at-home orders lifted, the state is returning to the four-tier reopening system. The four tiers are yellow, orange, red and purple. To see the latest update on what tier your county may be in relative to the activity, please click on the following link: <https://covid19.ca.gov/safer-economy/>

Based on the latest changes, the OCAABA COVID-19 Response Committee compiled a list of the following orders to avail our members of the recent changes and to assist in the accountability of our legal community. Please be advised that conditions change rapidly so please visit the court websites for the latest information. This update also provides the most recent Invitations to Comment on proposed additions, revisions, and four revocations to the Judicial Council of California Civil Jury Instructions (CACI) and The Judicial Council of California's Information Technology Advisory Committee's Recommended Guidelines and Minimum Specifications for Video Remote Interpreting (VRI) for Spoken Language Interpreted Events.

ORANGE COUNTY SUPERIOR COURT:

In person access to courthouses is restricted at all times to judicial officers, court staff, attorneys, Orange County Sheriff's Department personnel, mediators, litigants, and witnesses with matters on calendar, jurors and potential jurors who have been subpoenaed to appear, justice partners with matters on calendar or offices at a courthouse, third party vendors who have been requested to provide assistance to the Court, or any person provided access by the Presiding Judge for official court business.

Members of the public should not visit a courthouse unless they have a scheduled in person hearing, trial, or an appointment to enter the building. Social distancing rules will continue to be strictly enforced in all court facilities. The number of individuals entering public courtrooms and elevators will be subject to space limitations. Persons entering a

courthouse are required to maintain social distancing and wear face masks covering their nose and mouth as detailed in Second Amended Administrative Order No. 20/16.

Please see the following updates:

1/13/21: Probate Mental Health Information and Appearance Process

1/15/21: Fourth Amended Administrative Order 20/15: Family Law Order Mandating Remote Hearings executed on January 14, 2021.

1/25/21: Administrative Order 21/04 Limiting In Person Access to Court Properties executed on January 22, 2021

1/29/21: Court Begins to Restore Some In-person Appearances As Stay-At-Home Orders Are Lifted Three courtrooms at the Civil Complex Center and three courtrooms at the Central Justice Center resumed in-person civil and probate jury trials as of February 1, 2021.

1/29/21: Implementation Order Re: Juvenile Emergency Relief Authorized by Governor Executive Order and by the Judicial Council of California executed January 29, 2021 by Presiding Judge Erick L. Larsh

1/29/21: Juvenile Court General Order No. 29 – Juvenile Court Operations (Supersedes General Order No. 27.)

1/29/21: Juvenile Court General Order No. 30 – Temporary Emergency Order Modifying Juvenile Justice Visitation in Light of COVID-19 Pandemic by Presiding Judge of the Juvenile Court Joanne Motoike

2/2/21: Fifth Amended Administrative Order 20/07: Probate Order Regarding Court Closure executed on February 2, 2021.

2/8/21: Court Begins to Restore Some In-Person Appearances as Stay-At-Home Orders are Lifted

2/9/21: Implementation Order Re: Penal Code Section 859b Emergency Relief executed February 9, 2021 by Presiding Judge Erick L. Larsh

CENTRAL DISTRICT COURT:

The United States District Court for the Central District of California's Continuity of Operations ("COOP") Plan expired at the close of January 29, 2021. Limited operations resumed on Monday, February 1, 2021, as follows:

All Courthouses of the Central District of California will be closed to the public except for hearings on criminal duty matters, as discussed below.

- No in-person hearings will go forward except for hearings on criminal duty matters, as discussed below.
- In civil cases, all appearances will continue to be by telephone or video conference.
- Criminal bench duty will continue to take place in each division by telephone or video conference with the defendant's consent and in court absent consent. All criminal document duty will be handled by each division in the normal course of business. In other criminal matters, all appearances will be by telephone or video conference.
- Until further notice, no jury trials will be conducted in civil cases. However, individual judges, at their discretion, may offer bench trials by video conference in lieu of

postponement. All regularly scheduled grand jury proceedings are suspended and grand jurors will not otherwise be required to report for service or to call in to the United States Attorney's Office for reporting purposes during the period for which grand jury proceedings are suspended. Until further notice, no jury trials will be conducted in criminal cases.

- The Bankruptcy Court will issue separate guidance.
- Grand jury proceedings will be permitted to resume.

COMMENTS TO CACI 21-01 AND SP21-01 REQUESTED

New proposals have been posted to the California Courts website, at <http://www.courts.ca.gov/policyadmin-invitationstocomment.htm>

Civil Jury Instructions

Item Number: CACI 21-01

Civil Jury Instructions: Revisions to Judicial Council of California Civil Jury Instructions (CACI)

Summary: The Advisory Committee on Civil Jury Instructions seeks public comment on proposed additions, revisions, and four revocations to the Judicial Council of California Civil Jury Instructions (CACI). Under rule 10.58 of the California Rules of Court, the advisory committee is responsible for regularly reviewing case law and statutes affecting jury instructions and making recommendations to the Judicial Council for updating, revising, and adding topics to the council's civil jury instructions. On approval by the Judicial Council, all changes will be published in the midyear supplement to the 2021 edition of the official LexisNexis Matthew Bender CACI publication

Comments must be submitted by March 3, 2021 5:00 PM (Pacific)

Technology

Item Number: SP21-01

Recommended Guidelines and Minimum Specifications for Video Remote Interpreting (VRI) for Spoken Language Interpreted Events (PDF, 474 KB)

Summary: The Judicial Council of California's Information Technology Advisory Committee (ITAC) seeks public comment on the Recommended Guidelines and Minimum Specifications for Video Remote Interpreting (VRI) for Spoken Language Interpreted Events. The revised guidelines were adapted from the [Strategic Plan for Language Access in the California Courts](#), which was adopted by the Judicial Council on January 22, 2015. In response to the COVID-19 pandemic, courts have implemented remote video solutions to ensure access to justice and protect the health and safety of court staff, court users, and judicial officers. The VRI guidelines for spoken language have been updated to support VRI in both physical and virtual courtrooms, and to provide guidance to courts and the public to ensure remote interpreting allows limited English proficient (LEP) court users to fully and meaningfully participate in court proceedings. Following approval by the Judicial Council, the Guidelines will be published on the Language Access website.

Comments must be submitted by February 12, 2021 5:00 PM (Pacific)

Thanks to committee member Sharon Oh-Kubisch of Smiley Wang-Ekvall, LLP for preparing this email.

We Are Better Together! Be SAFE and WELL!
OCAABA COVID-19 Response Committee

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