

Superior Court of California County of Santa Clara

CONTACT
BENJAMIN T. RADA

Public Affairs
brada@scscourt.org
(408) 882-2709 desk
(408) 334-9236 cell



FOR IMMEDIATE RELEASE: April 22, 2020

Important Family Law Information for Santa Clara County

To inform attorneys, justice partners, litigants, and the public of Family Law operations during the COVID-19 pandemic, the Santa Clara County Superior Court has created [an FAQ available on its website](#). The website includes links to court orders, division notices, press releases, and hyperlinks to online court services. The public is encouraged to visit the site to access the most current Court information. [Review Family Law division-specific changes to operations here](#).

The Judicial Council has [provided updates and additional guidance](#) to the temporary orders previously issued in April. During the COVID-19 pandemic, the Chief Justice and Council have approved several [temporary emergency actions](#), including the adoption of [13 temporary rules of court](#).

Emergency rule 13 - Support Requests and Orders

The Judicial Council approved Emergency rule 13, making it easier for parties to request changes to child, spousal, partner, or family support orders during the state of emergency. Emergency rule 13 gives judicial officers discretion to backdate the modified support order starting from when the person seeking the change mailed or served the request on the other party, rather than the date the request is filed with the Court.

Allowing for the service of an unfiled request is especially important during this state of emergency, as changes made to court operations to address public health and safety are making it challenging for requests to be filed and processed by the courts. The rule helps make sure people whose jobs have been affected by the COVID-19 pandemic can get relief as close as possible to their loss of income.

Revision to Emergency rule 8 - Extending Protective and Restraining Orders

As originally adopted, Emergency rule 8 assumed the protected person wanted the protective or restraining order to continue and automatically extended the duration of the orders set to expire during the pandemic. The Council revised the rule to remove the automatic extension, instead requiring only that Courts give parties a way to request to renew them.



Please visit the
[Superior Court's Covid-19 response website](#)
for additional Court information

The Santa Clara County Superior Court, the Self-Help Center, and the Restraining Order Help Center have been processing all restraining order requests throughout the period of limited operations.

[Limited Family Law departments are open along with the Superior Court's Self-Help Center.](#)

The limited matters currently being handled by the Court are as follows:

- Emergency Protective Restraining Orders requested by law enforcement,
- Gun Violence Restraining Orders,
- Domestic Violence Temporary Restraining Orders (all non-child safety DVTRO's are being continued),
- Ex parte requests for custody and visitation orders or modifications to custody and visitation orders where child safety is an issue or if a parent is withholding visitation,
- Emergency screenings,
- Contempt,
- Guardianships where child safety is an issue, and
- Telephonic mediations.



Please visit the
[Superior Court's Covid-19 response website](#)
for additional Court information