

DEC 07 2020

CLERK OF THE COURT

BY: *Luis Gomez*
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

IN RE: ADMINISTRATIVE ORDER OF THE
PROBATE AND MENTAL HEALTH
DIVISION RE COVID-19 PANDEMIC

EIGHTH AMENDED GENERAL ORDER
OF THE PROBATE AND
MENTAL HEALTH DIVISION

The Probate and Mental Health Division of the Superior Court of San Francisco issues this Seventh Amended General Order of the Probate and Mental Health Division under the authority granted by Government Code section 68115; Governor Gavin Newsom's Statewide Executive Order and Public Health Order of March 19, 2020 and related orders, including the Regional Stay at Home Order of December 3, 2020; the Emergency Orders of Chair of the Judicial Council of California, dated March 16, 2020; March 19, 2020; April 10, 2020; and, April 21, 2020; Chief Justice Tani G. Cantil-Sakauye's Statewide Orders, dated March 23, 2020; March 30, 2020; April 29, 2020; and, June 10, 2020; the Judicial Council of California's adoption of emergency rules 1 through 11 of the California Rules of Court, effective April 6, 2020, as well as its April 17, 2020 adoption of emergency rule 12, effective April 17, 2020, its April 19, 2020 adoption of emergency rule 13 and modification of emergency rule 8, and further amendments effective May 29, 2020 and June 20, 2020; Chief Justice Cantil-Sakauye's orders re the San Francisco Superior Court, dated March 16, 2020; March 19, 2020; April 10, 2020; and, May 27, 2020; the San Francisco Health Officer Order No. C19-07p of December 4, 2020 ("County Stay at Home Order"); and, the General Orders of the Honorable Garrett L. Wong, Presiding Judge of the San Francisco Superior Court, filed March 16, 2020; March 19, 2020; March 24, 2020; April 1, 2020; April 14, 2020; and April 30, 2020.

1 This Order sets out provisional rules designed to address the COVID-19 pandemic-related
2 conditions and circumstances facing the community and this court. The provisional rules incorporate
3 recommendations in the Judicial Council's Pandemic Continuity of Operations Working Group's
4 Pandemic Continuity of Operations Resource Guide (Version 1.0, June 2020). This Order AMENDS and
5 SUPERSEDES the Seventh Amended General Order of the Probate and Mental Health Division, signed
6 and filed October 30, 2020.

7 Important changes from the Sixth Amended General Order of the Probate and Mental Health
8 Division include:

- 9 • Noting suspension of all counter service in the Clerk's office, Room 103 at the Civic
10 Center Courthouse and limiting conventional filings to drop-box service or mail delivery;
- 11 • Requiring remote appearances, whenever possible, for all counsel and parties on all
12 calendars;
- 13 • Temporarily suspending CIPP and AOT hearings; and,
- 14 • Noting that self-help services through the ACCESS services are limited to remote services
15 by telephone or on-line.

16 The Probate and Mental Health Division **HEREBY FINDS AND ORDERS AS FOLLOWS:**

17 **A. Time for Acting Where Timing Governed by the Probate Code**

18 Wednesday, March 18, 2020 through Monday, June 1, 2020, inclusive, are deemed holidays for
19 purposes of computing time for filing papers with the Court under Code of Civil Procedure sections 12
20 and 12a (see Government Code § 68115(a)(4)), for purposes of:

- 21 1. Filings pursuant to the Probate Code, including but not limited to:
 - 22 a. Initial petitions for probate (Probate Code § 8003);
 - 23 b. Petitions to probate a subsequently-discovered will (Probate Code § 8226);
 - 24 c. Petitions to revoke probate (Probate Code § 8270);
 - 25 d. Reports of sale (Probate Code § 10308).
- 26 2. Responses to filings pursuant to the Probate Code, including but not limited to:
 - 27 a. Objections to inventory and/or appraisal (Probate Code § 2614);
 - 28 b. Responses to petition to revoke probate of will (Probate Code § 8271);
 - c. Responses to summons (Probate Code §§ 8250, 8271).

For rules on the tolling of statutes of limitation governing filing of causes of action found in the
Probate Code, see Emergency Rule 9 of the California Rules of Court. (See Cal. Rules of Court, emerg.
rule 9, Advisory Com. com. [tolling rules in Emergency Rule 9 apply to rules of repose on filing of causes

1 of action found in the Probate Code].)

2
3 **B. Time for Acting Where Timing Governed by the Code of Civil Procedure**

4 Wednesday, March 18, 2020 through Monday, June 1, 2020, inclusive, are deemed holidays for
5 purposes of computing time for filing papers under Code of Civil Procedure sections 12 and 12a (see
6 Government Code § 68115(a)(4)) and taking other actions in matters pending before the Probate and
Mental Health Division as follows:

- 7 1. The time to respond to discovery, including the time to object, the time to file motions for
8 protective orders and the time to compel discovery pursuant to Code of Civil Procedure section
9 2016.010 et seq.;
- 10 2. The time to move to quash, file a demurrer, move to strike, including a special motion to strike
11 pursuant to Code of Civil Procedure section 425.16 et seq., or otherwise respond to a petition to
12 the extent the time to respond is governed by the Code of Civil Procedure and not the Probate
Code;
- 13 3. The time to file, hear and rule on any post-trial motion as set forth in the Code of Civil Procedure,
14 including but not limited to notices of intent to move for a new trial and motions for a new trial,
15 pursuant to Code of Civil Procedure section 659 et seq.;
- 16 4. The time to file a cost bill, a motion to tax costs, or a motion for attorney fees;
- 17 5. The time to file a motion under Code of Civil Procedure section 473;
- 18 6. The time to file a motion under Code of Civil Procedure section 1008.

19 For rules on the tolling of statutes of limitation governing filing of civil causes of action, see
20 Emergency Rule 9 of the California Rules of Court.

21 **C. Construction of the Operational Provisions of This Order**

22 Pandemic-related circumstances require that the Probate and Mental Health Division temporarily
23 modify procedures, including filing and courtesy-copy requirements, as well as notice, scheduling and
24 hearing protocols. This Order sets forth those modifications. Existing rules, including existing Rules of
25 Court and Local Rules, remain in force, except to the extent they conflict with this Order, in which case
26 the Order governs as long as the Order remains in force.

27 **D. New Papers in Trust and Estate Matters**

28 For trust and estate matters, counsel and self-represented parties who have opted in to e-filing (see
LRSF 14.93(B)(1)) must e-file all papers. All such counsel and self-represented parties must deliver

1 hard-copy, endorsed-filed courtesy copies of their filed papers to the court; all petitioning counsel and
2 self-represented parties must deliver a proposed order, as well. This may be accomplished by depositing
3 the necessary courtesy copies and proposed order in the secure Probate drop box in the lobby of the Civic
4 Center Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. on court days or mailing
5 them to: Probate Department; 400 McAllister, Room 202; San Francisco, CA 94102. The Probate
6 window in Room 103 is temporarily closed and all counter service in the Clerk's office, Room 103 at the
Civic Center Courthouse, is suspended until further notice.

7 Self-represented parties who have not opted in to e-filing must submit their papers for
8 conventional filing. Such self-represented parties may conventionally file their papers by depositing them
9 in the secure Probate drop box in the lobby of the Civic Center Courthouse just outside the secured area
10 between 8:30 a.m. and 4:00 p.m. or by mailing them to: Probate Department; 400 McAllister, Room 103;
11 San Francisco, CA 94102. The self-represented party must include enough copies to allow the clerk to
12 route to Room 202 an endorsed-filed courtesy copy of all papers; petitioning self-represented parties must
13 include a proposed order, as well, for routing to Room 202. If enough additional copies of the filing and a
postage-paid, self-addressed envelope are provided, the clerk will return endorsed-filed copies by mail.

14 Note, until further notice, no in-person filing is permitted. The Probate window in Room 103 is
15 temporarily closed and all counter service in the Clerk's office, Room 103 at the Civic Center Courthouse,
is suspended.

16 Counsel or any self-represented party filing the first petition relative to a trust or estate must
17 submit the petition for conventional filing. (See LRSF 14.93(A).) Such parties may conventionally file
18 their papers by depositing them in the secure Probate drop box in the lobby of the Civic Center
19 Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. or by mailing them to: Probate
20 Department; 400 McAllister, Room 103; San Francisco, CA 94102. Such parties must include enough
21 copies to allow the clerk to route to Room 202 an endorsed-filed courtesy copy of all papers; petitioning
22 parties must submit for routing to Room 202 a proposed order, as well. If enough additional copies of the
23 filing and a postage-paid, self-addressed envelope are provided, the clerk will return endorsed-filed copies
by mail.

24 Note, until further notice, no in-person filing is permitted. The Probate window in Room 103 is
25 temporarily closed and all counter service in the Clerk's office, Room 103 at the Civic Center Courthouse,
26 is suspended.

27 Endorsed-filed courtesy copies and proposed orders must be lodged promptly, but the specific
28 deadlines are set forth in the Local Rules.

To the extent the Division accepts and/or processes any filings or performs preliminary

1 administrative work on a file, such acceptance and/or processing shall not alter the designation and
2 application of court holidays and extensions provided by this Order.

3 **E. Hearing Dates for Existing and New Filings in Trust, Estate, Guardianship and**
4 **Probate Conservatorship Matters**

5 All counsel and self-represented parties must monitor the electronic register of actions to stay
6 current on hearing dates. New filings will be given hearing dates consistent with calendar availability.

7 **F. Hearings on Trust and Estate Petitions; Additional Notice Requirement**

8 Regular trust and estate calendars are heard on non-holiday Mondays, Tuesdays and Wednesdays
9 at 9:00 a.m. in Department 204. Counsel and parties must, whenever possible, appear remotely through
10 Zoom or CourtCall.

11 For a video appearance, go to zoom.us, click “join a meeting” and input meeting ID 875 8017
12 7925 and password 722809. For an audio-only telephone appearance through Zoom, call 1-669-900-6833
13 and key in meeting ID “875 8017 7925#”, then participant ID “0#”, then password “722809#”. (Toll rates
14 may apply.) The court prefers that counsel and parties appear by video and that they input their first and
last name into the “Your Name” dialogue box.

15 Counsel and parties may appear by audio-only telephone through CourtCall by calling CourtCall
16 at 1-888-882-6878 and obtaining an appearance access code for the hearing’s scheduled date and time in
17 department 204. The requirement for advance permission to appear by CourtCall is suspended until
18 further notice. A CourtCall appearance may be made by mobile phone. A CourtCall appearance may
require payment of a fee, even for parties with fee waivers.

19 Counsel or any party seeking to appear in person will be asked to explain why a remote
20 appearance is not possible. He or she should anticipate delays at the entrance to the courthouse and inside
21 the courthouse. Masks must be worn at all times while in the courthouse and social distancing protocols
22 and health directives will be strictly enforced, including inside the courtroom. Anyone making an in-
23 person appearance must first familiarize themselves with the court’s current pandemic-related
24 requirements and protocols by reviewing the court website at <https://sfsuperiorcourt.org/>.

25 The petitioning party must inform all counsel, self-represented parties and all parties entitled to
notice of the procedures for remote appearances via Zoom and CourtCall, as set out above.

26 Any member of the public who wishes to attend a trust or estate calendar without making an
27 appearance before the court may access the courtroom remotely through Zoom or CourtCall. For video
28 access, go to zoom.us, click “join a meeting” and input meeting ID 875 8017 7925 and password 722809.

1 For audio-only telephone access through Zoom, call 1-669-900-6833 and key in meeting ID “875 8017
2 7925#”, then participant ID “0#”, then password “722809#”. (Toll rates may apply.)

3 For audio-only access through CourtCall, call the mute public line for Department 204 at 1-415-
4 796-6280 and enter access code 12129865#. This line will allow a member of the public to listen to the
5 proceedings; it will not support an attempt to appear before the court. Neither the public access line nor
6 the Zoom link will be available for closed proceedings.

7 A member of the public seeking to observe a hearing in person may be asked to explain why he or
8 she could not access the courtroom remotely. Any in-person observation is subject to the above
9 temporary rules and advisements addressed to counsel and parties making personal appearances; in-
10 person access to a hearing, however, may be limited by pandemic-related circumstances and needs such
11 as social distancing requirements and space limitations.

12 Evidentiary hearings and trials in trust and estate matters will continue to be set according to the
13 time estimate. Short-cause hearings and trials will be set for hearing on Friday mornings in Department
14 204, based on availability. Long-cause hearings and trials will be referred to Department 206 for
15 assignment to a trial department, based on availability. Pandemic-related circumstances may restrict
16 calendar availability. All parties are to meet and confer regarding remote conduct of proceedings.

17 **G. New Papers in Probate Conservatorship and Guardianship Proceedings.**

18 Counsel and self-represented parties in conservatorship and guardianship proceedings must submit
19 all papers for conventional filing. Papers may be conventionally filed by depositing them in the secure
20 Probate drop box in the lobby of the Civic Center Courthouse just outside the secured area between 8:30
21 a.m. and 4:00 p.m. or by mailing them to: Probate Department; 400 McAllister, Room 103; San
22 Francisco, CA 94102. Counsel and self-represented parties must include enough copies to allow the clerk
23 to route to Room 202 an endorsed-filed courtesy copy of all papers; petitioning parties must submit a
24 proposed order, as well, for routing to Room 202. If enough additional copies of the filing and a postage-
25 paid, self-addressed envelope are provided, the clerk will return endorsed-filed copies by mail.

26 Note, until further notice, no in-person filing is permitted. The Probate window in Room 103 is
27 temporarily closed and all counter service in the Clerk’s office, Room 103 at the Civic Center Courthouse,
28 is suspended.

Endorsed-filed courtesy copies and proposed orders must be lodged promptly, but the specific
deadlines are set forth in the Local Rules.

Counsel or any self-represented party seeking to have a petition for appointment of a guardian or
conservator specially set must email ProbateCGspecialset@sftc.org to obtain approval of the special

1 setting prior to filing the subject petition.

2 Due to pandemic-related circumstances, court investigators will conduct interviews remotely,
3 whenever possible. Interviews that cannot be conducted remotely will be conducted in person and will be
4 scheduled and conducted consistent with public health guidelines and, where applicable, facility
5 protocols.

6 **H. Dedicated Probate Conservatorship and Guardianship Calendars; Additional Notice** 7 **Requirement**

8 Dedicated probate conservatorship calendars are heard on Thursdays at 9:00 a.m. and dedicated
9 guardianship calendars are heard on Tuesdays at 1:30 p.m. Counsel and parties must, whenever possible,
10 appear remotely through Zoom or CourtCall. Parties are encouraged to contact the assigned investigator
11 or, if none, the Acting Assistant Probate Director at 1-415-551-3868 to determine whether any non-
remote personal appearance is required.

12 Parties may appear by video or audio-only telephone through Zoom. For a video appearance, go
13 to zoom.us, click “join a meeting” and input meeting ID 875 8017 7925 and password 722809. For an
14 audio-only telephone appearance through Zoom, call 1-669-900-6833 and key in meeting ID “875 8017
15 7925#”, then participant ID “0#”, then password “722809#”. (Toll rates may apply.) The court prefers
16 that counsel and parties appear by video and that they input their first and last name into the “Your Name”
dialogue box.

17 Parties may appear by audio-only telephone through CourtCall by calling CourtCall at 1-888-882-
18 6878 and obtaining an appearance access code for the hearing’s scheduled date and time. The
19 requirement for advance permission to appear by CourtCall is suspended until further notice. A CourtCall
20 appearance may be made by mobile phone. A CourtCall appearance may require payment of a fee, even
for parties with fee waivers.

21 Counsel or any party seeking to appear in person will be asked to explain why a remote
22 appearance is not possible. He or she should anticipate delays at the entrance to the courthouse and inside
23 the courthouse. Masks must be worn at all times while in the courthouse and social distancing protocols
24 and health directives will be strictly enforced, including inside the courtroom. Anyone making an in-
25 person appearance must first familiarize themselves with the court’s current pandemic-related
requirements and protocols by reviewing the court website at <https://sfsuperiorcourt.org/>.

26 The petitioning party must inform all counsel, self-represented parties and all parties entitled to
27 notice of the Zoom and CourtCall procedures for remote appearances, as set out above.

28 Any member of the public who wishes to attend a trust or estate calendar without making an

1 appearance before the court may access the courtroom remotely through Zoom or CourtCall. For video
2 access, go to zoom.us, click “join a meeting” and input meeting ID 875 8017 7925 and password 722809.
3 For audio-only telephone access through Zoom, call 1-669-900-6833 and key in meeting ID “875 8017
4 7925#”, then participant ID “0#”, then password “722809#”. (Toll rates may apply.) For audio-only
5 access through CourtCall, call the mute public line for Department 204 at 1-415-796-6280 and enter
6 access code 12129865#. This line will allow a member of the public to listen to the proceedings; it will
7 not support an attempt to appear before the court. Neither the public access line nor the Zoom link will be
8 available for closed proceedings.

9 A member of the public seeking to observe a hearing in person may be asked to explain why he or
10 she could not access the courtroom remotely. Any in-person observation is subject to the above
11 temporary rules and advisements addressed to counsel and parties making personal appearances; in-
12 person access to a hearing, however, may be limited by pandemic-related circumstances and needs such
13 as social distancing requirements and space limitations.

14 **I. Drop-Off Ex Parte Petitions in All Matters Before the Probate Department**

15 The court will continue to consider drop-off ex parte petitions, but due to pandemic-related
16 circumstances, filing and courtesy-copy protocols must be adjusted. Decisions may be delayed.

17 Drop-off ex parte proceedings are reserved for routine and/or non-adversarial requests; for more
18 information, please see the Local Rules. For trust and estate matters, counsel or self-represented parties
19 who have opted in to e-filing (see LRSF 14.93(B)(1)) must e-file their drop-off ex parte petition. All such
20 parties must promptly deliver hard-copy, endorsed-filed courtesy copies and a proposed order to the court.
21 This may be accomplished by depositing the papers in the secure Probate drop box in the lobby of the
22 Civic Center Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. on court days or
23 mailing them to: Probate Department; 400 McAllister, Room 202; San Francisco, CA 94102.

24 Note, until further notice, no in-person filing is permitted. The Probate window in Room 103 is
25 temporarily closed and all counter service in the Clerk’s office, Room 103 at the Civic Center Courthouse,
26 is suspended.

27 Self-represented parties in estate and trust matters who have not opted in to e-filing must submit
28 their drop-off ex parte petition for conventional filing. Such self-represented parties may conventionally
file their papers by depositing them in the secure Probate drop box in the lobby of the Civic Center
Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. or by mailing them to: Probate
Department; 400 McAllister, Room 103; San Francisco, CA 94102. The self-represented party must
include enough copies to allow the clerk to route to Room 202 an endorsed-filed courtesy copy of all

1 papers; such parties must include a proposed order, as well, for routing to Room 202. If enough
2 additional copies of the filing and a postage-paid, self-addressed envelope are provided, the clerk will
3 return endorsed-filed copies by mail.

4 Until further notice, no in-person filing is permitted. The Probate window in Room 103 is
5 temporarily closed and all counter service in the Clerk's office, Room 103 at the Civic Center Courthouse,
6 is suspended.

7 In a guardianship or conservatorship case, any drop-off ex-parte petition must be submitted for
8 conventional filing. Such counsel and self-represented parties may conventionally file their papers by
9 depositing them in the secure Probate drop box in the lobby of the Civic Center Courthouse just outside
10 the secured area between 8:30 a.m. and 4:00 p.m. or by mailing them to: Probate Department; 400
11 McAllister, Room 103; San Francisco, CA 94102. Counsel of the self-represented party must include
12 enough copies to allow the clerk to route to Room 202 an endorsed-filed courtesy copy of all papers;
13 petitioning parties must submit a proposed order, as well, for routing to Room 202. If enough additional
14 copies of the filing and a postage-paid, self-addressed envelope are provided, the clerk will return
15 endorsed-filed copies by mail. Note, until further notice, no in-person filing is permitted. The Probate
16 window in Room 103 is temporarily closed and all counter service in the Clerk's office, Room 103 at the
17 Civic Center Courthouse, is suspended.

18 Any party filing papers in opposition to a drop-off ex parte petition must follow the procedure set
19 out above for filing of the initial ex parte petition, including the requirement to include enough copies to
20 allow the clerk to deliver an endorsed-filed copy of all papers to Room 202. If a self-addressed envelope
21 with appropriate postage is provided, a copy of any signed order will be returned by mail.

22 **J. Appearance Ex Parte Petitions in All Matters Before the Probate Department**

23 Appearance ex parte calendars are conducted Mondays through Fridays at 10:00 a.m. and 10:30
24 a.m., as calendared by the clerk. Pandemic-related circumstances, however, require that the court adjust
25 filing, lodging and hearing protocols.

26 Appearance ex parte proceedings are designed to afford relief on an essentially emergency basis
27 and such petitions should be accompanied by competent evidence of urgency justifying immediate
28 judicial action.

1. **Filing Appearance Ex Parte Petitions, Obtaining Hearing Date and Time and Providing Courtesy Copies**

Counsel and self-represented parties who have opted in to e-filing must e-file their appearance ex parte petition. Such parties will receive a confirmation from File & Serve Xpress, at which point they

1 must go to the court's electronic register of actions ("ROA"), click on the endorsed-filed ex parte
2 document(s) to see the hearing date and time. Such parties must then serve their papers, as appropriate,
3 and promptly lodge with the court hard-copy, endorsed-filed courtesy copies (printed from the ROA) and
4 a proposed order. These lodgings may be accomplished by depositing the papers in the secure Probate
5 drop box in the lobby of the Civic Center Courthouse just outside the secured area between 8:30 a.m. and
6 4:00 p.m. on court days or mailing them to: Probate Department; 400 McAllister, Room 103; San
7 Francisco, CA 94102. Note, until further notice, no in-person filing is permitted.

8 If the case is a conservatorship, guardianship, an initial trust or estate petition, or if the appearance
9 ex parte petition is filed by a self-represented party who has not opted in to e-filing, counsel or the self-
10 represented party must submit their appearance ex parte petition for conventional filing. Such counsel or
11 self-represented parties may conventionally file their papers by depositing them in the secure Probate drop
12 box in the lobby of the Civic Center Courthouse just outside the secured area between 8:30 a.m. and 4:00
13 p.m. or by mailing them to: Probate Department; 400 McAllister, Room 103; San Francisco, CA 94102.
14 Such counsel or self-represented party must include enough copies to allow the clerk to route to Room
15 202 an endorsed-filed courtesy copy of all papers; petitioning parties must include a proposed order, as
16 well, for routing to Room 202. If enough additional copies of the filing and a postage-paid, self-
17 addressed envelope are provided, the clerk will return endorsed-filed copies by mail. Note, until further
18 notice, no in-person filing is permitted. The Probate window in Room 103 is temporarily closed and all
19 counter service in the Clerk's office, Room 103 at the Civic Center Courthouse, is suspended.

20 The hearing date and time will be stamped on the endorsed-filed petition and entered into the
21 case's calendared hearings in the electronic register of actions. Parties may check for both filed petitions
22 and calendar assignments on the court's website at <https://sfsuperiorcourt.org/>.

23 Any party filing opposing papers must comply with the applicable filing requirements for the
24 appearance ex parte petition, including the courtesy-copy requirements.

25 Counsel or any self-represented party petitioning for an order that requires letters must deliver
26 proposed letters bearing original signatures and a self-addressed stamped envelope with appropriate
27 postage for the letters to be returned by mail. If counsel or the self-represented party requires certified
28 letters, they must include enough copies and a check in a sufficient amount for the court certification fees.
The check should be made out to San Francisco Superior Court.

26 **2. The Hearing and Notice Requirements; Obtaining Signed Orders**

27 Parties may appear by video or audio-only telephone through Zoom. For a video appearance, go
28 to zoom.us, click "join a meeting" and input meeting ID 340 967 5499 and password 554715. For an
audio-only telephone appearance through Zoom, call 1-669-900-6833 and key in meeting ID "340 967

5499#", then participant ID "0#", then password "554715#". (Toll rates may apply.)

Parties may appear by audio-only telephone through CourtCall by calling CourtCall at 1-888-882-6878 and obtaining an appearance access code for the hearing's scheduled date and time in room 202. The requirement for advance permission to appear by CourtCall is suspended until further notice. Any party may make a CourtCall appearance by mobile phone. A CourtCall appearance may require payment of a fee, even for parties with fee waivers.

For an ex parte petition for appointment of a temporary conservator or temporary guardian, the court may require that the petitioner and either the proposed conservatee or the proposed ward(s), as the case may be, non-remotely personally appear in Department 202. Parties are encouraged to contact the assigned investigator or, if none, the Acting Assistant Probate Director at 1-415-551-3868 to determine whether any non-remote personal appearance is required.

Counsel or any party appearing in person should anticipate delays at the entrance to the courthouse and inside the courthouse. Masks must be worn at all times while in the courthouse and social distancing protocols will be strictly enforced, including inside the courtroom. Before making an in-person appearance, all counsel and parties must familiarize themselves with the court's current pandemic-related requirements and protocols by reviewing the court website at <https://sfsuperiorcourt.org/>. Counsel and parties not required to make a non-remote personal appearance are encouraged to appear via Zoom or CourtCall, due to the spatial limitations of Room 202.

All counsel or the self-represented party seeking ex parte relief must give notice to all parties entitled to notice, in compliance with California Rules of Court, rules 3.1203 and 3.1204. This notice must include explanation of the Zoom and CourtCall procedures for remote appearances, as set out above.

A member of the public may access the free CourtCall mute public line for Room 202 by calling 1-415-796-6280 and entering access code 12129874#. The mute public access CourtCall line will allow an attending member of the public to listen to the open ex parte proceedings; it will not support an attempt to appear before the court. The mute public access CourtCall line will not be available for closed ex parte proceedings.

For all appearance ex parte petitions, if a self-addressed envelope with appropriate postage is provided, a copy of any signed order will be returned. Otherwise, a scanned digital copy of the signed order will be available on the court's website at <https://sfsuperiorcourt.org/>.

K. Law & Motion in All Matters Before the Probate Department

The Probate Department is scheduling Law & Motion matters for hearing on Wednesdays and Thursdays at 2:00 p.m. and 2:30 p.m., and Fridays at 9:00 a.m. Pandemic-related circumstances,

1 however, require that the court adjust filing and hearing protocols.

2 **1. Meet and Confer**

3 Counsel and self-represented parties are encouraged to meet and confer to resolve matters and
4 disputes before filing motions or while the motion is pending.

5 **2. Obtaining a Hearing Date and Time**

6 A party seeking to file a new motion must call the courtroom clerk at 1-415-551-3702 to obtain a
7 hearing date and time. A moving party seeking to take an already-scheduled motion off calendar must
8 call the courtroom clerk at 1-415-551-3702. The courtroom clerk phone number and voicemail boxes are
9 actively monitored. The temporary email address formerly used for these purposes is no longer
monitored.

10 Once the moving party has obtained a hearing date and time from the courtroom clerk, they may
11 finalize their papers by adding the hearing date and time and the name of approving courtroom clerk in
12 the caption of the motion, and promptly file their papers.

13 **3. Filing Motion-Related Papers and Providing Courtesy Copies**

14 All motions filed in a trust or estate matter by counsel or a self-represented party who has opted in
15 to e-filing (see LRSF 14.93(B)(1)) must be e-filed. All papers related to such motions, including
16 oppositions and replies, must be e-filed, except for papers filed by a self-represented party not subject to
17 e-filing requirements, which must be filed as set forth below. Counsel and self-represented parties subject
18 to e-filing requirements must promptly deliver hard-copy, endorsed-filed courtesy copies of any papers;
19 such moving parties must deliver a proposed order, as well. This may be accomplished by depositing the
20 papers in the secure Probate drop box in the lobby of the Civic Center Courthouse just outside the secured
21 area between 8:30 a.m. and 4:00 p.m. on court days or mailing them to: Probate Department; 400
22 McAllister, Room 202; San Francisco, CA 94102. Note, until further notice, no in-person filing is
permitted. The Probate window in Room 103 is temporarily closed and all counter service in the Clerk's
office, Room 103 at the Civic Center Courthouse, is suspended.

23 Trust and estate self-represented parties not subject to e-filing requirements, as well as all counsel
24 and self-represented parties in probate conservatorship or guardianship proceedings, must submit any
25 motion or motion-related papers, including an opposition or reply, for conventional filing. Such counsel
26 or self-represented parties may conventionally file their papers by depositing them in the secure Probate
27 drop box in the lobby of the Civic Center Courthouse just outside the secured area between 8:30 a.m. and
28 4:00 p.m. or by mailing them to: Probate Department; 400 McAllister, Room 103; San Francisco, CA
94102. Such counsel or self-represented party must include enough copies to allow the clerk to route two

(2) endorsed-filed courtesy copy of all papers and, where applicable, a proposed order to Room 202. If enough additional copies of the filing and a postage-paid, self-addressed envelope are provided, the clerk will return endorsed-filed copies by mail to the filing party. Note, until further notice, no in-person filing is permitted. The Probate window in Room 103 is temporarily closed and all counter service in the Clerk's office, Room 103 at the Civic Center Courthouse, is suspended.

Endorsed-filed courtesy copies and proposed orders must be lodged promptly, but the specific deadlines are set forth in the Local Rules.

4. The Hearing; Additional Notice Requirement

Counsel and parties must, whenever possible, appear remotely through Zoom or CourtCall.

For a video appearance, go to zoom.us, click "join a meeting" and input meeting ID 875 8017 7925 and password 722809. For an audio-only telephone appearance through Zoom, call 1-669-900-6833 and key in meeting ID "875 8017 7925#", then participant ID "0#", then password "722809#". (Toll rates may apply.) The court prefers that counsel and parties appear by video and that they input their first and last name into the "Your Name" dialogue box.

Counsel and parties may appear by audio-only telephone through CourtCall by calling CourtCall at 1-888-882-6878 and obtaining an appearance access code for the hearing's scheduled date and time. The requirement for advance permission to appear by CourtCall is suspended until further notice. Any party may make a CourtCall appearance by mobile phone. A CourtCall appearance may require payment of a fee, even for parties with fee waivers.

Counsel or any party seeking to appear in person will be asked to explain why a remote appearance is not possible. He or she should anticipate delays at the entrance to the courthouse and inside the courthouse. Masks must be worn at all times while in the courthouse and social distancing protocols and health directives will be strictly enforced, including inside the courtroom. Anyone making an in-person appearance must first familiarize themselves with the court's current pandemic-related requirements and protocols by reviewing the court website at <https://sfsuperiorcourt.org/>.

The moving party must inform all counsel, self-represented parties and all parties entitled to notice of the Zoom and CourtCall procedures for remote appearances, as set out above.

Any member of the public who wishes to observe a law and motion hearing without making an appearance before the court may access the courtroom remotely through Zoom or CourtCall. For video access, go to zoom.us, click "join a meeting" and input meeting ID 875 8017 7925 and password 722809. For audio-only telephone access through Zoom, call 1-669-900-6833 and key in meeting ID "875 8017 7925#", then participant ID "0#", then password "722809#". (Toll rates may apply.) For audio-only access through CourtCall, call the mute public line for Department 204 at 1-415-796-6280 and enter

1 access code 12129865#. This line will only allow a member of the public to listen to the proceedings; it
2 will not support an attempt to appear before the court. Neither the public access line nor the Zoom link
3 will be available for closed proceedings.

4 A member of the public seeking to observe a hearing in person may be asked to explain why he or
5 she could not access the courtroom remotely. Any in-person observation is subject to the above rules and
6 advisements addressed to counsel and parties making personal appearances; in-person access to a hearing,
7 however, may be limited by pandemic-related circumstances and needs such as social distancing
8 requirements and space limitations.

9 **L. Alternative Dispute Resolution**

10 In all contested trust, estate, guardianship and probate conservatorship proceedings, the parties are
11 encouraged to explore alternative dispute resolution to reduce the need for court proceedings during the
12 pandemic. All parties in such proceedings should confer regarding alternative dispute resolution. Parties
13 seeking an expedited stipulated referral to the court's pro bono mediation program should call the
14 courtroom clerk at 415-551-3702.

15 **M. LPS Proceedings**

16 The court continues to conduct certification hearings, *Riese* hearings and Probate Code section
17 3200 hearings as needed. The court also continues to conduct its LPS calendars on non-holiday
18 Thursdays starting at 9:00 a.m.

19 With the input of interested parties and due consideration to pandemic-related circumstances, the
20 hearing officer may, at his or her discretion, conduct certification and *Riese* hearings, as well as Probate
21 Code section 3200 hearings, in person or remotely by video or telephone. (See Cal. Rules of Court,
22 Emergency Rule 3(a)(1) & (3).) Temporary conservatorships sought under the LPS Act will be
23 considered on a rolling basis. Upon notice to the court, the court will prioritize consideration of any
24 urgent LPS temporary conservatorship petition.

25 Absent an order of the court otherwise, all noticed hearings will be conducted in Department 622
26 of the Civic Center Courthouse, at 400 McAllister Street, San Francisco, California 94102. The parties
27 are directed to continue to collaborate to resolve calendar issues. Where hearings are necessary, they will
28 be conducted, whenever possible, by video or telephone, subject to appropriate requirements. (See Cal.
Rules of Court, Emergency Rule 3(a)(1) & (3).)

CIPP and AOT status hearings are temporarily suspended.

The court will continue to collaborate with the parties and their counsel to develop appropriate

procedures for adjudicating all LPS proceedings.

N. The Court's ACCESS Center Is Open

Self-represented parties in probate conservatorship-of-person and guardianship-of-person proceedings may obtain self-help services through the court's ACCESS Center. Due to pandemic-related circumstances, including the recent stay at home orders, services are available, but only remotely by telephone or on-line. For more information go to <https://sfsuperiorcourt.org/> and click on the "Self-Help" tab on the top row.

O. Access to Public Proceedings

Any member of the public who wishes to observe an open hearing without making an appearance before the court may access Department 204 through Zoom or CourtCall. For video access, go to zoom.us, click "join a meeting" and input meeting ID 875 8017 7925 and password 722809. For audio-only telephone access through Zoom, call 1-669-900-6833 and key in meeting ID "875 8017 7925#", then participant ID "0#", then password "722809#". (Toll rates may apply.) For audio-only access through CourtCall, call the mute public line for Department 204 at 1-415-796-6280 and enter access code 12129865#. This line will only allow a member of the public to listen to the proceedings; it will not support an attempt to appear before the court.

A member of the public seeking to observe a hearing in person may be asked to explain why he or she could not access the courtroom remotely. Any in-person observation is subject to the above temporary rules and advisements addressed to counsel and parties making personal appearances; in-person access to a hearing, however, may be limited by pandemic-related circumstances and needs such as social distancing requirements and space limitations.

Regular probate calendars are heard on non-holiday Mondays, Tuesdays and Wednesdays at 9:00 a.m.; dedicated guardianship calendars are heard non-holiday Tuesdays at 1:30 p.m.; and, dedicated conservatorship calendars are heard non-holiday Thursdays at 9:00 a.m. Law & motion calendars are heard, as needed, on Wednesdays and Thursdays at 2:00 p.m. and 2:30 p.m. and Fridays at 9:00 a.m. Appearance ex parte applications are heard every non-holiday weekday at 10:00 a.m. and 10:30 a.m. (but see section (L)(2) above for instructions for public access to these proceedings). The LPS proceedings are not open to the public.

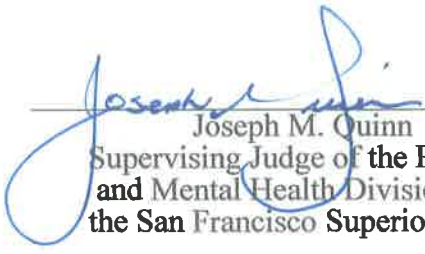
P. All Rules Are Subject to Change Based on Circumstances

The pandemic is an evolving situation and procedures and protocols are subject to change. For the

1 most current information, please refer to the Court's website at <https://sfsuperiorcourt.org/>.

2 **THIS ORDER IS EFFECTIVE IMMEDIATELY AND WILL BE AMENDED AS**
3 **CIRCUMSTANCES REQUIRE.**

4 DATED: Dec. 7, 2020

5 
6 Joseph M. Quinn
7 Supervising Judge of the Probate
8 and Mental Health Division of
9 the San Francisco Superior Court