

## RESOLUTION 0001

### RESOLUTION FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM, MEETING IN PERSON FOR MEETINGS OF THE SAN MATEO DOMESTIC VIOLENCE COUNCIL LEGAL PROCESS COMMITTEE (“Legal Process Committee”) WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES

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**WHEREAS**, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19); and

**WHEREAS**, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder, and as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361 that provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative

body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and,

**WHEREAS**, on September 28, 2021, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the Board issued a finding that meeting in person would present imminent risks to the health or safety of attendees, and decided to invoke the provisions of AB 361 related to teleconferencing for meetings of the Board; and

**WHEREAS**, the Board also strongly encouraged other County legislative bodies to make a similar finding and continue meeting remotely through teleconferencing; and

**WHEREAS**, since Thanksgiving, the statewide seven-day average case rate has increased by 805% and the number of COVID-19 hospitalized patients has increased by 154%; and

**WHEREAS**, this surge is being driven by the recent emergence of the Omicron variant, which has recently been estimated to account for approximately 70% of cases sequenced nationally; and

**WHEREAS**, early data suggest that the Omicron variant is more transmissible than the Delta variant; and

**WHEREAS**, indeed, local rates of transmission of COVID-19 are now in the “high” tier as measured by the Centers for Disease Control; and

**WHEREAS**, requiring large numbers of individuals to gather, and potentially travel long distances, for in-person public meetings could potentially, and unnecessarily, expose numerous people to COVID-19, further contribute to the ongoing surge in cases caused by the Omicron variant, compound disruptions to our economy, and undermine public health measures during the current State of Emergency; and

**WHEREAS**, the Legal Process Committee has an important governmental interest in protecting the health, safety and welfare of those who participate in its meetings; and,

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Legal Process Committee deems it necessary to find that meeting in person would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing;

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that

1. The recitals set forth above are true and correct.
2. The Legal Process Committee finds that meeting in person would present imminent risks to the health or safety of attendees.
3. Members are directed to return no later than the next meeting after the adoption of this resolution with an item for the Legal Process Committee to consider making the findings required by AB 361 in order to continue meeting under its provisions.

4. Members are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

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## Legal Process Committee Work Plan Effective 2023 - 2025

| <b>Action Item</b>             | <b>Description of Activities</b>   | <b>Lead Committee Members</b> |
|--------------------------------|--|-------------------------------|
| 1. Share Information           | Provide a forum for information sharing, collaborating and problem solving in order to better facilitate timely and responsive solutions to issues within the domestic violence legal community.               | All                           |
| 2. Civil/Criminal Crossover    | Bridge the gap between the civil and criminal legal systems by identifying points of connection with victims, streamlining referrals, and developing best practices for trauma informed engagement of victims. | Morris Maya, Melissa Gibbs    |
| 3. Court Safety                | Monitor and address issues affecting the safety of domestic violence victims during the domestic violence calendars, at Family Court Services, Family Law Facilitator, or Clerk's office locations.            | All                           |
| 4. Firearms Compliance Project | Report on the success and progress of SB 320 implementation and firearms relinquishment. Discuss any issues with implementation.   | District Attorney's Office    |
| 5. Judicial Bench Card         | Update the judicial bench card yearly, to be distributed in July.  | Jenny Horne, Jessica Dayton   |

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| 6. Law Enforcement DV Protocol                              | As assigned by the DV Council- update law enforcement domestic violence protocol as appropriate. Monitor and address any issues.  | Jeffrey Carr, Morris Maya, other law enforcement officials? |
| 7. Protective Orders  | <ul style="list-style-type: none"> <li>- Monitor, train, and improve issuance of EPOs and entry of EPOs in the DVROS system.</li> <li>- Monitor and address any issues with the civil domestic violence calendar, entry and enforcement of orders.</li> </ul>   | All   |
| 9. Allocation of Court Resources                            | Monitor allocation of resources such as: interpreters at the Courthouse, Family Law non-DVPA calendar, Family Court Services, clerk's office staffing and hours, self-help services for unrepresented litigants, judicial officers, dedicated DVPA Calendar, Continuity of Operations Plan, etc. and report back regularly to the committee on changes, issues. | All   |
| 10. Other issues as necessary and/or assigned by DV Council |   | All   |
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