

Chief Justice Issues Statewide Order Suspending Jury Trials

March 23, 2020

Contact: Peter Allen | 415-865-7740

California Chief Justice Tani G. Cantil-Sakauye on Monday issued a statewide order suspending all jury trials in California's superior courts for 60 days and allowing courts to immediately adopt new rules to address the impact of the COVID-19 pandemic.

The Chief Justice said her order is aimed at ensuring California courts—which remain open as "essential services" under Gov. Newsom's stay-home executive order—can meet stringent health directives, such as maintaining a six-foot distance from others, to curb the spread of COVID-19.

Said the Chief Justice: "Courts cannot comply with these health restrictions and continue to operate as they have in the past. Court proceedings require gatherings of court staff, litigants, attorneys, witnesses, and juries, well in excess of the numbers allowed for gathering under current executive and health orders. Many court facilities in California are ill-equipped to effectively allow the social distancing and other public health requirements required to protect people involved in court proceedings and prevent the further spread of COVID-19."

She added, "Even if court facilities could allow for sufficient social-distancing, the closure of schools means that many court employees, litigants, witnesses, and potential jurors cannot leave their homes to attend court proceedings because they must stay home to supervise their children. These restrictions have also made it nearly impossible for courts to assemble juries."

Her order includes the following directives:

CALIFORNIA COURTS
THE JUDICIAL BRANCH OF CALIFORNIA

All jury trials are suspended and continued for 60 days. Courts may conduct a trial at an earlier date upon finding of good cause shown or through use of remote technology when appropriate.

Time periods to begin criminal and civil trials is extended for 60 days, though courts may conduct trials earlier upon finding of good cause or through remote technology when appropriate.

Superior courts are authorized to adopt any proposed rules or rule amendment intended to address the impact of the COVID-19 pandemic to take effect immediately, without advance circulation for public comment. A court adopting any such rule change must immediately distribute it, and no litigant's substantive rights shall be prejudiced for failing to comply with the requirements of a new or amended rule until at least 20 days after its distribution.

See Chief Justice Tani G. Cantil-Sakauye's full order [here](#) .

JUDICIAL COUNCIL OF CALIFORNIA
STATEWIDE ORDER BY HON. TANI G. CANTIL-SAKAUYE,
CHIEF JUSTICE OF CALIFORNIA AND CHAIR OF THE JUDICIAL COUNCIL
MARCH 23, 2020

The World Health Organization, the United States Centers for Disease Control and Prevention (CDC), and the State of California have recognized that the world, country, and state face a life-threatening pandemic caused by the COVID-19 virus. As of March 23, 2020, the CDC reported that there are more than 40,000 confirmed COVID-19 cases in the United States, and more than 500 deaths. In California, the Department of Public Health reports more than 1,700 confirmed cases and more than 30 deaths. Health officials expect these figures to rise dramatically unless the population adheres to shelter-in-place guidelines and appropriate social distancing. As of this date, there is no known cure or vaccination.

In response to the spread of COVID-19, Governor Newsom on March 4, 2020, declared a state of emergency in California, which was followed on March 13, 2020, by President Trump declaring a national emergency. Beginning on March 16, 2020, California counties began issuing shelter-in-place or stay-at-home orders. On March 19, 2020, Governor Newsom issued Executive Order N-33-20, requiring all Californians to stay home, subject to certain limited exemptions. Courts are included in this exemption. Schools have been closed statewide.

The CDC, the California Department of Public Health, and local county health departments have recommended increasingly stringent social distancing measures of at least six feet between people, and encouraged vulnerable individuals to avoid public spaces.

Courts cannot comply with these health restrictions and continue to operate as they have in the past. Court proceedings require gatherings of court staff, litigants, attorneys, witnesses, and juries, well in excess of the numbers allowed for gathering under current

Related

CALIFORNIA COURTS
— THE JUDICIAL BRANCH OF CALIFORNIA



Coronavirus Updates

March 23, 2020



Court Emergency Orders

March 30, 2020

© 2020 Judicial Council of California