

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 on March 16, March 18, March 27, June 4 and July 29, 2020, that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of Sonoma (Court). Based on those determinations, and at the request of Presiding Judge Bradford DeMeo, five prior emergency orders issued, authorizing the Court to implement certain relief under Government Code section 68115.

Upon the renewed request of Acting Presiding Judge Shelly J. Averill, it now is determined that (1) in light of the ongoing pandemic and public health crisis, conditions described in Government Code section 68115(a) continue to exist (Gov. Code, § 68115(b)); and (2) emergency conditions as defined in section 68115(a) additionally exist due to hazards presented by wildfires in Sonoma County. Due to wildfires statewide, including those in Sonoma County, Governor Newsom has declared a statewide state of emergency; moreover, the statewide state of emergency previously declared, due to the COVID-19 pandemic, continues in effect. In light of these circumstances, 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 September 1, 2020, to October 30, 2020, inclusive (Gov. Code, § 68115(a)(1)); and
- Extend the time period provided in section 1382 of the Penal Code (section 1382) 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 September 1, 2020, to September 30,

2020, inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).*

Date: August 28, 2020



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

* This authority supplements the authority to extend section 1382 deadlines previously granted in the March 23, March 30, and April 29, 2020 statewide emergency orders and in the June 4 and July 29, 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 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.