

APR 25 2022

FOR THE COUNTY OF SAN FRANCISCO

SUPERIOR COURT OF THE STATE OF CALIFORNIA

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

ELEVENTH AMENDED GENERAL ORDER OF THE PROBATE AND MENTAL HEALTH DIVISION

The Probate and Mental Health Division issues this Eleventh Amended General Order in order to inform counsel, parties and the public of current protocols for remote hearings and notice requirements for all hearings, and remote public access for court proceedings. Existing rules, including the Rules of Court and Local Rules, remain in force. This Order augments those rules. This Order AMENDS and SUPERSEDES the Tenth Amended General Order of the Probate and Mental Health Division, signed and filed July 28, 2021.

The general order is now focused on remote appearances, additional notice requirements for all probate proceedings and options for remote public access. Please note the following:

- Remote appearance is optional for all proceedings in Departments 204 and 622 and Room 202 not noticed as evidentiary hearings or trials unless the court orders otherwise;
- All evidentiary hearings and trials noticed for Department 204 or 622 will be held remotely unless the court orders otherwise;
- Parties and counsel may object to a remote appearance or remote proceeding by following the procedure set forth in this general order;
- Effective August 22, 2022, the Zoom meetingID and password will change for all proceedings in Departments 204 and 602, as well as Room 202;

- All parties and counsel giving notice of a motion or a hearing in Departments 204 and 622 and Room 202 shall give notice of remote-appearance options for the date on which their proceeding is being noticed; parties and counsel shall take care to ensure they have included the Zoom meetingID and password information that corresponds to the date for which the hearing is noticed; and
- The public may continue to remotely access all open proceedings by Zoom or CourtCall by following the instructions set out below.

Remote Participation in Probate and Mental Health Court Proceedings, Notice Requirements and Remote Access by the Public

Remote Appearance at Department 204 Proceedings Not Noticed as Evidentiary Hearing or **Trial.** A party or counsel may appear in-person or remotely by video or telephone at any proceeding set in Department 204 not noticed as an evidentiary hearing or trial unless the Court orders an in-person appearance for the particular proceeding. It is not necessary for a party or counsel to file a NOTICE OF REMOTE APPEARANCE (RA-010) before making a remote appearance.

Remote Appearance at Evidentiary Hearing or Trial Noticed for Department 204. Evidentiary hearings and trials held in Department 204 will be conducted through the use of remote technology unless the Court orders an in-person appearance or proceeding. It is not necessary for a party, counsel or witness to file a NOTICE OF REMOTE APPEARANCE (RA-010) before making a remote

appearance at a proceeding noticed as an evidentiary hearing or trial.

Objections to Remote Appearance(s) at Evidentiary Hearing or Trial Held in Department **204.** A party or counsel objecting to the requirement that they appear remotely at an evidentiary hearing or trial or opposing a remote appearance by another party, counsel or witness must file and serve an OPPOSITION TO REMOTE PROCEEDINGS AT EVIDENTIARY HEARING OR TRIAL (form RA-015) at least seven court days before the evidentiary hearing or trial at issue. The party opposing the remote proceeding must deliver a courtesy copy of that form as well as a proposed ORDER REGARDING REMOTE APPEARANCE (form RA-020) to the clerk at least five court days before the proceeding at issue.

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D. Procedure for Making Remote Appearance in Department 204.

- 1) Video and/or Audio Appearance by Zoom.
 - i. For Proceedings Held <u>Before August 22, 2022</u>. Parties and counsel and witnesses 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.) Counsel, parties and witnesses appearing by video must input their first and last name into the "Your Name" dialogue box.
 - ii. For Proceedings Held on or After August 22, 2022. Parties, counsel and witnesses 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 160 225 4765 and password 514879. For an audio-only telephone appearance through Zoom, call 1-669-900-6833 and key in meeting ID "160 225 4765#", then participant ID "0#", then password "514879#". (Toll rates may apply.) Counsel, parties and witnesses appearing by video must input their first and last name into the "Your Name" dialogue box.
- 2) Audio Remote Appearance by CourtCall. Parties, counsel, and witnesses 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. A CourtCall appearance may be made by mobile phone. A CourtCall appearance may require payment of a fee, even for parties with fee waivers.
- E. Remote Hearing Participation in Department 204 Proceeding in Event of Internet or Zoom Outage. In the event that your internet or Zoom connection is down or an electronic connection to the courtroom is not available, parties and counsel appearing remotely for a Department 204 Proceeding must promptly take steps to appear personally or by audio-only telephone through CourtCall by calling CourtCall at 1-888-882-6878, obtaining an appearance access code for the hearing and connecting to the hearing. Once connected, parties and counsel should speak up and make their appearance when you hear the clerk call the matter. A CourtCall appearance may require payment of a fee, even for parties with fee waivers.
- F. Petitioner or Moving Party to Give Notice of Directions for Remote Hearings. The petitioning or moving party must include with their notice of hearing or notice of motion the procedures

for making a remote appearance by Zoom and CourtCall as set out in the above paragraphs, taking particular notice of the date for which the proceeding is noticed and providing the corresponding Zoom log-in information related to that date.

G. Procedure for Remote Public Access.

- 1) Members of the Public May Observe a Calendar Through Zoom.
 - i. **For Proceedings Held Before August 22, 2022.** 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.
 - ii. **For Proceedings Held on or After August 22, 2022.** For video access, go to zoom.us, click "join a meeting" and input meeting ID 160 225 4765 and password 514879. For audio-only telephone access through Zoom, call 1-669-900-6833 and key in meeting ID "160 225 4765#", then participant ID "0#", then password "514879#". Toll rates may apply.
- 2) Members of the Public May Observe a Calendar Through CourtCall. 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.
- H. **Remote Appearance at Probate Ex Parte Proceedings.** A party, counsel or witness may appear in-person or remotely at any ex parte proceeding held pursuant to Local Rules 14.11, 14.17 or 14.45, unless the Court orders otherwise.

I. Procedure for Remote Appearances at Ex Parte Proceeding

- 1) Parties, Counsel and Witnesses May Appear at an Ex Parte Proceeding Through Zoom.
 - i. **Ex Parte Proceeding Held Before August 22, 2022.** To appear by video, go 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.

- ii. **Ex Parte Proceeding Held on or After August 15, 2022.** To appear by video, go to zoom.us, click "join a meeting" and input meeting ID 160 9249 7549 and password 002786. For an audio-only telephone appearance through Zoom, call 1-669-900-6833 and key in meeting ID "160 9249 7549#", then participant ID "0#", then password "002786#". (Toll rates may apply.)
- Parties, Counsel and Witnesses May Appear at an Ex Parte Proceeding by CourtCall. To appear by audio-only telephone through CourtCall, call CourtCall at 1-888-882-6878 and obtain an appearance access code for the proceeding's scheduled date and time in room 202. 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.
- J. Remote Appearance at, and Access to, LPS Proceedings Other Than Evidentiary Hearings and Trials. Parties and counsel may appear remotely for LPS proceedings unless the Court orders otherwise. It is not necessary for a party or counsel to file a NOTICE OF REMOTE APPEARANCE (RA-010) before making a remote appearance.
- K. Remote Appearance at Evidentiary Hearings and Trials in LPS Proceedings. Dispositive evidentiary hearings on LPS petitions to establish or renew a conservatorship, as well as hearings on petitions for habeas corpus and petitions for special powers, involving the presentation of sworn testimony will be held remotely, unless the Court orders otherwise. It is not necessary for a party, counsel or witness to file a NOTICE OF REMOTE APPEARANCE (RA-010) before making a remote appearance.
- L. Objections to Remote Appearance(s) at Evidentiary Hearing or Trial in LPS Proceedings. A party or counsel objecting to the requirement that they appear remotely at an LPS evidentiary hearing or trial or opposing a remote appearance by another party, counsel or witness must file and serve an OPPOSITION TO REMOTE PROCEEDINGS AT EVIDENTIARY HEARING OR TRIAL (form RA-015) at least three court days before the evidentiary hearing or trial at issue. The party opposing the remote proceeding must deliver a courtesy copy of that form as well as a proposed ORDER REGARDING REMOTE APPEARANCE (form RA-020) to the clerk at least three court days before the proceeding at issue.

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Remote Hearings and the Rules of Conduct. Remote hearings are formal court proceedings. M. During remote hearings, you are in the presence of the court. The standards of conduct that apply to personal appearances apply to remote hearings. IT IS SO ORDERED. DATED: April 25, 2022

Joseph M. Quinn Supervising Judge of the Probate and Mental Health Division of the San Francisco Superior Court