

FEB 10 2021

CLERK OF THE COURT

BY: *Laura 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

NINTH 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 May 27, 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, updated January 27, 2021; and, the General Orders of the 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.

This Order sets out provisional rules designed to address the COVID-19 pandemic-related

1 conditions and circumstances facing the community and this court. The provisional rules incorporate
2 recommendations in the Judicial Council's Pandemic Continuity of Operations Working Group's
3 Pandemic Continuity of Operations Resource Guide (Version 1.0, June 2020). This Order AMENDS and
4 SUPERSEDES the Eighth Amended General Order of the Probate and Mental Health Division, signed
and filed December 7, 2020.

5 Important changes from the Eighth Amended General Order of the Probate and Mental Health
6 Division include:

- 7 • Noting resumption of counter service in the Clerk's office, Room 103 at the Civic Center
8 Courthouse with limited hours of service (*infra*);
- 9 • Updating references to the San Francisco Superior Court Local Rules (*infra*);
- 10 • Resuming CIPP and AOT hearings (§ M);
- 11 • Highlighting protocols and rules for remote hearings (§ N); and,
- 12 • Establishing a back-up procedure in the event of Zoom or internet outages (§ O).

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

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

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

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

27 For rules on the tolling of statutes of limitation governing filing of causes of action found in the
28 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
of action found in the Probate Code].)

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

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

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

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

18
19 **C. Construction of the Operational Provisions of This Order**

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

24
25 **D. New Papers in Trust and Estate Matters**

26 For trust and estate matters, counsel and self-represented parties who have opted in to e-filing (see
27 LRSF 14.60(B)(1)) must e-file all papers. All such counsel and self-represented parties must deliver
28 hard-copy, endorsed-filed courtesy copies of their filed papers to the court; all petitioning counsel and
self-represented parties must deliver a proposed order, as well. This may be accomplished by depositing

1 the necessary courtesy copies and proposed order in the secure Probate drop box in the lobby of the Civic
2 Center Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. on court days or mailing
3 them to: Probate Department; 400 McAllister, Room 202; San Francisco, CA 94102. While the Probate
4 window in Room 103 is open with limited hours of operation (as of this writing, 8:30 a.m. until 12:30
5 p.m.), use of the window for delivery of courtesy copies is discouraged.

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

17 Counsel or any self-represented party filing the first petition relative to a trust or estate must
18 submit the petition for conventional filing. (See LRSF 14.60(A).) Such parties may conventionally file
19 their papers by depositing them in the secure Probate drop box in the lobby of the Civic Center
20 Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. or by mailing them to: Probate
21 Department; 400 McAllister, Room 103; San Francisco, CA 94102. Such parties must include enough
22 copies to allow the clerk to route to Room 202 an endorsed-filed courtesy copy of all papers; petitioning
23 parties must submit for routing to Room 202 a proposed order, as well. If enough additional copies of the
24 filing and a postage-paid, self-addressed envelope are provided, the clerk will return endorsed-filed copies
25 by mail. Alternatively, such parties may file papers in person at the Probate window in Room 103; but,
26 in-person filing is discouraged because hours of operation are limited (as of this writing, 8:30 a.m. until
27 12:30 p.m.) and substantial delays are expected.

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

To the extent the Division accepts and/or processes any filings or performs preliminary
administrative work on a file, such acceptance and/or processing shall not alter the designation and
application of court holidays and extensions provided by this Order.

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

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

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

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

9 Counsel and parties may appear by video or audio-only telephone through Zoom. For a video
10 appearance, go to zoom.us, click “join a meeting” and input meeting ID 875 8017 7925 and password
11 722809. For an audio-only telephone appearance through Zoom, call 1-669-900-6833 and key in meeting
12 ID “875 8017 7925#”, then participant ID “0#”, then password “722809#”. (Toll rates may apply.) The
13 court prefers that counsel and parties appear by video and that they input their first and last name into the
14 “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
19 require payment of a fee, even for parties with fee waivers.

20 Counsel or any party seeking to appear in person will be asked to explain why a remote
21 appearance is not possible. He or she should anticipate delays at the entrance to the courthouse and inside
22 the courthouse. Masks must be worn at all times while in the courthouse and social distancing protocols
23 and health directives will be strictly enforced, including inside the courtroom. Anyone making an in-
24 person appearance must first familiarize themselves with the court’s current pandemic-related
25 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**
27 **entitled to notice of the procedures for remote appearances via Zoom and CourtCall, as set out**
28 **above.**

 Any member of the public who wishes to observe a trust or estate calendar without making an
appearance before the court may access the courtroom 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 allow a member of the public to listen to the proceedings; it will not support an attempt to appear before the court. Neither the public access line nor the Zoom link will be available for closed proceedings.

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.

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

G. New Papers in Probate Conservatorship and Guardianship Proceedings.

Counsel and self-represented parties in conservatorship and guardianship proceedings must submit all papers for conventional filing. Papers may be conventionally filed 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. Counsel and self-represented parties must include enough copies to allow the clerk to route to Room 202 an endorsed-filed courtesy copy of all papers; petitioning parties must submit 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. Alternatively, such counsel or self-represented parties may file papers in person at the Probate window in Room 103; but, in-person filing is discouraged because hours of operation are limited (as of this writing, 8:30 a.m. until 12:30 p.m.) and substantial delays are expected.

Endorsed-filed courtesy copies and proposed orders must be lodged promptly; 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 setting prior to filing the subject petition.

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

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

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

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

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

20 Counsel or any party seeking to appear in person will be asked to explain why a remote
21 appearance is not possible. He or she should anticipate delays at the entrance to the courthouse and inside
22 the courthouse. Masks must be worn at all times while in the courthouse and social distancing protocols
23 and health directives will be strictly enforced, including inside the courtroom. Anyone making an in-
24 person appearance must first familiarize themselves with the court’s current pandemic-related
25 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**
27 **entitled to notice of the Zoom and CourtCall procedures for remote appearances, as set out above.**

28 A member of the public wishing to observe a probate conservatorship or guardianship calendar
without making an appearance before the court may access the courtroom remotely through Zoom or

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

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

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

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

16 Drop-off ex parte proceedings are reserved for routine and/or non-adversarial requests; for more
17 information, please see the Local Rules. For trust and estate matters, counsel or self-represented parties
18 who have opted in to e-filing (see LRSF 14.60(B)(1)) must e-file their drop-off ex parte petition. All such
19 parties must promptly deliver hard-copy, endorsed-filed courtesy copies and a proposed order to the court.
20 This may be accomplished by depositing the papers in the secure Probate drop box in the lobby of the
21 Civic Center Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. on court days or
22 mailing them to: Probate Department; 400 McAllister, Room 202; San Francisco, CA 94102. While the
23 Probate window in Room 103 is open with limited hours of operation (as of this writing 8:30 a.m. until
24 12:30 p.m.), use of the window for delivery of courtesy copies is discouraged.

25 Self-represented parties in estate and trust matters who have not opted in to e-filing must submit
26 their drop-off ex parte petition for conventional filing. Such self-represented parties may conventionally
27 file their papers by depositing them in the secure Probate drop box in the lobby of the Civic Center
28 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
papers; such parties must 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

1 return endorsed-filed copies by mail. Alternatively, such self-represented parties may file papers in
2 person at the Probate window in Room 103; but, in-person filing is discouraged because hours of
3 operation are limited (as of this writing, 8:30 a.m. until 12:30 p.m.) and substantial delays are expected.

4 In a guardianship or conservatorship case, any drop-off ex-parte petition must be submitted for
5 conventional filing. Such counsel and self-represented parties may conventionally file their papers by
6 depositing them in the secure Probate drop box in the lobby of the Civic Center Courthouse just outside
7 the secured area between 8:30 a.m. and 4:00 p.m. or by mailing them to: Probate Department; 400
8 McAllister, Room 103; San Francisco, CA 94102. Counsel of the self-represented party must include
9 enough copies to allow the clerk to route to Room 202 an endorsed-filed courtesy copy of all papers;
10 petitioning parties must submit a proposed order, as well, for routing to Room 202. If enough additional
11 copies of the filing and a postage-paid, self-addressed envelope are provided, the clerk will return
12 endorsed-filed copies by mail. Alternatively, such counsel or self-represented parties may file papers in
13 person at the Probate window in Room 103; but, in-person filing is discouraged because hours of
14 operation are limited (as of this writing, 8:30 a.m. until 12:30 p.m.) and substantial delays are expected.

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

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

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

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

26 **1. Filing Appearance Ex Parte Petitions, Obtaining Hearing Date and Time and 27 Providing Courtesy Copies**

28 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
must go to the court's electronic register of actions ("ROA"), click on the endorsed-filed ex parte
document(s) to see the hearing date and time. Such parties must then serve their papers, as appropriate,
and promptly lodge with the court hard-copy, endorsed-filed courtesy copies (printed from the ROA) and

1 a proposed order. These lodgings may be accomplished by depositing the papers in the secure Probate
2 drop box in the lobby of the Civic Center Courthouse just outside the secured area between 8:30 a.m. and
3 4:00 p.m. on court days or mailing them to: Probate Department; 400 McAllister, Room 103; San
4 Francisco, CA 94102. While the Probate window in Room 103 is open with limited hours of operation,
5 use of the window for delivery of courtesy copies is discouraged.

6 If the case is a conservatorship, guardianship, an initial trust or estate petition, or if the appearance
7 ex parte petition is filed by a self-represented party who has not opted in to e-filing, counsel or the self-
8 represented party must submit their appearance ex parte petition for conventional filing. Such counsel or
9 self-represented parties may conventionally file their papers by depositing them in the secure Probate drop
10 box in the lobby of the Civic Center Courthouse just outside the secured area between 8:30 a.m. and 4:00
11 p.m. or by mailing them to: Probate Department; 400 McAllister, Room 103; San Francisco, CA 94102.
12 Such counsel or self-represented party must include enough copies to allow the clerk to route to Room
13 202 an endorsed-filed courtesy copy of all papers; petitioning parties must include a proposed order, as
14 well, for routing to Room 202. If enough additional copies of the filing and a postage-paid, self-
15 addressed envelope are provided, the clerk will return endorsed-filed copies by mail. Alternatively, such
16 counsel or self-represented party may file papers in person at the Probate window in Room 103; but, in-
17 person filing is discouraged because hours of operation are limited to 8:30 a.m. until 12:30 p.m. during
18 court days and substantial delays are expected.

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

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

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

2. The Hearing and Notice Requirements; Obtaining Signed Orders

Unless otherwise ordered by the court, counsel and parties must, whenever possible, make ex parte
appearances remotely through Zoom or CourtCall.

Parties may appear by video or audio-only telephone through Zoom. For a video appearance, go
to zoom.us, click "join a meeting" and input meeting ID 340 967 5499 and password 554715. For an

1 audio-only telephone appearance through Zoom, call 1-669-900-6833 and key in meeting ID “340 967
2 5499#”, then participant ID “0#”, then password “554715#”. (Toll rates may apply.)

3 Parties may appear by audio-only telephone through CourtCall by calling CourtCall at 1-888-882-
4 6878 and obtaining an appearance access code for the hearing’s scheduled date and time in room 202.
5 The requirement for advance permission to appear by CourtCall is suspended until further notice. Any
6 party may make a CourtCall appearance by mobile phone. A CourtCall appearance may require payment
7 of a fee, even for parties with fee waivers.

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

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

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

23 A member of the public may access the free CourtCall mute public line for Room 202 by calling
24 1-415-796-6280 and entering access code 12129874#. The mute public access CourtCall line will allow
25 an attending member of the public to listen to the open ex parte proceedings; it will not support an attempt
26 to appear before the court. The mute public access CourtCall line will not be available for closed ex parte
27 proceedings.

28 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

1 Thursdays at 2:00 p.m. and 2:30 p.m., and Fridays at 9:00 a.m. Pandemic-related circumstances,
2 however, require that the court adjust filing and hearing protocols.

3 **1. Meet and Confer**

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

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

7 A party seeking to file a new motion must call the courtroom clerk at 1-415-551-3702 to obtain a
8 hearing date and time. A moving party seeking to take an already-scheduled motion off calendar must
9 call the courtroom clerk at 1-415-551-3702. The courtroom clerk phone number and voicemail boxes are
actively 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 14.60(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. While the Probate window in Room 103 is open with
limited hours of operation (as of this writing, 8:30 a.m. until 12:30 p.m.), use of the window for delivery
of courtesy copies is discouraged.

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. Alternatively, such counsel or self-represented party may file papers in person at the Probate window in Room 103; but, in-person filing is discouraged because hours of operation are limited (as of this writing, 8:30 a.m. until 12:30 p.m.) and substantial delays are expected.

Endorsed-filed courtesy copies and proposed orders must be lodged promptly; 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.

Parties may appear by video or audio-only telephone through Zoom. 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.

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

1 7925#", then participant ID "0#", then password "722809#". (Toll rates may apply.) For audio-only
2 access through CourtCall, call the mute public line for Department 204 at 1-415-796-6280 and enter
3 access code 12129865#. This line will only allow a member of the public to listen to the proceedings; it
4 will not support an attempt to appear before the court. Neither the public access line nor the Zoom link
5 will be available for closed proceedings.

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

11 **L. Alternative Dispute Resolution**

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

17 **M. LPS Proceedings**

18 The court continues to conduct certification hearings, *Riese* hearings and Probate Code section
19 3200 hearings as needed. The court also continues to conduct its LPS calendars on non-holiday
20 Thursdays starting at 9:00 a.m.

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

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

1 CIPP and AOT status hearings are being heard calendars on non-holiday Thursdays starting at
2 9:15 a.m. Such hearings will be conducted remotely by video or telephone whenever feasible, subject to
3 appropriate requirements. .

4 The court will continue to collaborate with the parties and their counsel to develop appropriate
5 procedures for adjudicating all LPS proceedings.

6 **N. Remote Hearings and the Rules of Conduct**

7 Remote hearings are formal court proceedings. During remote hearings, you are in the presence of
8 the court. The standards of conduct that apply to personal appearances apply to remote hearings. Those
9 standards include the prohibition against making an audio, video or electronic recording of the hearing
10 without prior order from the court; doing so is illegal and punishable by fine or any sanction the court
11 deems appropriate.

12 **O. Remote Hearing Participation in Event of Internet or Zoom Outage**

13 In the event that your internet or Zoom connection is down or an electronic connection to the
14 courtroom is not available, parties and counsel must promptly take steps to appear by audio-only
15 telephone through CourtCall by calling CourtCall at 1-888-882-6878, obtaining an appearance access
16 code for the hearing and connecting to the hearing. Once connected, parties and counsel should speak up
17 and make their appearance when you hear the clerk call the matter. A CourtCall appearance may require
18 payment of a fee, even for parties with fee waivers.

19 **P. Public Access to Proceedings**

20 Any member of the public who wishes to observe an open hearing without making an appearance
21 before the court may access Department 204 through Zoom or CourtCall. For video access, go to
22 zoom.us, click "join a meeting" and input meeting ID 875 8017 7925 and password 722809. For audio-
23 only telephone access through Zoom, call 1-669-900-6833 and key in meeting ID "875 8017 7925#", then
24 participant ID "0#", then password "722809#". (Toll rates may apply.) For audio-only access through
25 CourtCall, call the mute public line for Department 204 at 1-415-796-6280 and enter access code
26 12129865#. This line will only allow a member of the public to listen to the proceedings; it will not
27 support an attempt to appear before the court.

28 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-

1 person access to a hearing, however, may be limited by pandemic-related circumstances and needs such
2 as social distancing requirements and space limitations.

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

10 **Q. The Court's ACCESS Center Is Open**

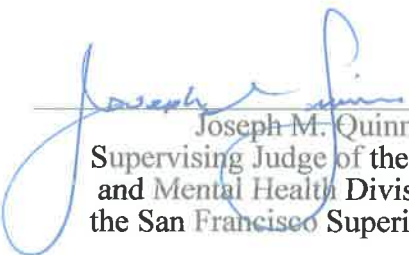
11 Self-represented parties in probate conservatorship-of-person and guardianship-of-person
12 proceedings may obtain self-help services through the court's ACCESS Center. Due to pandemic-related
13 circumstances, services and hours are limited. For more information go to <https://sfsuperiorcourt.org/> and
14 click on the "Self-Help" tab on the top row.

15 **R. All Rules Are Subject to Change Based on Circumstances**

16 The pandemic is an evolving situation and procedures and protocols are subject to change. For the
17 most current information, please refer to the Court's website at <https://sfsuperiorcourt.org/>.

18 **THIS ORDER IS EFFECTIVE IMMEDIATELY AND WILL BE AMENDED AS**
19 **CIRCUMSTANCES REQUIRE.**

20 DATED: Feb. 10, 2021

21 
22 Joseph M. Quinn
23 Supervising Judge of the Probate
24 and Mental Health Division of
25 the San Francisco Superior Court
26
27
28