

FILED

SUPERIOR COURT OF THE STATE OF CALIFORNIA

JUL 31 2020

IN AND FOR THE COUNTY OF SAN LUIS OBISPO

SAN LUIS OBISPO SUPERIOR COURT

BY: Jennifer Navick  
Clerk

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

Exercising the authority granted under Government Code section 68115 and the July 31, 2020 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the July 24, 2020 request for an emergency order made by the Superior Court of San Luis Obispo County (“Court”), this Court HEREBY FINDS AND ORDERS AS FOLLOWS:

1. With the concurrence of the Presiding Judge, the Court may order that sessions be held anywhere in the county, including in correctional and juvenile detention facilities, from August 3, 2020, to August 29, 2020, inclusive (Gov. Code, § 68115(a)(1));

2. For purposes of computing time under Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657, from August 1, 2020, to August 29, 2020, inclusive, are deemed holidays because the emergency conditions described in the Order prevent the Court from conducting proceedings or accepting filings as necessary to satisfy these deadlines on those dates (Gov. Code, § 68115(a)(5));

3. In cases in which the statutory deadline otherwise would expire August 3, 2020, to August 29, 2020, inclusive, any judge of the Court may 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));

4. In cases in which the statutory deadline otherwise would expire from August 3, 2020, to August 29, 2020, inclusive, any judge of the Court may extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by not more than an additional 30 days (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (3/27/20));

5. In cases in which the statutory deadline otherwise would expire from August 1,

1 2020, to August 29, 2020, inclusive, any judge of the Court may extend the time period provided  
2 in section 313 of the Welfare and Institutions Code within which a minor taken into custody  
3 pending dependency proceedings must be released from custody to not more than 7 days (Gov.  
4 Code, § 68115(a)(11));

5 6. In cases in which the statutory deadline otherwise would expire from August 1,  
6 2020, to August 29, 2020, inclusive, any judge of the Court may extend the time period provided  
7 in section 315 of the Welfare and Institutions Code within which a minor taken into custody  
8 pending dependency proceedings must be given a detention hearing to not more than 7 days  
9 (Gov. Code, § 68115(a)(11));

10 7. In cases in which the statutory deadline otherwise would expire from August 1,  
11 2020, to August 29, 2020, inclusive, any judge of the Court may extend the time periods  
12 provided in sections 632 and 637 of the Welfare and Institutions Code within which a minor  
13 taken into custody pending wardship proceedings and charged with a felony must be given a  
14 detention hearing or rehearing to not more than 7 days (Gov. Code, § 68115(a)(11));

15 8. In cases in which the statutory deadline otherwise would expire from August 1,  
16 2020, to August 29, 2020, inclusive, any judge of the Court may extend the time period provided  
17 in section 334 of the Welfare and Institutions Code within which a hearing on a juvenile  
18 dependency petition must be held by not more than 15 days (Gov. Code, § 68115(a)(12)); and

19 9. In cases in which the statutory deadline otherwise would expire from August 1,  
20 2020, to August 29, 2020, inclusive, any judge of the Court may extend the time period provided  
21 in section 657 of the Welfare and Institutions Code within which a hearing on a wardship  
22 petition for a minor charged with a felony offense must be held by not more than 15 days (Gov.  
23 Code, § 68115(a)(12)).

24 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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26 Dated: July 31, 2020

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Jacquelyn H. Duffy, Presiding Judge

## 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 that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of San Luis Obispo, as of March 16, April 9, May 7, June 4, and July 2, 2020. At the request of Presiding Judge Jacquelyn H. Duffy, orders issued on those dates authorizing the court to implement certain relief under Government Code section 68115. Upon the renewed request of Presiding Judge Duffy, it is determined that the conditions described in Government Code section 68115(a) continue to exist (Gov. Code, § 68115(b)), and 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 August 3, 2020, to August 29, 2020, inclusive (Gov. Code, § 68115(a)(1));
  - Declare that from August 1, 2020, to August 29, 2020, inclusive, be deemed holidays for purposes of computing time under Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657, if the above-described emergency conditions prevent the court from conducting proceedings or accepting filings as necessary to satisfy these deadlines on those dates (Gov. Code, § 68115(a)(5));
  - 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 August 3, 2020, to August 29, 2020, inclusive (Gov. Code, § 68115(a)(8));
  - Extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by not more than an additional 30 days, applicable only to cases in which the original or previously extended statutory deadline otherwise would expire from August 3, 2020, to
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August 29, 2020, inclusive. (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20));\*

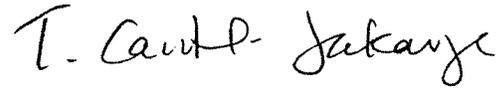
- Extend the time period provided in section 313 of the Welfare and Institutions Code within which a minor taken into custody pending dependency proceedings must be released from custody to not more than seven days, applicable only to minors for whom the statutory deadline otherwise would expire from August 1, 2020, to August 29, 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 seven days, applicable only to minors for whom the statutory deadline otherwise would expire from August 1, 2020, to August 29, 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 seven days, applicable only to minors for whom the statutory deadline otherwise would expire from August 1, 2020, to August 29, 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 August 1, 2020, to August 29, 2020, inclusive (Gov. Code, § 68115(a)(12)); and
- 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

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\* 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. Accordingly, for any case in which the time to bring a defendant to trial previously was extended under that prior authority, 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, this order authorizes the court to extend the time to bring a defendant to trial by a total of up to 30 days.

otherwise would expire from August 1, 2020, to August 29, 2020,  
inclusive (Gov. Code, § 68115(a)(12)).

Date: July 31, 2020

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

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