

## MARCH 2020 — ADI NEWS ALERT

This alert<sup>1</sup> covers the effects of the COVID-19 virus emergency on appeals in the Fourth District.

### EMERGENCY MEASURES AT ADI

**ADI operations:** We have developed remote operating procedures that we began using on Wednesday, March 18. A few staff will regularly visit our office in person, to seek out important paper mail and handle other matters requiring in-person attendance. But most staff will be working remotely.

**Contacting ADI:** We recommend communications to ADI personnel (including staff attorneys, paralegals, and claims processors) be by email at this time. Voicemails to a particular extension are automatically forwarded by email to that staff member, who can replay it on the computer. You can email a staff member to arrange for a phone call.

**Claims:** ADI has been processing claims at the usual pace, using our new remote procedures. The JCC has advised us they have developed processes to review, approve, and pay claims remotely, and our daily transmission reports from the JCC confirm that claims are going to Accounting on a regular basis. We have no information about processing later in the chain, because the remote system is so new. Contact David Rankin, [dkr@adi-sandiego.com](mailto:dkr@adi-sandiego.com), if you encounter unusual delays.

**Mailing documents to ADI:** Please do not mail or ship physical transcripts or other paper documents to us. Instead, scan and send to the assigned staff attorney or, if unknown, our e-service address, [eservice-court@adi-sandiego.com](mailto:eservice-court@adi-sandiego.com).

### EMERGENCY MEASURES AT COURT OF APPEAL, FOURTH APPELLATE DISTRICT

**Court operations:** The court is posting orders and status reports on the [Fourth District pages](#)<sup>2</sup> on the court website. That will be the source of the most recent information. The three divisions are receiving filings. The clerk's offices are open with a limited staff but are not doing in-person transactions. The justices and most staff are working remotely. Access to the court by phone is limited.

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<sup>1</sup>As always, panel attorneys are responsible for familiarizing themselves with all ADI news alerts and other resources on the ADI website.

<sup>2</sup><https://www.courts.ca.gov/4dca.htm>

**Deadlines:** By [order of March 20, 2020](#),<sup>3</sup> all deadlines in the Fourth District required by the California Rules of Court are automatically extended by 30 days. No request for additional time is necessary. The order applies to proceedings in which the deadline occurs between March 19, 2020, through and including April 18, 2020. It is effective immediately.

**Oral argument:** By order 032020-B issued by Administrative Presiding Justice Judith McConnell on March 20, in-person oral argument is suspended, effective immediately. Counsel who choose to present oral argument should appear remotely by conference call. Division Two may offer alternatives to conference calls; counsel should check with the clerk's office, if not advised what the options are through a notice from the court.

## **EFFECTS OF EMERGENCY ON SUPERIOR COURTS IN FOURTH DISTRICT AND ON ADI CASELOAD**

**Court operations:** The Chief Justice has issued a March 20 [Advisory on Emergency Relief Measures](#)<sup>4</sup> spelling out actions the superior courts are urged to take. It follows previous March 16 [guidance on emergency orders](#).<sup>5</sup> As of this news alert, the superior courts in San Diego, Riverside, San Bernardino, and Orange Counties are closed, except for emergency matters. Check the [Imperial County Superior Court](#)<sup>6</sup> and [Inyo County Superior Court](#)<sup>7</sup> websites for current information.

**Caseload:** As a result of the closures of our four big superior courts, we do not anticipate getting an appreciable volume of new notices of appeal or records for a while. We recognize that this situation may cause a temporary hardship for panel attorneys and will investigate steps to alleviate the situation, at least somewhat.

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<sup>3</sup>[https://www.courts.ca.gov/documents/Implementation\\_order\\_for\\_Emergency\\_Order\\_March\\_2020.pdf](https://www.courts.ca.gov/documents/Implementation_order_for_Emergency_Order_March_2020.pdf)

<sup>4</sup><https://newsroom.courts.ca.gov/news/california-chief-justice-issues-second-advisory-on-emergency-relief-measures>

<sup>5</sup><https://newsroom.courts.ca.gov/news/california-chief-justice-issues-guidance-to-expedite-court-emergency-orders>

<sup>6</sup><http://www.imperial.courts.ca.gov/>

<sup>7</sup><http://www.inyocourt.ca.gov/>

## MEASURES IN CALIFORNIA SUPREME COURT

**Electronic filing:** The court has adopted expanded e-filing rules for litigants, now requiring [TrueFiling](#)<sup>8</sup> for non-capital briefs on the merits. No paper copies of any filings are required.

**Deadlines:** All [deadlines](#)<sup>9</sup> under the California Rules of Court are extended an additional 30 days for all Supreme Court proceedings with deadlines from March 20 through April 20. No application for extension is required.

**Oral argument:** Until further notice the court will be conducting [oral argument](#)<sup>10</sup> from the San Francisco Supreme Court Headquarters building, with counsel appearing through teleconferencing, videoconferencing, or similar methods of remote participation.

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<sup>8</sup><https://newsroom.courts.ca.gov/news/california-supreme-court-expands-electronic-filing-in-response-to-covid-19-pandemic>

<sup>9</sup><https://newsroom.courts.ca.gov/news/supreme-court-extends-deadlines-in-response-to-covid-19>

<sup>10</sup><https://newsroom.courts.ca.gov/news/supreme-court-of-california-amends-oral-argument-procedures-in-response-to-covid-19>