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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CRUZ

**GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF
AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY CHAIR
OF JUDICIAL COUNCIL**

Exercising the authority granted under Government Code section 68115 and the March 18, 2020 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the March 16, 2020 request for an emergency order made by the Superior Court of Santa Cruz County (“Court”), this Court HEREBY FINDS AND ORDERS AS FOLLOWS:

1. For purposes of computing time under Penal Code section 825, and Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657, from March 17, 2020 to March 20, 2020 are deemed holidays (Gov. Code, § 68115(a)(5));

2. Any judge of the Court may extend by not more than 30 days the duration of any temporary restraining order that would otherwise expire from March 17, 2020 to April 16, 2020 because the emergency condition described in the Order prevented the Court from conducting proceedings to determine whether a permanent order should be entered (Gov. Code, § 68115(a)(7));

3. In cases in which the statutory deadline otherwise would expire from March 17, 2020 to March 20, 2020, any judge of the Court may extend the time period provided in section 825 of the Penal Code within which a defendant charged with a felony offense must be taken before a magistrate from 48 hours to not more than 7 days (Gov. Code, § 68115(a)(8));

4. In cases in which the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in section 859b of the Penal Code for the holding of a preliminary examination from 10 court days to not more than 15 court days (Gov. Code, § 68115(a)(9));

5. In cases in which the statutory deadline otherwise would expire from March 17, 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in

1 section 1382 of the Penal Code for the holding of a criminal trial by not more than 30 days (Gov.
2 Code, § 68115(a)(10));

3 6. In cases in which the statutory deadline otherwise would expire from March 17,
4 2020 to March 20, 2020, inclusive, any judge of the Court may extend the time period provided
5 in section 313 of the Welfare and Institutions Code within which a minor taken into custody
6 pending dependency proceedings must be released from custody to not more than 7 days (Gov.
7 Code, § 68115(a)(11));

8 7. In cases in which the statutory deadline otherwise would expire from March 17,
9 2020 to March 20, 2020, inclusive, any judge of the Court may extend the time periods provided
10 in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into
11 custody pending wardship proceedings and charged with a felony must be given a detention
12 hearing or rehearing to not more than 15 days (Gov. Code, § 68115(a)(11));

13 8. In cases in which the statutory deadline otherwise would expire from March 17,
14 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in
15 section 334 of the Welfare and Institutions Code within which a hearing on a juvenile
16 dependency petition must be held by not more than 15 days (Gov. Code, § 68115(a)(12)); and

17 9. In cases in which the statutory deadline otherwise would expire from March 17,
18 2020 to April 16, 2020, inclusive, any judge of the Court may extend the time period provided in
19 section 657 of the Welfare and Institutions Code within which a hearing on a wardship petition
20 for a minor charged with a felony offense must be held by not more than 15 days (Gov. Code,
21 § 68115(a)(12)).

22
23 THIS ORDER IS EFFECTIVE IMMEDIATELY.

24
25 Dated: 3/18/2020



26
27 PAUL P. BURDICK, PRESIDING JUDGE

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of the COVID-19 pandemic, leading to health and safety concerns causing substantial operational impediments, and the proclamations of a states of emergency by federal, state and local officials, it has been determined that the conditions described in section 68115 of the Government Code are met with regard to the Superior Court of California, County of Santa Cruz. Upon the request of Presiding Judge Paul P. Burdick, it is ordered that the Superior Court of Santa Cruz County is authorized to do the following:

- Declare that from March 17, 2020, to March 20, 2020, inclusive, be deemed holidays for purposes of computing time under Penal Code section 825 and Welfare and Institutions Code sections 313, 315, 631, 632, and 657. (Gov. Code, § 68115(a)(5).)
- Extend by not more than 30 days the duration of any temporary restraining order that would otherwise expire because the emergency condition described herein prevented the court from conducting proceedings to determine whether a permanent order should be entered. (Gov. Code, § 68115(a)(7).) This request applies only to cases in which the restraining order otherwise would expire from 3/17/2020 to 4/16/2020, inclusive.
- Extend the time period provided in section 825 of the Penal Code within which a defendant charged with a felony offense must be taken before a magistrate from 48 hours to not more than 7 days, applicable only to cases in which the statutory deadline otherwise would expire from March 17, 2020, to March 20, 2020 inclusive. (Gov. Code, § 68115(a)(8).)
- Extend the time period provided in section 859b of the Penal Code for the holding of a preliminary examination from 10 court days to not more than 15 court days, applicable only to cases in which the statutory deadline otherwise would expire from March 17, 2020, to April 16, 2020, inclusive. (Gov. Code, § 68115(a)(9).)

- Extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by not more than 30 days, applicable only to cases in which the statutory deadline otherwise would expire from March 17, 2020, to April 16, 2020, inclusive. (Gov. Code, § 68115(a)(10).)
- Extend the time period provided in section 313 of the Welfare and Institutions Code within which a minor taken into custody pending dependency proceedings must be released from custody to not more than 7 days, applicable only to minors for whom the statutory deadline otherwise would expire from March 17, 2020, to March 20, 2020, inclusive. (Gov. Code, § 68115(a)(11).)
- Extend the time period provided in section 315 of the Welfare and Institutions Code within which a minor taken into custody pending dependency proceedings must be given a detention hearing to not more than 7 days, applicable only to minors for whom the statutory deadline otherwise would expire from March 17, 2020, to March 20, 2020, inclusive. (Gov. Code, § 68115(a)(11).)
- Extend the time period provided in section 334 of the Welfare and Institutions Code within which a hearing on a juvenile dependency petition must be held by not more than 15 days, applicable only to minors for whom the statutory deadline otherwise would expire from March 17, 2020, to April 16, 2020, inclusive. (Gov. Code, § 68115(a)(12).)
- Extend the time period provided in section 657 of the Welfare and Institutions Code within which a hearing on a wardship petition for a minor charged with a felony offense must be held by not more than 15 days, applicable only to minors for whom the statutory deadline otherwise would expire on from March 17, 2020 to April 16, 2020 inclusive. (Gov. Code, § 68115(a)(12).)

Date: March 18, 2020



Hon. Tani G. Cantil-Sakauye
Chief Justice of California and
Chair of the Judicial Council