

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

The Court adopts the following Emergency Rule, which is intended to address the impact of the COVID-19 pandemic, under the authority granted the Court by the March 23, 2020 order of the Chief Justice of California as Chair of the Judicial Council of California. This rule is effective June 5, 2020.

Emergency Local Rule 1 – Amendment to Local Rule 4040 - Request to Add a Case onto the Calendar

Local Rule 4040 is amended to read:

A. Outstanding Warrants

1. Arraignment Locations

All initial arraignment cases shall be heard at the court location where the defendant was cited/ordered to appear. Defendants with cases in multiple court locations may appear at any location with at least one open case.

2. Violations of Probation.

For cases where there is a warrant outstanding for a violation of probation, the defendant or his or her attorney may request to be added onto a calendar by completing the Request to Add onto Calendar, Form RI-OTS01. The court will calendar the hearing within two (2) to five (5) court days.

3. Non-Violations of Probation

For cases where there is a warrant outstanding for a reason other than a violation of probation, the defendant or his or her attorney may request to be added onto a calendar by completing the Request to Add onto Calendar, Form RI-OTS01. The court will calendar the hearing at the earliest available court day.

B. Probation or Diversion

On probation or diversion cases where the defendant, probation officer, or attorney is seeking to modify probation or reinstate a program prior to a warrant being issued, a Request to Add onto Calendar form (Form RI-OTS01) shall be completed and the hearing will be set within 10 court days.

C. Extenuating Circumstances

If a case has no warrant and there are extenuating circumstances, to add the case onto the morning calendar, the Clerk's Office must obtain approval from the Judicial Officer in the department where the case will be assigned. The Judicial Officer will have the discretion to approve or deny the request.

D. In-Custody Defendants

If the defendant's attorney or probation officer indicates that the defendant is in local custody on the Request to Add onto Calendar form, they shall also indicate the location where the defendant is being housed.

Three days-notice is required for defendants who are in local custody and the hearing will be set within three (3) to 10 court days.

E. This emergency rule will remain in effect until 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by the Court, whichever occurs first.