

APR 29 2020

BY 
Deputy Clerk

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2
3 SUPERIOR COURT OF THE STATE OF CALIFORNIA
4 COUNTY OF LAKE

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6 GENERAL ORDER ON MANAGEMENT OF JUVENILE DELINQUENCY
7 CALENDAR DURING PERIOD OF EMERGENCY RELIEF ORDERS
8

9 In supplement to the Emergency Relief Implementation Orders and
10 the Temporary Order Restricting Access made by this Court, and to
11 increase the scope of services that may be rendered by the Court in
12 compliance with state and local Emergency Declarations and Orders
13 of the Public Health Officer regarding the Covid-19 pandemic, and
14 pursuant to California Rules of Court, Emergency Rules 3, 5, and 7,
15 and Rule 5.531, and pending further order of the Court, it is
16 ordered as follows:
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18 1. The Court will be calling and hearing those matters
19 presently set for hearing on the Juvenile Delinquency calendar
20 commencing with the calendar set for May 11, 2020, commencing at
21 1:30 pm in Department 4.
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23 2. The attendance at the hearing and participation in the
24 hearing shall be by Remote Appearance. All appearances by counsel,
25 parties, and interested persons shall be by audio/video or
26 telephonic means only. The Remote Appearance shall occur, and the
27 hearing conducted by remote appearance, only on the condition that
28 the child and counsel for the child waive personal appearance and
29 agree to each appearing for the hearing by remote appearance.
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1 3. A remote appearance is directed in all cases including a
2 person ordered to appear in person by order of the court; any
3 person ordered to appear in person be reason of a citation or
4 subpoena issued to the person; and, any appearance on a hearing on
5 the issuance of a temporary restraining order.

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7 4. Pursuant to Emergency Rule 3 and 7, the Court finds good
8 cause, under the current emergency circumstances, to waive the
9 requirement that a party give notice to the court and all other
10 parties of the intent to appear by remote appearance at a hearing.

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12 5. In all Juvenile Delinquency proceedings, the court shall
13 provide notice of the remote hearing to all parties, except for
14 notice to a victim, which notice shall be given by the District
15 Attorney or the Probation Department. The notice shall include
16 instructions on how to participate in the remote hearing. The
17 required notice and instructions may be provided by telephone or
18 other electronic means. Emergency Rule, 7(c)(3).

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20 6. This Order does not require a remote appearance be made in
21 any instance where an appearance at the hearing is not intended to
22 be made. In the event that there will not be a remote appearance
23 made at a hearing, that party shall file and serve a notice of
24 nonappearance or shall contact the court by email or by telephone,
25 at least 2 court days prior to the scheduled hearing, to notify the
26 court that the party will not appear at the hearing.

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28 7. The presentation of evidence at a remote hearing shall be
29 in the manner most compatible with the remote hearing process
30 including but not limited to taking testimony by written

1 declaration. In the event there is objection to the evidentiary
2 procedures of the court, or there are contested evidentiary issues
3 that may not fairly be heard by remote proceeding, the court may
4 grant a continuance of the hearing. The Court reserves jurisdiction
5 to determine that the scheduled hearing is not appropriate for
6 hearing by remote appearance including for the reason that the
7 matter will require evidentiary hearing or is a matter in which
8 personal appearance(s) would materially assist the court in the
9 determination of the hearing, or effective management or resolution
10 of the case. The parties may, after meeting and conferring, agree
11 that a remote appearance is not appropriate for the hearing and
12 request, at least court 2 days prior to the hearing, that the
13 hearing be reset by the court. A hearing may also be continued by
14 the stipulation of the interested parties. Emergency Rule, 7
15 (c); (d).

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17 8. The remote appearance shall be arranged by the court
18 utilizing an audio/video teleconferencing platform and instructions
19 provided to the participants on accessing the service. The service
20 shall provide for each party to participate in the hearing in real
21 time in the audio and visual transmission and provide for the
22 statements of each participant to be heard and identified by all
23 other participants and court staff.

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25 9. In order to communicate confidentially between a party and
26 his or her counsel during the remote hearing, counsel and the party
27 will need to make independent arrangements to have private
28 telephone with each other during the hearing. In the event that
29 confidential communication during the hearing is not available, and
30 is requested to occur during the hearing, the court may interrupt

1 the hearing or continue the hearing to provide for the same to
2 occur.

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4 10. The court admonishes all participants that the remote
5 hearing is intended by the court to remain confidential as required
6 by law and the participants are directed to undertake participation
7 in the hearing in a manner which will serve to ensure and preserve
8 the confidentiality of the proceeding. Sanctions may be imposed for
9 the violation of confidentiality.

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DATED: APRIL 29, 2020



SUPERIOR COURT JUDGE

Michael S. Lunas

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