

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of hazards presented by a major wildfire burning in Butte County, resulting in evacuations and rendering presence in court facilities unsafe, it was determined on September 9, 2020, that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of Butte (Court). At the request of Presiding Judge Clare Keithley, an emergency order issued on that date authorizing the Court to exercise emergency authority, pursuant to Government Code section 68115. Among other things, the September 9, 2020 order granted the Court authority to extend the time period for the holding of a preliminary examination in certain cases. (Gov. Code, § 68115(a)(9).) The provision of the September 9, 2020 emergency order addressing extension of the time to conduct preliminary examinations is withdrawn and superseded by this order.

Due to the combined effects of the wildfire conditions described above and the substantial operational impediments presented by the continuing COVID-19 pandemic, it is determined that the conditions described in section 68115 of the Government Code are met with regard to the Court. Accordingly, upon the request of Presiding Judge Clare Keithley, it is ordered that the Court is authorized to do the following:

- Extend the time period provided in section 859b of the Penal Code for the holding of a preliminary examination by not more than five additional court days, applicable only to cases in which the statutory time period previously was extended from 10 court days to 30 court days under the March 30, 2020 statewide emergency order and the extended period otherwise would expire from September 9, 2020, to September 11, 2020, inclusive. (Gov. Code, § 68115(a)(9), (b); Statewide Emergency Order (03-30-20); Executive Order N-38-20 (03-27-20).)

In all other respects, the September 9, 2020 emergency order remains in effect, and is supplemented by this order.

Date: September 10, 2020

Handwritten signature of Tani G. Cantil-Sakauye in black ink.

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