

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of the COVID-19 pandemic, leading to health and safety concerns resulting in substantial operational impediments, and the proclamations of states of emergency by federal, state, and local officials, it was determined that the conditions described in Government Code section 68115(a) were met with regard to the Superior Court of Sierra County (Court) as of March 18, 2020, April 3, 2020, and May 1, 2020. Pursuant to requests of Presiding Judge Charles H. Ervin, Orders issued on those dates authorizing the Court to implement certain relief authorized by Government Code section 68115. Upon further request of Presiding Judge Ervin, it is determined that the conditions described in Government Code section 68115(a) continue to exist (Gov. Code, § 68115(b)), and it is ordered that the Court is authorized to do the following:

- Hold sessions anywhere in the county, including in correctional and juvenile detention facilities, from May 30, 2020, through June 27, 2020, inclusive (Gov. Code, § 68115(a)(1));
- Transfer pending civil cases to a superior court in any adjacent county or to a superior court within 100 miles of the border of Sierra County, upon a finding by the court that extreme or undue hardship would result unless a case is transferred for trial, from May 30, 2020, through June 27, 2020, inclusive (Gov. Code, § 68115(a)(2)(B));
- Declare that from May 30, 2020, through June 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, if the above-described emergency conditions substantially interfere with the public's ability to file papers in a Court facility on those dates (Gov. Code, § 68115(a)(4));
- Declare that from May 30, 2020, through June 27, 2020, inclusive, be deemed holidays for purposes of computing time under Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657, if the above-described emergency conditions prevent the Court from conducting proceedings or accepting filings as necessary to satisfy these deadlines on those dates (Gov. Code, § 68115(a)(5));

- 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 May 30, 2020, through June 27, 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. (Gov. Code, § 68115(a)(8).) This applies only to defendants for whom the statutory deadline otherwise would expire from May 30, 2020, through June 27, 2020, inclusive;
- 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 May 30, 2020, through June 27, 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 May 30, 2020, through June 27, 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 May 30, 2020, through June 27, 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 May 30, 2020, through June 27, 2020, inclusive; and

- 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 May 30, 2020, through June 27, 2020, inclusive.

Date: May 29, 2020



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