



SUPERIOR COURT OF CALIFORNIA
County of Sacramento

Public Notice - Civil Division
(July 7, 2021)

**Reopening of Case Management Program Departments &
Continued Referral of Cases to COVID-19 Trial Setting Process**

Due to the COVID-19 pandemic, the Presiding Judge's March 17, 2020 Order re: Implementation of Emergency Relief (March 17th Order), among other things, suspended the operation of the Court's Case Management Program (CMP) Departments. Based upon current projections regarding the Court's anticipated ability and capacity to hold civil trials at the Gordon D. Schaber Courthouse (Schaber Courthouse), the Presiding Judge has now determined that the Court may reopen the CMP Departments for case management of civil cases and may continue referring cases to the Court's COVID-19 Trial Setting Process (TSP).

Cases Subject to Direct Referral to TSP

For cases that were pending in CMP Departments as of March 17, 2020, are at-issue (i.e., at the time of the Court's review), and have not been previously referred to TSP, the Court, through the assigned CMP Department, will begin referring such cases in groups and phases directly to TSP for the parties' selection of MSC and trial dates.

This category of cases will be directly referred to TSP and will not have rescheduled case management conferences in the CMP Departments unless requested by the parties and/or otherwise specifically ordered by the Court. Referral orders for this category of cases will be sent groups and phases generally beginning with earliest-filed cases.

Each case that is referred directly to TSP for selection of MSC and trial dates will receive a case-specific referral order from the CMP Department. Upon receiving their referral order, the parties shall follow the instructions therein and on the Court's "COVID-19 Trial Setting Process" webpage. Parties shall not utilize the Court's TSP webpage until receipt of their case-specific referral order.

Parties that receive a direct referral order to TSP may select any dates indicated as available on the COVID-19 TSP webpage. The COVID-19 TSP webpage allows selection of trial dates (and corresponding MSC dates) over a rolling two-year period (e.g., if earliest

available trial dates are in June 2022, the range of dates available for selection will extend through June 2024 or later). As MSC and trial dates are filled, they will become unavailable for selection. The Court continuously updates the available dates on the COVID-19 TSP webpage.

Cases Subject to Case Management in CMP Departments

For all other cases, including (1) cases pending in CMP Departments as of March 17, 2020 that are not at-issue (i.e., at the time of the Court's review); and (2) cases filed after March 17, 2020, the assigned CMP Departments will begin the process of sending notices of Case Management Conferences for these categories of cases.

Judge Wood (Department 31) and Judge Mennemeier (Department 38) will be the designated CMP Department Judges and the CMP calendar will be heard on Fridays at 8:30 a.m. All cases previously assigned for CMP to Judge Blizzard (Department 43) will be reassigned to Judge Mennemeier (Department 38).

Notices of Case Management Conferences will be sent in groups and phases generally beginning with the earliest-filed cases. The Court anticipates this process continuing into 2022 until all such cases have had either (1) their first Case Management Conference *since March 17, 2020* if the case was pending as of such date; or (2) their first Case Management Conference *since case initiation* if the case was filed after March 17, 2020.

The CMP Departments will determine the additional referral of cases to TSP, setting of further Case Management Conferences, issuance of Orders to Show Cause, and other case management-related issues. Cases that had Order to Show Cause hearings pending as of March 17, 2020 will initially be set for Case Management Conference to determine whether Order to Show Cause proceedings should be reinstated.

Cases Seeking Statutory Preference

Cases seeking statutory preference must file a motion on the Department 47 law and motion calendar. The Presiding Judge shall determine such matters including special setting of trial and MSC dates for cases with granted statutory preference.

Cases with 5-Year or 3-Year Statute Issues

Emergency Rule 10 extended the time in which to bring a civil action to trial for all cases filed on or before April 6, 2020. For such cases, the five-year period in Civil Procedure Code section 583.310 is extended by six months, for a total time of five years and six months. The three-year period in Civil Procedure Code section 583.320 is extended by six months, for a total time of three years and six months.

If the trial dates available on the COVID-19 TSP webpage do not include any dates early enough to satisfy the applicable five-year or three-year timeframes as extended by Emergency Rule 10, the parties are advised to meet and confer regarding extension of the period pursuant to Civil Procedure Code section 583.330(a). A written stipulation pursuant to section 583.330(a) may be filed, but need not be. If the parties are unable to resolve the issue by stipulation, the parties may file an appropriate application or motion.

Cases Pre-Assigned to a Judge for Trial and/or Otherwise Scheduled for Trial

Cases that have been pre-assigned to a judge for trial shall be subject to setting of trial and MSC dates pursuant to the trial judge's discretion, taking into consideration the anticipated status of Court operations including the Court's ability and capacity to hold civil trials at the Schaber Courthouse. Such cases are exempt from the process described above.

Additionally, the Court's direct referral of cases to TSP and the CMP process applies only to those civil cases that are not scheduled for trial through other Court divisions (e.g., Probate trials).