

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of the COVID-19 pandemic and severe winter weather, leading to health and safety concerns resulting in substantial operational impediments, and the proclamations of states of emergency by federal and state 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. At the request of Presiding Judge Charles H. Ervin, an Order issued on that date authorizing the Court to implement certain relief authorized by section 68115(a). Upon the renewed request of Presiding Judge Ervin, it is determined that the conditions described in section 68115(a) continue to exist (Gov. Code, § 68115(b)), and it is ordered that the Court is authorized to do the following:

- Declare that any dates from April 6, 2020, to May 2, 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 any dates from April 6, 2020, to May 2, 2020, inclusive, be deemed holidays for purposes of computing the time (Gov. Code, § 68115(a)(5)) under the following code provisions if the above-described emergency conditions prevent the court from conducting proceedings or accepting filings as necessary to satisfy these deadlines on those dates:
 - 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 30 days. (Gov. Code, § 68115(a)(6).) This applies only to cases in which the statutory deadline otherwise would expire from April 6, 2020, to May 2, 2020, inclusive.
 - Extend by not more than 25 days the duration of any temporary restraining order that would otherwise expire because the emergency condition prevented the court from conducting proceedings to determine whether a permanent order should be entered. (Gov. Code, § 68115(a)(7).) This applies only to cases in which the restraining order otherwise would expire from April 6, 2020, to May 2, 2020, inclusive.
 - 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. (Gov. Code, § 68115(a)(9).) This applies only to cases in which the statutory deadline otherwise would expire from April 6, 2020, to May 2, 2020, inclusive.
 - Extend the time period provided in section 1382 of the Penal Code within which a trial must be held by not more than 30 days. (Gov. Code, § 68115(a)(10).) This applies only to cases in which the statutory deadline otherwise would expire from April 6, 2020, to May 2, 2020, inclusive.
 - 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 April 6, 2020, to May 2, 2020, inclusive. (Gov. Code, § 68115(a)(2)(B).)

- 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 April 6, 2020, to May 2, 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 7 days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom the statutory deadline otherwise would expire from April 6, 2020, to May 2, 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 7 days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom the statutory deadline otherwise would expire from April 6, 2020, to May 2, 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 7 days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom the statutory deadline otherwise would expire from April 6, 2020, to May 2, 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 15 days. (Gov. Code, § 68115(a)(12).) This applies only to minors for whom the statutory deadline otherwise would expire from April 6, 2020, to May 2, 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 15 days. (Gov. Code, § 68115(a)(12).) This applies only to minors for whom the statutory deadline otherwise would expire from April 6, 2020, to May 2, 2020, inclusive.

Date: April 3, 2020

T. Cantil-Sakauye

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