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**FILED / ENDORSED**  
MAR 30 2020  
By K. Swift, Deputy Clerk  
*K. Swift*

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO

ORDER OF THE SACRAMENTO  
SUPERIOR COURT

ORDER REGARDING MENTAL  
HEALTH HEARINGS

**ORDER**

GOOD CAUSE APPEARING, AND BY AGREEMENT OF THE  
SACRAMENTO DISTRICT ATTORNEY'S OFFICE, THE SACRAMENTO COUNTY  
PUBLIC DEFENDER'S OFFICE, DEPARTMENT OF BEHAVIORAL HEALTH,  
AND COUNTY COUNSEL, IT IS HEREBY ORDERED:

1) Parties agree that it is in the best interest of public health to not conduct in  
person hearings regarding (1) writ of habeas corpus hearings (2) Riese petitions and (3)  
ECT hearings, at Sierra Vista, Heritage Oaks, Sacramento County Mental Health Center,  
Crestwood Sacramento, Crestwood American River, Veteran's Administration at Mather,  
Sutter Psychiatry, UC Davis, and the Sacramento County Jail.

1           2) Parties also agree that hearings can be conducted at this time through either  
2 telephonic and/or declarations.

3  
4           a. Public Defender will notify mental health hearing calendar by noon the **two**  
5 **days before scheduled hearings**, what patients are seeking to be placed on calendar for a  
6 writ of habeas corpus.

7  
8           b. Public Defender will notify mental health hearings **by 4 pm the day before**  
9 **hearings** as to which patients are requesting telephonic hearings and which patients are  
10 requesting to waive their presence to a hearing and submit declarations.

11  
12           c. If the patient waives their presence at a telephonic hearing, physicians or other  
13 professionals may submit a declaration pursuant to Welfare and Institutions Code Section  
14 5276.1.

15  
16           d. Patient may also waive their presence at a hearing and submit a declaration by  
17 their Public Defender (Public Defender will print attorney name on signature line).

18  
19           e. Final declarations should be submitted to the court by **9 am the morning of**  
20 **scheduled hearings**.

21  
22           3) Public Defender will provide notice to the mental health hearing calendar  
23 regarding a request for a writ of habeas corpus by noon the day before the scheduled  
24 hearings.

25  
26           4) Sierra Vista, Heritage Oaks, Sacramento County Mental Health Center,  
27 Crestwood Sacramento, Crestwood American River, Veteran's Administration at Mather,  
28

1 Sutter Psychiatry, UC Davis, and the jail will provide the mental health hearing calendar  
2 and the Public Defender the petition for a Riese or ECT hearing by noon the day before  
3 the scheduled hearings.  
4

5 5) Sierra Vista, Heritage Oaks, Sacramento County Mental Health Center,  
6 Crestwood Sacramento, Crestwood American River, Veteran's Administration at Mather,  
7 Sutter Psychiatry, and the jail must provide the Public Defender:  
8

9 a. Two time slots a week where the Public Defender can contact patients over the  
10 phone or via Facetime, zoom, video, etc.  
11

12 b. Confidential phone meetings in a confidential space with staff assistance  
13 bringing patient to the confidential space where the patient can speak to their Public  
14 Defender.  
15

16 c. Staff from the facility whom can coordinate the phone meetings with each  
17 patient and verify to the Public Defender the name of the patient that will be placed on  
18 the phone.  
19

20 d. Discovery of the patient. Specifically, facilities must also provide by email to  
21 the Public Defender prior to the phone interview with the patient, (i) a copy of all  
22 certification holds, (ii) the last two days of progress notes, (iii) last two entries of social  
23 worker notes, and (iv) one week of medication compliance history.  
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25  
26 DATED: 3/30/2020  
27

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\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

