

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 Governor Newsom and President Trump, it was determined on March 17 and 27, 2020; April 16, 2020; May 14, 2020; June 12 and 24, 2020; July 15, 2020; August 17, 2020; and September 15, 2020, that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of Sacramento (Court). Based on those determinations, and at the request of Presiding Judge Russell L. Hom, nine prior emergency orders issued, authorizing the Court to implement certain relief under Government Code section 68115. Upon the renewed request of Presiding Judge Hom, it is determined that the conditions described in Government Code section 68115(a) continue to exist (Gov. Code, § 68115(c)), 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 October 23, 2020, to November 21, 2020, inclusive (Gov. Code, § 68115(a)(1));
- 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 October 22, 2020, to November 25, 2020, inclusive (Gov. Code, § 68115(a)(10))*; and

* This authority supplements the authority to extend Penal Code section 1382 deadlines previously granted in the March 23, March 30, and April 29, 2020 statewide emergency orders and in the May 14, July 15, August 17, and September 15, 2020, emergency orders specific to the Court. Accordingly, for any case in which the time to bring a defendant to trial previously was extended under one or more of those prior emergency orders, and the extended deadline falls within the above-specified time period, this order authorizes the Court to extend the previously extended deadline by up to an additional 30 days. For any case in which the initial Penal Code section 1382 deadline falls within the above-specified time period and is not governed by a prior emergency order, this order authorizes the Court to extend the time to bring a defendant to trial by a total of up to 30 days.

- 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 October 13, 2020, to November 11, 2020, inclusive (Gov. Code, § 68115(a)(8)).

Date: October 14, 2020



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