

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 (section 68115) were met with regard to the Superior Court of California, County of Santa Clara, as of March 13, 16, 17, and 30, April 16 and 29, and May 18, 2020. Accordingly, at the request of Presiding Judge Deborah A. Ryan, seven previous emergency orders issued, authorizing the court to implement certain relief under section 68115.

Presiding Judge Ryan now has submitted requests for further emergency authority. Based on these requests, it is determined that (1) in light of the ongoing pandemic and public health crisis, conditions described in section 68115(a) continue to exist (§ 68115(b)); and (2) emergency conditions as defined in section 68115(a) additionally exist due to extensive public unrest in the City of San Jose resulting in extreme peril to the safety and health of persons accessing the court's courthouses. Based on these circumstances, and upon the requests of Presiding Judge Ryan, it is ordered that the Superior Court for the County of Santa Clara is authorized to do the following:

- Declare that from June 1, 2020, to June 30, 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 June 1, 2020, to June 30, 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)); and

- 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 original or previously extended statutory deadline otherwise would expire from June 16, 2020, to July 17, 2020, inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).

Date: June 1, 2020



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