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MAR 16 2020 *JD*

SAN LUIS OBISPO SUPERIOR COURT
BY *Tammy Denchfield*
Tammy Denchfield, Deputy Clerk

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO

ADMINISTRATIVE ORDER RE:
IMPLEMENTATION OF EMERGENCY
RELIEF AUTHORIZED PURSUANT TO
GOVERNMENT CODE § 68115 BY
CHAIR OF JUDICIAL COUNCIL

**ADMINISTRATIVE ORDER
NO. 20-01**

**ADMINISTRATIVE ORDER RE:
IMPLEMENTATION OF
EMERGENCY RELIEF
AUTHORIZED PURSUANT TO
GOVERNMENT CODE § 68115 BY
CHAIR OF JUDICIAL COUNCIL**

Due to the COVID-19 pandemic leading to declarations of a State of Emergency by President Trump and Governor Newsom, as well as the need to protect the health and welfare of the public and court personnel, and exercising the authority granted under Government Code section 68115 and the March 16, 2020 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the March 16, 2020 request for an emergency order made by the Superior Court of San Luis Obispo (“Court”), this Court **HEREBY FINDS AND ORDERS:**

1. Beginning March 16, 2020, and up to April 10, 2020, the Court will significantly limit operations to include two criminal courts, a juvenile delinquency court, a juvenile dependency court, off-site mental health hearings, and other time

1 sensitive hearings only.

2 2. For purposes of computing time for filing papers with the Court under
3 Code of Civil Procedure sections 12 and 12a, March 16, 2020, and a period up to 10
4 court days from March 16, 2020, inclusive, are deemed holidays, except for filings
5 related to the limited operations of the court set forth herein. (Govt. Code,
6 §68115(a)(4));

7 3. For purposes of computing time under Penal Code section 825 and
8 Welfare and Institutions Code sections 313, 315, 631, 632, 637, and 657, March 16,
9 2020, to April 10, 2020, inclusive, are deemed holidays. (Govt. Code, §68115(a)(5));

10 4. For purposes of computing time under Welfare and Institutions Code
11 section 334, March 16, 2020, and a period up to 10 court days from March 16, 2020,
12 inclusive, are deemed holidays. (Govt. Code, §68115(a)(5));

13 5. Any judge of the Court may extend by not more than 30 days the time
14 periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to
15 bring an action to trial, where the statutory deadline otherwise would expire from March
16 16, 2020, to April 10, 2020, inclusive. (Govt. Code, §68115(a)(6));

17 6. Any judge of the Court may extend for up to 30 days the duration of any
18 restraining order that would otherwise expire within 14 days of March 16, 2020. (Govt.
19 Code, §68115(a)(7));

20 7. Any judge of the Court may extend the time period provided in section
21 825 of the Penal Code within which a defendant charged with a felony offense must be
22 taken before a magistrate from 48 hours to not more than 5 days, applicable only to
23 cases in which the statutory deadline otherwise would expire from March 16, 2020, to
24 April 10, 2020, inclusive. (Govt. Code, §68115(a)(8));

25 8. Any judge of the Court may extend for a period of one month from
26 March 16, 2020, the time period provided in section 859b of the Penal Code for the
27 holding of a preliminary examination from 10 court days to not more than 15 court
28 days. (Govt. Code, §68115(a)(9));

1 9. Any judge of the Court may extend the time period provided in section
2 1382 of the Penal Code for the holding of a criminal trial by not more than 30 days,
3 applicable only to cases in which the statutory deadline otherwise would expire from
4 March 16, 2020, to April 10, 2020, inclusive. (Govt. Code, §68115(a)(10));

5 10. Any judge of the Court may extend the time period provided in section
6 313 of the Welfare and Institutions Code within which a minor taken into custody
7 pending dependency proceedings must be released from custody to not more than 5
8 days, applicable only to minors for whom the statutory deadline otherwise would expire
9 from March 16, 2020, to April 10, 2020, inclusive. (Govt. Code, §68115(a)(11));

10 11. Any judge of the Court may extend the time period provided in section
11 315 of the Welfare and Institutions Code within which a minor taken into custody
12 pending dependency proceedings must be given a detention hearing to not more than 5
13 days, applicable only to minors for whom the statutory deadline otherwise would expire
14 from March 16, 2020, to April 10, 2020, inclusive. (Govt. Code, §68115(a)(11));

15 12. Any judge of the Court may extend the time periods provided in sections
16 632 and 637 of the Welfare and Institutions Code within which a minor taken into
17 custody pending wardship proceedings and charged with a felony offense must be given
18 a detention hearing or rehearing to not more than 5 days, applicable only to minors for
19 whom the statutory deadline otherwise would expire from March 16, 2020, to April 10,
20 2020, inclusive. (Govt. Code, §68115(a)(11));

21 13. Any judge of the Court may extend the time period provided in section
22 334 of the Welfare and Institutions Code within which a hearing on a juvenile
23 dependency petition must be held by not more than 15 days, applicable only to minors
24 for whom the statutory deadline otherwise would expire from March 16, 2020, to April
25 10, 2020, inclusive. (Govt. Code, §68115(a)(12));

26 14. Any judge of the Court may extend the time period provided in section
27 657 of the Welfare and Institutions Code within which a hearing on a wardship petition
28 for a minor charged with a felony offense must be held by not more than 15 days,

1 applicable only to minors for whom the statutory deadline otherwise would expire from
2 March 16, 2020, to April 10, 2020, inclusive. (Govt. Code, §68115(a)(12));

3 Based upon the Court's inherent authority pursuant to California Rules of Court,
4 Rule 10.603 to control its own calendars and the Presiding Judge's duty to take into
5 account the needs of the public and court as they relate to the efficient and effective
6 management of the court's calendar, this Court further **FINDS AND ORDERS:**

7 15. Any judge of the Court may continue the time for Family Law Request
8 for Orders Hearings for up to 21 days;

9 16. Any judge of the Court may continue Family Law trials, Mandatory
10 Settlement Conferences and Status Conferences for up to 42 days;


11 17. Any judge of the Court may continue Civil Law and Motion hearings,
12 Short Cause Matters and Trials De Novo for up to 30 days;

13 18. Any judge of the Court may continue all Civil Long Cause Jury and non-
14 Jury Trials and 22b Case Management matters for up to 90 days; and

15 19. Any judge of the Court may extend the time for arraignment of out of
16 custody misdemeanors and infractions for up to 60 days.

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18 THIS ORDER IS EFFECTIVE IMMEDIATELY AND WILL REMAIN IN
19 EFFECT UP TO AND THROUGH APRIL 10, 2020, AND MAY BE AMENDED AS
20 CIRCUMSTANCES REQUIRE.

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22 DATED: March 16, 2020

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25 Jacquelyn H. Duffy
26 Presiding Judge of the Superior Court
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THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of the COVID-19 epidemic, leading to health and safety concerns resulting in the Superior Court of California, County of San Luis Obispo to operate with a limited staff of employees, and the proclamation of a state of emergency by Governor Gavin Newsom, it has been determined that the conditions described in section 68115 of the Government Code are met with regard to the Superior Court of San Luis Obispo County. Upon the request of Presiding Judge Jacquelyn Duffy, it is ordered that the Superior Court of San Luis Obispo County is authorized to do the following:

- Hold sessions anywhere in the county, including in correctional and juvenile detention facilities, from March 16, 2020 to April 10, 2020, inclusive (Gov. Code, § 68115(a)(1));
- Declare that for a period of up to 10 court days from the date of the order granting relief under section 68115, an emergency condition substantially interfered with the public's ability to file papers in a court facility or court facilities, and that such days are deemed holidays for the purpose of computing time for filing papers with the court under sections 12 and 12a of the Code of Civil Procedure (Gov. Code, § 68115(a)(4));
- Declare that March 16, 2020 to April 10, 2020, inclusive, be deemed holidays for purposes of computing time under Penal Code section 825 (time to bring arrested person before magistrate) and Welfare and Institutions Code sections 313 (detention of minor pending dependency proceedings), 315 (detention hearing for minor in custody pending dependency proceedings), 631 (detention of minor in wardship proceedings), 632 (detention hearing for minor in wardship proceedings), 637 (detention rehearing for minor in wardship proceedings), and 657 (hearing on petition to declare minor a ward) (Gov. Code, § 68115(a)(5));
- Declare that for a period of up to 10 court days from the date of the order granting relief under section 68115, an emergency condition prevented the court from conducting proceedings governed by Welfare and Institutions Code section 334, and that such days are deemed

holidays for the purpose of computing time under this statute (Gov. Code, § 68115(a)(5));

- Extend by not more than 30 days the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial, where the statutory deadline otherwise would expire from March 16, 2020 to April 10, 2020, inclusive (Gov. Code, § 68115(a)(6));
- Extend for up to 30 days, of the duration of any restraining order that would otherwise expire within 14 days of the date of the order granting relief under section 68115 (Gov. Code, § 68115(a)(7));
- Extend for a period of one month from the date of the order granting relief under section 68115, of 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));
- 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 in cases in which the statutory deadline otherwise would expire from March 16, 2020 to April 10, 2020, inclusive (Gov. Code, § 68115(a)(10));
- 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 5 days, applicable only to cases in which the statutory deadline otherwise would expire on from March 16, 2020 through April 10, 2020, inclusive (Gov. Code, § 68115(a)(8));
- 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 5 days, applicable only to minors for whom the statutory deadline otherwise would expire from March 16, 2020 through April 10, 2020, inclusive (Gov. Code, § 68115(a)(11));
- 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 5 days, applicable only to minors for whom the statutory deadline

otherwise would expire from March 16, 2020 through April 10, 2020, inclusive (Gov. Code, § 68115(a)(11));

- 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 5 days, applicable only to minors for whom the statutory deadline otherwise would expire from March 16, 2020 through April 10, 2020, inclusive (Gov. Code, § 68115(a)(11));
- 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, applicable only to minors for whom the statutory deadline otherwise would expire from March 16, 2020 through April 10, 2020, inclusive (Gov. Code, § 68115(a)(12));
- 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, applicable only to minors for whom the statutory deadline otherwise would expire from March 16, 2020 to April 10, 2020, inclusive (Gov. Code, § 68115(a)(12)).

Date: March 16, 2020



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