

APR 02 2020

JASON B. GALKIN
EXECUTIVE OFFICER & CLERK
By:  Deputy Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF NEVADA**

In Re Extension of Statutory Deadlines
In Response to COVID-19 PANDEMIC

EXECUTIVE ORDER
NO. 183

Whereas the President of the United States of America has declared a national emergency in response to the COVID-19 pandemic;

Whereas the Governor of the State of California has declared a public health emergency throughout the State in response to the spread of COVID-19;

Whereas Nevada County has declared a local public health emergency in response to the increased spread of COVID-19 across neighboring counties as well as this county;

Whereas the Centers for Disease Control and Prevention, California Department of Public Health and other public health authorities have advised the taking of precautions, including limiting gathering sizes and practicing social distancing, to reduce the possibility of exposure to the virus and to slow the spread of the disease;

1 Whereas many persons at risk of serious or even fatal illness are involved in court
2 proceedings as parties, attorneys, or court staff, or are being asked to serve the court as jurors,
3 or observe court proceedings as members of the public;

4 Whereas slowing the transmission of the virus in the community is an important part of
5 mitigating the impact of the disease on potentially vulnerable individuals and reducing the
6 immediate burden on the health care system and the community at large;

7 Whereas the need for in court hearings and trials under constitutional and statutory law
8 must be balanced against the current risks stemming from associated interpersonal contact;

9 Whereas Governor Newsom, on March 27, 2020, issued Executive Order N-38-20,
10 which among other things, suspends Government Code section 68115 and any other provision
11 of law to the extent that those laws impose or imply a limitation on authority to authorize via
12 emergency order or statewide rule, any court to take any action deemed necessary to maintain
13 the safe and orderly operation of the courts;

14 Whereas certain specific emergency orders have been granted under Government Code
15 Section 68115 and the March 30, 2020 order of Chief Justice Tani G. Cantil-Sakauye, Chair of
16 the Judicial Council of California:

17 Accordingly, in order to protect public health, reduce the size of public gatherings and
18 unnecessary travel, and ensure the ability to deliver fair and impartial justice to all those who
19 come before the court, the court **HEREBY ORDERS AS FOLLOWS:**


- 20 1. The time period provided in section 859b of the Penal Code for the holding of
21 a preliminary examination and the defendant's right to release from 10 court
22 days is extended to not more than 30 court days;
- 23 2. The time period provided in section 825 of the Penal Code within which a
24 defendant charged with a felony offense must be taken before a magistrate is
25 extended from 48 hours to not more than seven days;
- 26 3. The time period provided in section 1382 of the Penal Code for the holding of a
27 criminal trial is extended by no more than 60 days from the last date on
28 which the statutory deadline otherwise would have expired;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4. The time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial is extended by no more than 60 days from the last date on which the statutory deadline otherwise would have expired;
5. The 60-day continuance of jury trials, which were authorized in the Chief Justice's order of March 23, 2020, is to be calculated from the date for which the trial was set or extended as provided in 3 or 4 above, whichever is longer;
6. This relief is temporary, intended to address the current COVID-19 crisis as it poses a challenge to court proceedings.
7. This order may be deemed part of the record in affected cases for purposes of appeal without the need to file the order in each case.
8. This order may be modified, expanded, or superseded at any time to account for the developing nature of the public health emergency.

IT IS SO ORDERED.

DATED: 4/2/2020


LINDA J. SLOVEN
Presiding Judge of the Superior Court