

JUN 17 2020

CLERK OF THE COURT

BY: *Linda 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

FIFTH 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 Fifth 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; 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 modifications on June 10, 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; 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. This Order addresses the COVID-19 pandemic-related conditions and circumstances facing the community and this court, and incorporates recommendations in the Judicial Council's Pandemic Continuity of Operations Working Group's Pandemic Continuity of Operations

1 Resource Guide (Version 1.0, June 2020).

2 This Order AMENDS and SUPERSEDES the General Order of the Probate and Mental Health  
3 Division, signed March 26, 2020; the Amended General Order of the Probate and Mental Health Division,  
4 signed April 2, 2020; the Second Amended General Order, signed April 16, 2020; the Third Amended  
5 General Order, signed May 5, 2020; and the Fourth Amended General Order, signed May 28, 2020.

6 Important changes from the Fourth Amended General Order of the Probate and Mental Health  
7 Division, filed May 28, 2020, include:

- 8 • The opening of the Probate window in Room 103 with limited hours of operation and  
9 caveats regarding in-person filing at the window;
- 10 • A more accessible secure Probate drop box for filings, courtesy copies and proposed  
11 orders;
- 12 • Updates to mailing addresses for filings;
- 13 • A return to the telephonic procedure for reserving law-and-motion hearings, termination of  
14 the e-mail reservation system and an appeal to meet-and-confer on all law-and-motion  
15 matters;
- 16 • An appeal regarding alternative dispute resolution and a process for expedited referrals to  
17 the court's pro bono mediation programs;
- 18 • Modifications to LPS proceedings; and,
- 19 • Additional information regarding public proceedings;

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

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

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

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

- b. Responses to petition to revoke probate of will (Probate Code §8271);
- c. Responses to summons (Probate Code §§ 8250, 8271).

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

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

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

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

The Probate and Mental Health Division has been operating during the pandemic and shelter-in-place, but circumstances have required that operations be limited and that procedures be modified. Beginning June 1, 2020, the Division increased operations. The Division will continue to increase operations gradually, as circumstances permit. Pandemic-related circumstances, however, require that the court continue to temporarily modify procedures, including filing and courtesy-copy requirements, as well as notice, scheduling and hearing protocols. This Order sets forth those modifications. Existing rules, including existing Rules of 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.

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

1 For trust and estate matters, counsel and self-represented parties who have opted in to e-filing (see  
2 LRSF 14.93(B)(1)) must e-file all papers. All such counsel and self-represented parties must deliver  
3 hard-copy, endorsed-filed courtesy copies of their filed papers and, as required, proposed orders to the  
4 court. This may be accomplished by depositing the papers in the secure Probate drop box in the lobby of  
5 the Civic Center Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. on court days  
6 or mailing them to: Probate Department; 400 McAllister, Room 202; San Francisco, CA 94102. While  
7 the Probate window in Room 103 is open with limited hours of operation, use of the window for delivery  
8 of courtesy copies is discouraged.

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

20 Counsel or any self-represented party initiating a new trust or estate case must submit the petition  
21 for conventional filing. Papers may be conventionally filed in person at the Probate window in Room  
22 103; but, in-person filing is discouraged because hours of operation are limited to 8:30 a.m. until 12:30  
23 p.m. during court days and long lines and substantial delays are expected. Alternatively, such parties may  
24 file their papers by depositing them in the secure Probate drop box in the lobby of the Civic Center  
25 Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. on court days or by mailing  
26 them to: Probate Department; 400 McAllister, Room 103; San Francisco, CA 94102. Counsel or the self-  
27 represented party must include enough copies to allow the clerk to route an endorsed-filed courtesy copy  
28 of all papers and a proposed order to Room 202. If enough additional copies and a postage-paid, self-  
addressed envelope are provided, the clerk will return endorsed-filed copies by mail.

Endorsed-filed courtesy copies and proposed orders must be received by the examiners no less  
than seven (7) court days before the hearing.

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 trust, estate, guardianship, and probate conservatorship hearings calendared for a date between  
6 March 18, 2020 and June 19, 2020, inclusive, were continued for exactly twelve weeks, unless the new  
7 date fell on a holiday, in which case the hearing was continued to the subsequent appropriate calendar  
8 (e.g., if the presumptive new date fell on Monday, September 7, 2020, the hearing was continued to the  
9 next Monday, September 14, 2020). The new dates for hearings are available on the court's electronic  
10 register of actions, which can be found at [sfsuperiorcourt.org/online-services](https://sfsuperiorcourt.org/online-services). Until further notice, all  
11 counsel and self-represented parties must monitor the electronic register of actions to stay current on  
12 hearing dates. Temporary letters will be extended to the new hearing date upon presentation of a  
13 proposed order.

14 New filings will be given hearing dates consistent with calendar availability.

15 **F. Hearings on Trust and Estate Petitions**

16 Probate examiners are reviewing files. Examiners will contact counsel or a self-represented party  
17 as early as possible if courtesy copies or proposed orders are missing or if there are issues to be addressed.

18 The court has resumed trust and estate calendars for petitions where the hearing has been  
19 advanced by court order. Regular trust and estate calendars will resume on June 22, 2020. Until further  
20 notice, the court strongly encourages remote appearances by telephone or, when available, video. Parties  
21 may arrange for a telephonic appearance by calling CourtCall at 1-888-882-6878 and obtaining an  
22 appearance access code for the hearing's scheduled date and time. The requirement for advance  
23 permission to appear by CourtCall is suspended until further notice. Any party may make a CourtCall  
24 appearance by mobile phone. A CourtCall appearance may require payment of a fee or a reduced fee,  
25 even for parties with fee waivers. If counsel or any party appears in person, he or she should anticipate  
26 delays at the entrance to the courthouse and inside the courthouse. Masks must be worn at all times while  
27 in the courthouse and social distancing protocols will be strictly enforced, including inside the courtroom.  
28 Before any 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/>.

The petitioning party must inform all counsel, self-represented parties and all parties entitled to

1 notice of the re-set hearing date (if applicable), the CourtCall procedure and CourtCall's phone number  
2 (1-888-882-6878).

3 Any member of the public who wishes to attend a trust or estate calendar without making an  
4 appearance before the court may access the free CourtCall mute public line for Room 204 by calling 1-  
5 415-796-6280 and entering access code 12129865#. The mute public access CourtCall line will only  
6 allow an attending member of the public to listen to the proceedings; it will not support an attempt to  
7 appear before the court. The public access line will not be available for closed proceedings. A member  
8 of the public, alternatively, may attend an open hearing in person, subject to the above temporary rules  
9 and advisements addressed to counsel and parties making personal appearances; in-person access to a  
10 hearing, however, may be limited by pandemic-related circumstances and needs such as social distancing  
11 requirements and space limitations.

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

### 17 **G. Conservatorship and Guardianship Proceedings.**

18 Counsel and self-represented parties in conservatorship and guardianship proceedings must submit  
19 any papers for conventional filing. Papers may be conventionally filed in person at the Probate window  
20 in Room 103; but, in-person filing is discouraged because hours of operation are limited to 8:30 a.m. until  
21 12:30 p.m. during court days and long lines and substantial delays are expected. Alternatively, such  
22 parties may file their papers by depositing them in the secure Probate drop box in the lobby of the Civic  
23 Center Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. on court days or by  
24 mailing them to: Probate Department; 400 McAllister, Room 103; San Francisco, CA 94102. Counsel or  
25 the self-represented party must include enough copies to allow the clerk to route an endorsed-filed  
26 courtesy copy of all papers and, where required, a proposed order to Room 202. If enough additional  
27 copies of the papers and a postage-paid, self-addressed envelope are provided, the clerk will return  
28 endorsed-filed copies by mail.

Endorsed-filed courtesy copies and proposed orders must be received by the examiners no less  
than seven (7) court days before the hearing.

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](mailto: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 The court will resume regular conservatorship and guardianship calendars on June 22, 2020. Until  
7 further notice, the court strongly encourages remote appearances by telephone or, when available, video,  
8 whenever possible. Parties are encouraged to contact the assigned investigator or, if none, the Acting  
9 Assistant Probate Director at 1-415-551-3684 to determine whether any personal appearance is required.  
10 Parties may arrange for a telephonic appearance by calling CourtCall at 1-888-882-6878 and obtaining an  
11 appearance access code for the hearing's scheduled date and time. The requirement for advance  
12 permission to appear by CourtCall is suspended until further notice. Any party may make a CourtCall  
13 appearance by mobile phone. A CourtCall appearance may require payment of a fee or a reduced fee,  
14 even for parties with fee waivers. If counsel or any party appears in person, he or she should anticipate  
15 delays at the entrance to the courthouse and inside the courthouse. Masks must be worn at all times while  
16 in the courthouse and social distancing protocols will be strictly enforced, including inside the courtroom.  
17 Before making an in-person appearance, all counsel and parties must familiarize themselves with the  
18 court's current pandemic-related requirements and protocols by reviewing the court website at  
19 <https://sfsuperiorcourt.org/>.

20 The petitioning party must inform all counsel, self-represented parties and all parties entitled to  
21 notice of the re-set hearing date (if applicable), the CourtCall procedure and CourtCall's phone number  
22 (1-888-882-6878).

23 Any member of the public who wishes to attend a conservatorship or guardianship calendar  
24 without making an appearance before the court may access the free CourtCall mute public line for Room  
25 204 by calling 1-415-796-6280 and entering access code 12129865#. The mute public access CourtCall  
26 line will only allow an attending member of the public to listen to the proceedings; it will not support an  
27 attempt to appear before the court. The public access line will not be available for closed proceedings. A  
28 member of the public, alternatively, may attend an open hearing in person, 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.

Information about attending the September conservatorship class is available on the court website  
at <https://sfsuperiorcourt.org/>.

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## H. Alternative Dispute Resolution

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

## I. LPS Proceedings

The Division will continue to give priority to proceedings under the Lanterman-Petris-Short (LPS) Act (Welfare and Institutions Code Sections 5000 *et seq.*). With the input of interested parties and due consideration to pandemic-related circumstances, the hearing officer may, at his or her discretion, conduct certification and *Riese* hearings, as well as Probate Code section 3200 hearings, in person, by video or by telephone. (See Cal. Rules of Court, Emergency Rule 3(a)(1) & (3).) Temporary conservatorships sought under the LPS Act will be considered on a rolling basis. Upon notice to the court, the court will prioritize consideration of any urgent LPS temporary conservatorship petition.

Absent an order of the court otherwise, all noticed hearings will be conducted in Department 622 of the Civic Center Courthouse, at 400 McAllister Street, San Francisco, California 94102. The parties are directed to continue their practice of cooperating in continuing matters that are not urgent, to the extent possible. 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).)

CIPP and AOT status hearings will resume on June 25, 2020. The court urges the parties to calendar at least one status hearing in each pending CIPP and AOT matter by August 27, 2020. On August 27<sup>th</sup> the court will confer with counsel about the CIPP and AOT matters that have not yet been heard or added to calendar.

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

## J. Drop-Off Ex Parte Petitions in All Matters Before the Probate Department

The court will continue to consider drop-off ex parte petitions, but parties must be mindful that due to pandemic-related circumstances, court resources are limited and, as a result, filing and courtesy-copy requirements must be adjusted, and decisions may be delayed.

For trust and estate matters, counsel or self-represented parties who have opted in to e-filing (see



1 LRSF 14.93(B)(1)) must e-file any drop-off ex parte petition. All such parties must promptly deliver  
2 hard-copy, endorsed-filed courtesy copies and a proposed order to the court. This may be accomplished  
3 by depositing the papers in the secure Probate drop box in the lobby of the Civic Center Courthouse just  
4 outside the secured area between 8:30 a.m. and 4:00 p.m. on court days or mailing them to: Probate  
5 Department; 400 McAllister, Room 202; San Francisco, CA 94102. While the Probate window in Room  
6 103 is open with limited hours of operation, use of the window for delivery of courtesy copies is  
discouraged.

7 Self-represented parties in an estate or trust matter who have not opted in to e-filing must submit  
8 any drop-off ex parte petition for conventional filing. Papers may be conventionally filed in person at the  
9 Probate window in Room 103; but, in-person filing is discouraged because hours of operation are limited  
10 to 8:30 a.m. until 12:30 p.m. during court days and long lines and substantial delays are expected.  
11 Alternatively, such self-represented parties may file their papers by depositing them in the secure Probate  
12 drop box in the lobby of the Civic Center Courthouse just outside the secured area between 8:30 a.m. and  
13 4:00 p.m. on court days or by mailing them to: Probate Department; 400 McAllister, Room 103; San  
14 Francisco, CA 94102. Such self-represented petitioner must include enough copies to allow the clerk to  
15 route an endorsed-filed courtesy copy of all papers and the 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.

16 In a guardianship or conservatorship case, any drop-off ex-parte petition must be submitted for  
17 conventional filing. Papers may be conventionally filed in person at the Probate window in Room 103;  
18 but, in-person filing is discouraged because hours of operation are limited to 8:30 a.m. until 12:30 p.m.  
19 during court days and long lines and substantial delays are expected. Alternatively, counsel and self-  
20 represented parties may file their papers by depositing them in the secure Probate drop box in the lobby of  
21 the Civic Center Courthouse just outside the secured area between 8:30 a.m. and 4:00 p.m. on court days  
22 or by mailing them to: Probate Department; 400 McAllister, Room 103; San Francisco, CA 94102. In  
23 addition to the original petition, counsel or the self-represented petitioner must submit enough copies to  
24 allow the clerk to route an endorsed-filed copy of all papers and a proposed order to Room 202. If  
25 enough additional copies of the filing and a postage-paid, self-addressed envelope are provided, the clerk  
will return endorsed-filed copies by mail.

26 Any party filing papers in support or opposition of an ex parte petition must follow the procedure  
27 set out above for filing of the initial ex parte petition, including the requirement to include enough copies  
28 to allow the clerk to deliver an endorsed-filed copy of all papers to Room 202.

Drop-off ex parte petitions will be acted on, as time permits. If a self-addressed envelope with

1 appropriate postage is provided, a copy of the signed order will be returned by mail.

2 **K. Appearance Ex Parte Petitions in All Matters Before the Probate Department**

3 Appearance ex parte calendars are conducted Mondays through Fridays at 10:00 a.m. and 10:30  
4 a.m. Pandemic-related circumstances, however, require that the court adjust filing and hearing  
5 requirements.

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

8 Counsel and self-represented parties who have opted in to e-filing must e-file their appearance ex  
9 parte petition. Counsel or such self-represented party will receive the hearing date and time when the  
10 petition is e-filed. Counsel and such self-represented party must promptly deliver hard-copy, endorsed-  
11 filed courtesy copies and a proposed order to the court. This may be accomplished by depositing the  
12 papers in the secure Probate drop box in the lobby of the Civic Center Courthouse just outside the secured  
13 area between 8:30 a.m. and 4:00 p.m. on court days or mailing them to: Probate Department; 400  
14 McAllister, Room 103; San Francisco, CA 94102. While the Probate window in Room 103 is open with  
15 limited hours of operation, use of the window for delivery of courtesy copies is discouraged.

16 If the case is a conservatorship, guardianship, an initial trust or estate petition, or if the appearance  
17 ex parte petition is filed by a self-represented party who has not opted in to e-filing, counsel or the self-  
18 represented party must submit their appearance ex parte petition for conventional filing. Papers may be  
19 conventionally filed in person at the Probate window in Room 103; but, in-person filing is discouraged  
20 because hours of operation are limited to 8:30 a.m. until 12:30 p.m. during court days and long lines and  
21 substantial delays are expected. Alternatively, parties may file their papers by depositing them in the  
22 secure Probate drop box in the lobby of the Civic Center Courthouse just outside the secured area between  
23 8:30 a.m. and 4:00 p.m. on court days or by mailing them to: Probate Department; 400 McAllister, Room  
24 103; San Francisco, CA 94102. In addition to the original of the papers, counsel or the self-represented  
25 party must submit an extra copy of the papers and, where applicable, a proposed order so that the clerk  
26 can route a courtesy copy and the proposed order to Room 202. If enough additional copies of the filing  
27 and a postage-paid, self-addressed envelope are provided, the clerk will return endorsed-filed copies by  
28 mail. The hearing date and time will be stamped on the endorsed-filed petition and entered into the case's  
calendar assignments in the electronic register of actions. Parties may check for both filed petitions and  
calendar assignments on the court's website at <https://sfsuperiorcourt.org/>. The clerk will return  
endorsed-filed copies by mail to any counsel or self-represented party who submits enough copies and a  
postage-paid, self-addressed envelope with their filing.

1 Any party filing supporting or opposing papers must comply with the applicable filing  
2 requirements for initial petitions, including the courtesy-copy requirements.

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

## 8 **2. Notice Requirements and the Hearing**

9 With the exception of temporary conservatorship and temporary guardianship hearings discussed  
10 below, all ex parte hearings will be conducted by telephone via the CourtCall system in Room 202. The  
11 requirement to obtain prior court approval to appear via CourtCall is waived until further notice. Parties  
12 wishing to appear via CourtCall must contact CourtCall directly at 1-888-882-6878 to request an  
13 appearance access code number for the hearing's scheduled date and time in Room 202. CourtCall  
14 appearances may be made using a mobile telephone. A CourtCall appearance may require payment of a  
15 fee or a reduced fee, even for parties with fee waivers.

16 Counsel or the self-represented party seeking ex parte relief must give notice to all parties entitled  
17 to notice, in compliance with California Rules of Court, rules 3.1203 and 3.1204. This notice must  
18 include explanation of the telephonic appearance procedure and CourtCall's phone number (1-888-882-  
19 6878).

20 For an ex parte petition for a temporary conservatorship or temporary guardianship, both the  
21 petitioner and either the proposed conservatee or the minor(s), respectively, must appear in person in  
22 Room 202 unless the court finds good cause to waive their appearance. Parties appearing in person may  
23 participate in the hearing via a video conferencing array set up in Room 202 or the hearing may be moved  
24 to a space that allows in-person participation with appropriate social distancing. Counsel or any party  
25 appearing in person should anticipate delays at the entrance to the courthouse and inside the courthouse.  
26 Masks must be worn at all times while in the courthouse and social distancing protocols will be strictly  
27 enforced, including inside the courtroom. Before making an in-person appearance, all counsel and parties  
28 must familiarize themselves with the court's current pandemic-related requirements and protocols by  
reviewing the court website at <https://sfsuperiorcourt.org/>.

All other parties are encouraged to appear via CourtCall, due to the spatial limitations of Room  
202.

Counsel or the self-represented party seeking a temporary conservatorship or temporary  
guardianship must give notice to all parties entitled to notice, in compliance with California Rules of

1 Court, rules 3.1203 and 3.1204. This notice must include explanation of the telephonic appearance  
2 procedure (see above) and CourtCall's phone number (1-888-882-6878).

3 A member of the public may access the free CourtCall mute public line for Room 202 by calling  
4 1-415-796-6280 and entering access code 12129874#. The mute public access CourtCall line will allow  
5 an attending member of the public to listen to the open ex parte proceedings; it will not support an attempt  
6 to appear before the court. The mute public access CourtCall line will not be available for closed ex parte  
7 proceedings.

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

### 11 **L. Law & Motion in All Matters Before the Probate Department**

12 The Probate Department has resumed scheduling Law & Motion matters for hearing on  
13 Wednesdays and Thursdays at 2:00 p.m. and 2:30 p.m., and Fridays at 9:00 a.m. Pandemic-related  
14 circumstances, however, require that the court adjust filing and hearing requirements, as well as related  
15 procedures.

#### 16 **1. Meet and Confer**

17 Counsel and self-represented parties are encouraged to meet and confer to resolve matters and  
18 disputes before filing motions or when motions are pending.

#### 19 **2. Obtaining a Hearing Date and Time**

20 A party seeking to set a new motion on the Probate Law & Motion calendar must call the  
21 courtroom clerk at 1-415-551-3702 to obtain a hearing date and time. A moving party seeking to take an  
22 already-scheduled motion off calendar must call the courtroom clerk at 1-415-551-3702. The courtroom  
23 clerk phone number and voicemail boxes are actively monitored. The temporary email address used for  
24 these purposes between May 28<sup>th</sup> and June 15<sup>th</sup> will not be monitored after June 24<sup>th</sup>.

25 Once the moving party has obtained a hearing date and time from the courtroom clerk, the moving  
26 party must include the hearing date and time and the name of approving courtroom clerk in the caption of  
27 the motion.

#### 28 **3. Filing Papers and Providing Courtesy Copies**

All motions filed in a trust or estate matter by counsel or a self-represented party who has opted in  
to e-filing (see LRSF 14.93(B)(1)) must be e-filed. All papers related to such motions, including  
oppositions and replies, must be e-filed, except for papers filed by a self-represented party not subject to

1 e-filing requirements, which must be filed as set forth below. Counsel and self-represented parties subject  
2 to e-filing requirements must promptly deliver hard-copy, endorsed-filed courtesy copies of any papers  
3 and a proposed order to the court. This may be accomplished by depositing the papers in the secure  
4 Probate drop box in the lobby of the Civic Center Courthouse just outside the secured area between 8:30  
5 a.m. and 4:00 p.m. on court days or mailing them to: Probate Department; 400 McAllister, Room 202;  
6 San Francisco, CA 94102. While the Probate window in Room 103 is open with limited hours of  
7 operation, use of the window for delivery of courtesy copies is discouraged.

8 Trust and estate self-represented parties not subject to e-filing requirements must submit any  
9 motion or motion-related papers, including an opposition or reply, for conventional filing. Papers may  
10 be conventionally filed in person at the Probate window in Room 103; but, in-person filing is discouraged  
11 because hours of operation are limited to 8:30 a.m. until 12:30 p.m. during court days and long lines and  
12 substantial delays are expected. Alternatively, such self-represented parties may file their papers by  
13 depositing them in the secure Probate drop box in the lobby of the Civic Center Courthouse just outside  
14 the secured area between 8:30 a.m. and 4:00 p.m. on court days or by mailing them to: Probate  
15 Department; 400 McAllister, Room 103; San Francisco, CA 94102. With the filing, such counsel and  
16 parties must include two (2) extra copies of the papers and a proposed order, where applicable, so that the  
17 clerk can route an endorsed-filed courtesy copy of the papers and, where applicable, the proposed order to  
18 Room 202. If enough additional copies of the filing and a postage-paid, self-addressed envelope are  
19 provided, the clerk will return endorsed-filed copies by mail.

20 Any motion or motion-related papers, including oppositions or replies, in a conservatorship or  
21 guardianship case must be submitted for conventional filing. Papers may be conventionally filed in  
22 person at the Probate window in Room 103; but, in-person filing is discouraged because hours of  
23 operation are limited to 8:30 a.m. until 12:30 p.m. during court days and long lines and substantial delays  
24 are expected. Alternatively, parties may file their papers by depositing them in the secure Probate drop  
25 box in the lobby of the Civic Center Courthouse just outside the secured area between 8:30 a.m. and 4:00  
26 p.m. on court days or by mailing them to: Probate Department; 400 McAllister, Room 103; San  
27 Francisco, CA 94102. With the filing, counsel or the self-represented party must include an extra copy of  
28 the papers and, where applicable, a proposed order so that the clerk can route an endorsed-filed courtesy  
copy of the papers and the proposed order to Room 202. If enough additional copies and a postage-paid,  
self-addressed envelope are included, the clerk will return endorsed-filed copies by mail.

Endorsed-filed courtesy copies of papers and proposed orders must be received by Room 202 no  
less than seven (7) court days before the hearing.

#### 4. The Hearing

1 Parties are encouraged to appear remotely, meaning by telephone or, when available, video.  
2 Telephonic appearances must be made through CourtCall. Parties wishing to appear via CourtCall must  
3 contact CourtCall directly at 1-888-882-6878 to request an appearance access code number for the  
4 hearing's scheduled date and time. The requirement to obtain prior court approval to appear via  
5 CourtCall is waived until further notice. CourtCall appearances may be made using a mobile telephone.  
6 A CourtCall appearance may require payment of a fee or a reduced fee, even for parties with fee waivers.

7 If counsel or any party appears in person, he or she should anticipate delays at the entrance to the  
8 courthouse and inside the courthouse. Masks must be worn at all times while in the courthouse and social  
9 distancing protocols will be strictly enforced, including inside the courtroom. Before making an in-  
10 person appearance, all counsel and parties must familiarize themselves with the court's current pandemic-  
11 related requirements and protocols by reviewing the court website at <https://sfsuperiorcourt.org/>.

12 The moving party must inform all counsel, self-represented parties and all parties entitled to notice  
13 of the CourtCall procedure and CourtCall's phone number (1-888-882-6878).

14 Any member of the public who wishes to attend a Probate Law & Motion hearing without making  
15 an appearance before the court may access the free CourtCall mute public line for Room 204 by calling 1-  
16 415-796-6280 and entering access code 12129865#. The mute public access CourtCall line will only  
17 allow an attending member of the public to listen to the proceedings; it will not support an attempt to  
18 appear before the court. A member of the public, alternatively, may attend an open hearing in person,  
19 subject to the above temporary rules and advisements addressed to counsel and parties making personal  
20 appearances; in-person access to a hearing, however, may be limited by pandemic-related circumstances  
21 and needs such as social distancing requirements and space limitations.

### 22 **M. Access to Public Proceedings**

23 To promote access to public court proceedings, the Probate Department has set up a free, muted,  
24 CourtCall line for all public proceedings in Room 204. Interested members of the public may access this  
25 free CourtCall mute public line by calling 1-415-796-6280 and entering access code 12129865#. A  
26 member of the public, alternatively, may attend an open hearing in person, subject to the above temporary  
27 rules and advisements addressed to counsel and parties making personal appearances; in-person access to  
28 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.; guardianship appointment calendars are heard non-holiday Tuesdays at 1:00 p.m.; and,  
conservatorship appointment calendars are heard non-holiday Thursdays at 9:00 a.m. The LPS

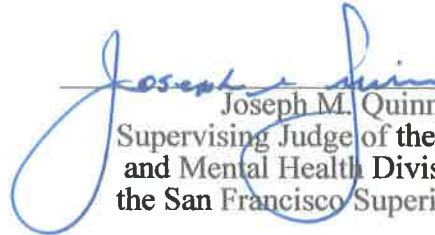
1 proceedings are not open to the public.

2 **N. All Rules Are Subject to Change Based on Circumstances**

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

5  
6 **THIS ORDER IS EFFECTIVE IMMEDIATELY AND WILL BE AMENDED AS**  
7 **CIRCUMSTANCES REQUIRE.**

8 DATED: June 17, 2020

9   
10 Joseph M. Quinn  
11 Supervising Judge of the Probate  
12 and Mental Health Division of  
13 the San Francisco Superior Court

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