

MEMORANDUM

From: Hon. Vincent J. O'Neill
Re: Updates from the Supervising Civil Judge
Date: July 15, 2020

I am pleased to announce that I am working with the VCBA, VCTLA, and WLVC to communicate updates on the status of the Ventura County Civil Court; provide guidance on court procedures during the COVID-19 crisis; and field questions, comments, and concerns from the civil bar.

The Civil Court Re-Opening Plan is now available on <http://www.ventura.courts.ca.gov/> and here is a direct link <http://www.ventura.courts.ca.gov/covid19/CivilReopeningPlanFinal.pdf>.

Two items to be aware of: 1) trial dates are being converted to trial setting conferences; and 2) all law and motion matters have been vacated to be reset by the moving party after meeting and conferring with opposing counsel. Please note that when resetting a law and motion hearing, the moving party must file a Notice of the new hearing date, including a briefing schedule if applicable, **a summary of the meet and confer process**, and a statement as to the remaining scope of the motion.

As of June 10, 2020, the clerk is accepting new filings, including law and motion.

On June 15, 2020, the Ventura courthouse reopened with a new screening protocol at the building entrance. CourtCall is still the preferred appearance method but if an in-person appearance is desired, please communicate with the court for preapproval. There is limited seating available in the courtrooms courthouse hallways because of social distancing protocols.

The civil courts are streaming audio to the internet as a substitute to live public proceedings. This is accessible on the Ventura Superior Court website.

For the time being, civil jury trials, except cases with statutory priority or other good cause, will generally not be set until 2021. Individual judges can make exceptions, but cannot guarantee a firm jury trial date this year.

There is a limit on the number of jurors that can come to the courthouse each day, and criminal cases have constitutional priority, as you know. For the most part, jurors have been willing to participate and given the steps that are being taken to keep everyone safe. For example, in both jury assembly and individual courtrooms social distancing is taking place. Most members of a regular size jury will be sitting in the audience area of the courtroom.

Bench trials can be set at any time at the discretion of the individual judge. Let the judge know if you are interested in stipulating to a smaller than normal jury, which may make it easier to schedule your trial.

The civil judges have been instructed to wait and see what assistance may be needed in criminal, family law and probate cases due to backlogs that developed during the three-month court closure.

On the first day filing started being accepted after the closure, the clerks saw about 300 filings. The courthouse staffing level is 90% of normal and the drop box remains outside the courthouse. Filings at the filing windows inside the building are by appointment.

See http://www.ventura.courts.ca.gov/covid19/Court_Reservation_Info.pdf for more information on making a reservation for in-person services.

Civil *ex parte* applications and hearings are being handled as they were prior to the closure, except that appearances are to be by CourtCall whenever possible. Contact the judicial secretary for the courtroom to schedule an *ex parte* hearing.

Note that the Reopening Plan provides for voluntary settlement conferences by stipulation, which may be scheduled by contacting Courtroom 22. A limited number of Mandatory Settlement Conferences will be set when a trial date is set. The current plan is to conduct most settlement conferences remotely on the Zoom platform.

I am available to continue to meet with the VCBA, VCTLA, and WLVC to provide updates and to seek input from the legal community on how we can get through this together. Please email COVID19@vcba.org if you have any questions, comments, or concerns about how the court's new procedures are affecting your practice.

Thank you for your understanding of our current limitations.