

# OUR POST-COVID WORLD

*How Has COVID Affected the Law and  
Changed the Way We Handle Cases?*



**PRESIDING JUSTICE  
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Calif. Court of Appeal  
2nd Dist., Div. 3  
*PROGRAM CHAIR*



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*KEYNOTE CONVERSATION*



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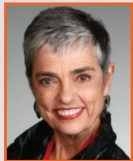
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**JUDGE  
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## MARCH 7-11, 2022 • WEBCAST WEBINAR SCHEDULE

**PART I: MARCH 7, 2022** (Mon.) 12:00 - 1:00 PM  
**PART II: MARCH 8, 2022** (Tues.) 12:00 - 1:00 PM  
**PART III: MARCH 9, 2022** (Wed.) 12:00 - 1:00 PM  
**PART IV: MARCH 10, 2022** (Thurs.) 12:00 - 1:00 PM

**PART V: MARCH 11, 2022** (Fri.) 12:00 - 1:00 PM  
**1-HOUR BONUS SESSION**  
**MARCH 7-11, 2022** (Mon. - Fri.) 1:00 - 2:00 PM  
Available to enrollees every day  
after that day's regular session.



# OUR POST-COVID WORLD

## *How Has COVID Affected the Law and Changed the Way We Handle Cases?*

**PRESIDING JUSTICE LEE SMALLEY EDMON, Program Chair**

The Rutter Group and the California Judges Association will present the webcast webinar series *Our Post-COVID World: How Has COVID Affected the Law and Changed the Way We Handle Cases?* beginning March 7 through 11, 2022. You will hear from an all-star faculty of judges and attorneys. *This is truly a "don't miss" program!*

This program will explore many lessons learned and best practices resulting from the pandemic and the effect it has had on the practice of law and access to justice. The panelists will discuss their collective experience with conducting many aspects of litigation remotely, including depositions, court appearances, evidentiary hearings, and trials. They will also discuss how to prepare and present a case in an uncertain world.

The panels will discuss substantive rulings from pandemic-driven perspectives – including recent developments in insurance, employment and contract performance (specifically in the commercial landlord-tenant context) – and the way that governmental and corporate responses to health concerns are giving rise to disputes and shaping the law.

### PROGRAM HIGHLIGHTS

#### **PART I: MARCH 7, 2022**

##### **CIVIL LITIGATION I - PRETRIAL**

- How to maximize remote court appearances
- How to advocate effectively remotely
- Conducting discovery in a remote environment
- Impact of new laws regarding remote access
- Thoughts about the future of civil litigation in a pandemic world

#### **PART II: MARCH 8, 2022**

##### **CIVIL LITIGATION II - JURY TRIALS**

- Managing the uncertainty of trial schedules
- Keeping jurors, counsel and court staff available
- Juror participation in trial
- Witness appearances

#### **PART III: MARCH 9, 2022**

##### **INSURANCE DEVELOPMENTS**

- Current scorecard on COVID coverage in California
- First-party property damage issues
- Governmental shut-down orders and civil authority coverage
- Virus exclusions
- Third-party or liability coverage issues

#### **PART IV: MARCH 10, 2022**

##### **EMPLOYMENT DEVELOPMENTS**

- Status of vaccination mandates for employees and job applicants

- Obligations of employers to provide employees disability or religious accommodations
- Employer's duty to bargain with unions over mandatory vaccination requirements
- Employer's potential responsibility to reimburse unvaccinated employees for their cost and time for COVID testing
- Potential employer liability for COVID infections suffered by employees and others

#### **PART V: MARCH 11, 2022**

##### **CONTRACT ENFORCEMENT DEVELOPMENTS - COMMERCIAL LANDLORD/TENANT RELATIONSHIPS**

- Contract performance or enforcement resulting from COVID
- Contract defenses, such as impossibility, frustration of purpose and Civil Code §1511
- Application of force majeure clauses to pandemic-affected performance
- The impact of COVID on damage claims

#### **1-HOUR BONUS SESSION: MARCH 7-11, 2022**

##### **A CONVERSATION WITH**

**HON. MARIANO-FLORENTINO CUÉLLAR (Ret.)  
AND JUDGE ELAINE LU**

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