



Superior Court of California County of Napa

Judges

Mark Boessenecker
Cynthia P. Smith
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March 30, 2020

To Our Napa County Bar Members:

First and foremost, we want to wish everyone safety and health in these unprecedented times. While the Napa legal community has weathered its fair share of emergency situations through the 2014 earthquake, 2017 fires, and 2019 power shut offs, the COVID-19 pandemic has certainly presented uniquely challenging issues for all of us, including the Court. Please know that court administration and judicial officers are working hard to stay abreast of the evolving public safety needs and legislative mandates, while doing our best to balance those factors with the need for continuing court operations for our community.

When it first became clear that the pandemic situation had escalated to the point of requiring a maximum limitation of personal interactions, we responded under emergency orders from Chief Justice Cantil-Sakauye by drastically reducing court operations as set forth in the Case Handling Guidelines posted on the Court's website on March 17, 2020. These guidelines address operations through April 10, 2020. We take very seriously the medical experts guidance that to "flatten the curve" of the epidemic, we must do all we can to limit the number of people coming to the courthouse each day. To act in any other way risks contributing to a public health catastrophe in our community.

Limiting operations has allowed us to streamline the number of judicial officers and staff physically present at the Court each day. At the same time, we have begun to transition many of us to working from home via remote technology.

Since the emergency orders went into effect, the Court IT Department has been working diligently on implementing technological changes that have allowed for telephonic and video conference appearances in both juvenile dependency and delinquency cases. This week we are testing video arraignments – once fully implemented, this will allow us to conduct in-custody arraignments via videoconference, with defendants, defense counsel and prosecutors all appearing remotely. The IT Department is now beginning to work on technology that will allow for more work to be performed remotely by Court staff and hopefully allow us to begin accepting some non-emergency civil, probate, and family law filings. We know civil practitioners are anxious for this process to begin and we will keep you fully apprised as we move forward toward increased Court services in this area.

Over this past weekend, the Governor and the Judicial Council took action that both extended the previous emergency orders and will provide us with more flexibility in utilizing remote technology to conduct an expanded variety of court hearings. This will be a challenging process but one that we are optimistic will greatly assist us in expanding our current limited operations.

At this point, it is difficult to predict how long the Court will need to continue under a revised operational plan. We expect that the Bay Area Shelter In Place Order will be extended to May 1st. Candidly, we may well be looking at 8-12 more weeks of limited operations; as we know that the worst of the epidemic has likely not yet hit our State. However, it is our sincere hope that as we begin to expand our use of remote technology there will be an expansion of Court services. The extent to which we will be able to accomplish this remains to be seen.

In the meantime, we want to thank you sincerely for your patience, and again wish all of you and your families good health. Stay safe.

Kind regards,

Mark Boessenecker
Presiding Judge

Cynthia P. Smith
Assistant Presiding Judge