

FILED

OCT 22 2020

SAN LUIS OBISPO SUPERIOR COURT

BY:

Jennifer Novick, Deputy Clerk

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF SAN LUIS OBISPO

3
4 **GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF**
5 **AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY CHAIR**
6 **OF JUDICIAL COUNCIL**

7 Exercising the authority granted under Government Code section 68115 and the October
8 22, 2020 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council
9 of California, issued in response to the October 21, 2020 request for an emergency order made
10 by the Superior Court of San Luis Obispo County (“Court”), this Court HEREBY FINDS AND
11 ORDERS AS FOLLOWS:

12 1. With the concurrence of the Presiding Judge, the Court may order that sessions be
13 held anywhere in the county, including in correctional and juvenile detention facilities, from
14 October 26, 2020, to November 20, 2020, inclusive (Gov. Code, § 68115(a)(1));

15 2. For purposes of computing time under Welfare and Institutions Code
16 sections 313, 315, 334, 631, 632, 637, and 657, from October 26, 2020, to November 20, 2020,
17 inclusive, are deemed holidays because the emergency conditions described in the Order prevent
18 the Court from conducting proceedings or accepting filings as necessary to satisfy these
19 deadlines on those dates (Gov. Code, § 68115(a)(5));

20 3. In cases in which the statutory deadline otherwise would expire from October 26,
21 2020, to November 20, 2020, inclusive, any judge of the Court may extend the time period
22 provided in section 1382 of the Penal Code for the holding of a criminal trial by not more than an
23 additional 30 days (Gov. Code, § 68115(a)(10));

24 4. In cases in which the statutory deadline otherwise would expire from October 26,
25 2020, to November 20, 2020, inclusive, any judge of the Court may extend the time period
26 provided in section 313 of the Welfare and Institutions Code within which a minor taken into
27 custody pending dependency proceedings must be released from custody to not more than 7 days
28 (Gov. Code, § 68115(a)(11));

1 5. In cases in which the statutory deadline otherwise would expire from October 26,
2 2020, to November 20, 2020, inclusive, any judge of the Court may extend the time period
3 provided in section 315 of the Welfare and Institutions Code within which a minor taken into
4 custody pending dependency proceedings must be given a detention hearing to not more than 7
5 days (Gov. Code, § 68115(a)(11));

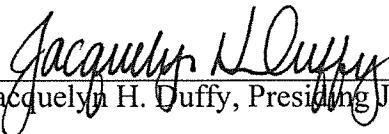
6 6. In cases in which the statutory deadline otherwise would expire from October 26,
7 2020, to November 20, 2020, inclusive, any judge of the Court may extend the time periods
8 provided in sections 632 and 637 of the Welfare and Institutions Code within which a minor
9 taken into custody pending wardship proceedings and charged with a felony must be given a
10 detention hearing or rehearing to not more than 7 days (Gov. Code, § 68115(a)(11));

11 7. In cases in which the statutory deadline otherwise would expire from October 26,
12 2020, to November 20, 2020, inclusive, any judge of the Court may extend the time period
13 provided in section 334 of the Welfare and Institutions Code within which a hearing on a
14 juvenile dependency petition must be held by not more than 15 days (Gov. Code,
15 § 68115(a)(12)); and

16 8. In cases in which the statutory deadline otherwise would expire from October 26,
17 2020, to November 20, 2020, inclusive, any judge of the Court may extend the time period
18 provided in section 657 of the Welfare and Institutions Code within which a hearing on a
19 wardship petition for a minor charged with a felony offense must be held by not more than 15
20 days (Gov. Code, § 68115(a)(12)).

21 THIS ORDER IS EFFECTIVE IMMEDIATELY.

22
23 Dated: October 22, 2020



Jacquelyn H. Duffy, Presiding Judge

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

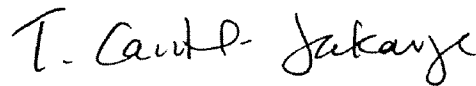
Because of the COVID-19 pandemic, leading to health and safety concerns resulting in substantial operational impediments, and the proclamations of states of emergency by federal, state, and local officials, it was determined that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of San Luis Obispo, as of March 16, April 9, May 7, June 4, July 2, July 31, August 28, and September 24, 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(c)), 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 October 26, 2020, to November 20, 2020, inclusive (Gov. Code, § 68115(a)(1));
- Declare that from October 26, 2020, to November 20, 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 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 26, 2020, to November 20, 2020, inclusive (Gov. Code, § 68115(a)(10));
- 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 October 26, 2020, to November 20, 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 October 26, 2020, to November 20, 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 October 26, 2020, to November 20, 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 October 26, 2020, to November 20, 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 otherwise would expire from October 26, 2020, to November 20, 2020, inclusive (Gov. Code, § 68115(a)(12)).

Date: October 22, 2020



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