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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

APR 22 2020

V. Magaña

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

ORDER NO. 2020-15

GENERAL ORDER RE: CIVIL DIVISION
EMERGENCY REORGANIZATION

In response to the State of Emergency declared by the Governor on March 4, 2020, and the orders issued by the Health Officer of the County of Riverside related to COVID-19, and in order to manage the complexities in the civil caseload of the Riverside Superior Court caused by the shutdown of most operations effective March 17, 2020, the Court makes the following Order. This Order is made pursuant to the authority granted by Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California under California Constitution, article VI, section 6; Executive Order N-38-20; Government Code section 68115; Code of Civil Procedure section 128; the orders of Chief Justice Tani G. Cantil-Sakauye dated March 17, 2020, March 20, 2020, March 23, 2020, March 30, 2020, and April 1, 2020; and pursuant to Rule of Court 10.603.

GENERAL ORDER RE: CIVIL DIVISION EMERGENCY REORGANIZATION

1 This Order is applicable to all unlimited civil cases, including complex cases
2 and petitions for writ of mandate or other extraordinary relief, except unlawful detainer
3 actions and cases that have already completed trial or had judgment entered. The
4 Court orders as follows:

- 5 1. All jury and court trials currently set are hereby vacated. In any case in which a
6 trial had been set, a trial setting conference is hereby set for the same date,
7 time, and department in which the trial had previously been set.
- 8 2. In all cases in which a trial date has been vacated pursuant to this order, and
9 notwithstanding any pre-existing statutory deadline for having discovery
10 completed under Code of Civil Procedure section 2024.020, discovery shall
11 remain open, with new deadlines established in accordance with the setting of
12 the new trial date. If the deadline for having discovery completed under Code
13 of Civil Procedure section 2024.020 has already passed, discovery is ordered
14 reopened under Code of Civil Procedure section 2024.050. This paragraph
15 shall not apply to any case in which a Case Management Order had previously
16 been made setting forth a discovery schedule.
- 17 3. All hearings on the merits of all petitions for writ of mandate or other
18 extraordinary relief are hereby vacated and a status conference is now set for
19 the same date, time, and department in which the hearing had previously been
20 set.
- 21 4. The completion date for any court-ordered mediation or judicial arbitration that
22 had been ordered to be completed by the Court shall be continued 180 days
23 from the original completion date.
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- 1 5. All Mandatory Settlement Conferences currently set are hereby vacated.
- 2 6. The time in which to file a responsive pleading under Code of Civil Procedure
- 3 section 585 is hereby extended to 30 calendar days from the termination of the
- 4 State of Emergency that was declared by the Governor of the State of
- 5 California on March 4, 2020. The Clerk of the Court shall reject all requests for
- 6 entry of default received before this time-period expires, including those
- 7 received by the Court after March 16, 2020. All requests for entry of default
- 8 filed between March 4, 2020 and March 16, 2020, inclusive, remain valid.
- 9 7. All currently set hearings for any demurrer and on all pretrial motions are
- 10 hereby vacated. The Clerk of the Court shall refund any fee paid at the time a
- 11 prior reservation was made for any demurrer or pretrial motion hearing that is
- 12 vacated pursuant to this Order.
- 13 a. Any document previously submitted in connection with a hearing
- 14 vacated by this Order (including any notice of motion, moving papers,
- 15 opposition, or reply) that was received after March 16, 2020, but not
- 16 filed, is hereby rejected. The Clerk of the Court shall note the
- 17 documents that were rejected in the case management system and the
- 18 date received. For any motion that must have been brought within a
- 19 statutorily limited amount of time (such as a motion to compel further
- 20 responses or a special motion to strike), the Court will deem the motion
- 21 as having been filed on the date the original moving papers were
- 22 received by the Court if the party resubmits the motion under the
- 23 procedure described in paragraph 7(b).
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1 b. To obtain a new hearing date, the parties shall follow the following
2 procedure:

3 i. No later than July 31, 2020, the moving party may reserve a new
4 date for a hearing through the court's automated reservation
5 system.

6 ii. All moving papers, opposition, and reply briefs, even if previously
7 submitted, shall be timely filed based on the new hearing date.
8 Prior briefing will not be considered by the Court. References to
9 previously filed documents or attempts to incorporate by
10 reference arguments made in prior briefs are not permitted.

11 c. For any demurrer or pretrial motion affected by this Order for which a
12 new hearing date is not reserved by July 31, 2020, the motion shall be
13 deemed withdrawn on August 3, 2020 without further order of this Court.

14 d. For any demurrer or pretrial motion affected by this Order that requires a
15 meet and confer declaration (e.g., demurrers, motion to compel further
16 responses), the parties shall meet and confer again notwithstanding any
17 prior meet and confer efforts. The moving or demurring party shall
18 describe those further efforts in a new declaration.

19 e. The Law and Motion Reservation System will reopen pursuant to this
20 Order on May 7, 2020. Reservation dates shall commence on June 1,
21 2020.
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23 8. All other hearings, including but not limited to case management conferences,
24 trial setting conferences, status conferences, post-trial motions and orders to
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1 show cause, remain on calendar and will be addressed by a judge's order in
2 the event the hearing is set before the court fully reopens.

3 9. Any request or stipulation regarding pending hearing dates on demurrers or
4 pretrial motions, trial dates, court-ordered mediation completion dates, and
5 dates for hearings on the merit on petitions for writ of mandate or other
6 extraordinary relief submitted after March 16, 2020, are moot and hereby
7 rejected by the Court.

8 10. The parties may file a stipulation or an ex parte application to advance a trial
9 setting conference in order to set a trial entitled to statutory priority or for other
10 good cause shown. In conducting trial setting conferences, trials with statutory
11 priority shall be given first preference, with the second preference to court trials.
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14 This Order is deemed to be filed in every case affected by this Order. Nothing in
15 this Order shall be construed as prohibiting a trial department from making such
16 orders as the trial judge deems necessary in any individual case. In the event that this
17 Order conflicts with any prior order of this Court, this Order shall control.
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19 IT IS SO ORDERED, on April 22, 2020.

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23 JOHN W. VINEYARD
24 Presiding Judge
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