

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of the COVID-19 pandemic, and the proclamations of a states of emergency by Governor Gavin Newsom and President Donald Trump, it has been determined that the conditions described in section 68115 of the Government Code are met with regard to the Superior Court of Butte County (the Court). On March 18, 2020, an Order issued at the request of Presiding Judge Clare Keithley, authorizing the Court to implement certain relief authorized by section 68115. Upon, the further request of Presiding Judge Keithley, it is ordered that the Court is additionally authorized to do the following:

- Declare that any dates from March 23, 2020, to March 27, 2020, inclusive, be deemed holidays for purposes of computing the time for filing papers with the court under Code of Civil Procedure sections 12 and 12a. (Gov. Code, § 68115(a)(4).)
- Declare that any dates from March 23, 2020, to March 27, 2020, inclusive, be deemed holidays for purposes of computing the time (Gov. Code, § 68115(a)(5)) under:
 - Penal Code section 825 (time to bring criminal defendant before magistrate after arrest);
 - Welfare and Institutions Code section 313 (time to release minor taken into custody pending dependency proceedings);
 - Welfare and Institutions Code section 315 (time to hold detention hearing for minor taken into custody pending dependency proceedings);
 - Welfare and Institutions Code section 334 (time to hold hearing on dependency petition);
 - Welfare and Institutions Code section 631 (time to release minor taken into custody pending wardship proceedings);
 - Welfare and Institutions Code section 632 (time to hold detention hearing for minor taken into custody pending wardship proceedings);
 - Welfare and Institutions Code section 637 (time to hold detention rehearing in wardship proceedings if parent/guardian files affidavit asserting lack of notice of hearing or minor requests evidence of prima facie case); and
 - Welfare and Institutions Code section 657 (time to hear wardship petition).

- Extend the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial by not more than 60 days. (Gov. Code, § 68115(a)(6).) This applies only to cases in which the statutory deadline otherwise would expire from March 23, 2020, to April 21, 2020, inclusive.
- Extend by not more than 30 days the duration of any temporary restraining order that would otherwise expire from March 23, 2020, to April 21, 2020, inclusive, 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).)
- 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 23, 2020, to April 21, 2020, inclusive. (Gov. Code, § 68115(a)(9).)
- 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 23, 2020, to April 21, 2020, inclusive. (Gov. Code, § 68115(a)(8).)
- 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 seven (7) days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom the statutory deadline otherwise would expire from March 23, 2020, to April 21, 2020, inclusive.
- 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 seven (7) days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom the statutory deadline otherwise would expire from March 23, 2020, to April 21, 2020, inclusive.

- Extend the time periods provided in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into custody pending wardship proceedings and charged with a felony offense must be given a detention hearing or rehearing to not more than seven (7) days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom the statutory deadline otherwise would expire from March 23, 2020, to April 21, 2020, inclusive.
- 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 fifteen (15) days. (Gov. Code, § 68115(a)(12).) This applies only to minors for whom the statutory deadline otherwise would expire from March 23, 2020, to April 21, 2020, inclusive.
- 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 fifteen (15) days. (Gov. Code, § 68115(a)(12).) This applies only to minors for whom the statutory deadline otherwise would expire from March 23, 2020, to April 21, 2020, inclusive.

Date: March 23, 2020



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