

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 IN AND FOR THE COUNTY OF SAN JOAQUIN

3
4 **FIRST SUPPLEMENTAL GENERAL ORDER RE:
5 IMPLEMENTATION OF EMERGENCY RELIEF**

6 Exercising the authority granted under Governor Gavin Newsom’s Executive Order N-38-
7 20 and the March 30, 2020 Statewide Emergency Order (“Order”) of Chief Justice Tani G. Cantil-
8 Sakauye, Chair of the Judicial Council of California, and in addition to the measures of the
9 Superior Court of San Joaquin County (“Court”) instituted in its March 17, 2020 General Order,
10 this Court HEREBY FINDS AND ORDERS THE FOLLOWING ADDITIONAL MEASURES:

11 1. The Court extends the 10-court day period provided in Penal Code section 859b
12 for the holding of a preliminary examination and the defendant’s right to release from 10 court
13 days to not more than 30 court days;

14 2. The Court extends the time period provided in Penal Code section 825 for the
15 time in which a defendant charged with a felony offense shall be taken before a magistrate
16 from 48 hours to not more than seven days;

17 3. The Court extends the time period provided in Penal Code section 1382 for the
18 holding of a criminal trial by 60 days from the last date on which the statutory deadline
19 otherwise would have expired;

20 4. The Court extends the time periods provided in Code of Civil Procedure sections
21 583.310 and 583.320 to bring an action to trial by 60 days from the last date on which the
22 statutory deadline otherwise would have expired

23 5. The Court clarifies and declares that the 60-day continuance of jury trials,
24 authorized by the March 23, 2020 order by the Chief Justice, and the March 17, 2020 General
25 Order re: Implementation of Emergency Relief, is to be calculated from the date for which the
26 trial was set or extended as provided in section 3 or 4 above, whichever is longer, and

27 6. The Court also declares that it will make use of available technology, when
28 possible, to conduct judicial proceedings and court operations remotely, suspend any rule in

1 the California Rules of Court to the extent such rule would prevent the Court from using
2 technology to conduct judicial proceedings and court operations remotely, in order to protect
3 the health and safety of the public, court personnel, judicial officers, litigants, and witnesses.

4 It is the intent of this Order to provide the maximum length of constitutionally
5 permitted continuance days authorized by the March 30, 2020 Statewide Emergency Order
6 issued by the Hon. Tani G. Cantil-Sakauye, Chief Justice of the California Supreme Court.


7 Any conflicts in the above language are to be resolved in favor of granting the lengthier
8 of the continuance options. To the extent that any provision of this Supplemental General
9 Order re: Implementation of Emergency Relief conflicts with any provision in the Court's
10 General Order re: Implementation re: Emergency Relief, this Supplemental General Order will
11 supersede the provisions of the Court's March 17, 2020 General Order.

12 It is also Ordered that each Judicial Officer of the Superior Court of San Joaquin County
13 is hereby deputized to effectuate all of the above provisions.

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15 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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17 Dated: April 1, 2020



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19 Xapuri B. Villapudua, Presiding Judge
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