



# THE NEW NORMAL: *Court Access Post COVID-19*

The universe as we knew it in the world of family law changed after March 16, 2020 when California governor Gavin Newsom issued a directive to close non-essential businesses and for our citizens to shelter in place, venturing out only for essentials such as food, supplies and exercise, all of which are activities to be performed with the requisite requirements of careful social distancing.

The COVID-19 shockwave hit all businesses, activities and individuals including our family law litigants' access to the courts. As of the time that this article is being written, the Contra Costa County courts remain completely shuttered with an anticipated limited access reopening planned early April. Alameda County family law courts have set up a pleading drop box at the Hayward courts for use ONLY to process emergency protective orders.

The Alameda and Contra Costa County family law court Judges, administrators and staff are rapidly responding to the need to regain some semblance of court access in the next few weeks. However, it is expected that the courts will be closed to physical public access for some time to come while plans are

developed and put into place to restore citizens' accessibility to the courts that will not endanger the health of either the litigants or the court personnel.

Our judges and court personnel are acutely aware of the need for our family courts to become as accessible as possible as soon as possible recognizing domestic violence emergency orders need processing, child custody matters need resolution and all aspects of family law matters need calendaring for various court hearings.

A pleading dropbox outside the family law courthouses will be set up by both counties in the days to come. A dropbox will enable parties submitting pleadings to the court for the clerk's review and filing. As noted earlier, the drop box allows for emergency requests and protective orders to be processed by the law tech staff for submission to a judge for review and, if appropriate, issuance of orders.

This drop box arrangement provides low personal contact with individuals and court personnel and will hopefully aid in preventing the

spread of COVID-19. However, this arrangement will also create additional complications on the administration and processing of any pleadings including emergency requests.

The court clerks and court personnel cannot practice law and therefore they cannot correct, change or modify any pleadings that are submitted to the court. If submitted pleadings lack information or are incorrectly filled out, they will be rejected. The painful and frustrating result will lead to emergency pleadings being rejected, timetables being missed, and other actions that could seriously damage a litigant's case and delay the protections that they seek.

These are very difficult and unusual times. Enlist the services of an experienced family law attorney to maximize protecting your legal rights and sorting out the administrative pitfalls all of us will encounter in our new evolving era of court access.



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## FREE PHONE CONSULTATION

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