

FILED

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FEB 18 2021

IN AND FOR THE COUNTY OF SAN LUIS OBISPO

SAN LUIS OBISPO SUPERIOR COURT

BY: Jennifer Neely JP
Jennifer Neely, 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 February 18, 2021 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the February 17, 2021 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 February 18, 2021, to March 19, 2021, 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 February 18, 2021, to March 19, 2021, 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 original or previously extended statutory deadline otherwise would expire from February 18, 2021, to March 19, 2021, 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));

4. In cases in which the statutory deadline otherwise would expire from February 18, 2021, to March 19, 2021, inclusive, any judge of the Court may 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));

1 5. In cases in which the statutory deadline otherwise would expire from February 18,
2 2021, to March 19, 2021, inclusive, any judge of the Court may extend the time period provided
3 in section 315 of the Welfare and Institutions Code within which a minor taken into custody
4 pending dependency proceedings must be given a detention hearing to not more than 7 days
5 (Gov. Code, § 68115(a)(11));

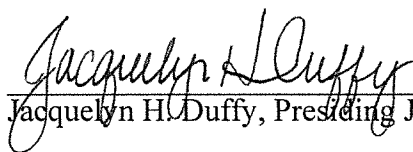
6 6. In cases in which the statutory deadline otherwise would expire from February 18,
7 2021, to March 19, 2021, inclusive, any judge of the Court may extend the time periods provided
8 in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into
9 custody pending wardship proceedings and charged with a felony must be given a detention
10 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 February
12 18, 2021, to March 19, 2021, 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 February 18,
17 2021, to March 19, 2021, inclusive, any judge of the Court may extend the time period provided
18 in section 657 of the Welfare and Institutions Code within which a hearing on a wardship
19 petition for a minor charged with a felony offense must be held by not more than 15 days (Gov.
20 Code, § 68115(a)(12)).

21 THIS ORDER IS EFFECTIVE IMMEDIATELY.

22
23 Dated: February 18, 2021



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 on twelve prior occasions that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of San Luis Obispo (Court). Based on those determinations, and pursuant to the Court's requests, corresponding emergency orders issued authorizing the Court to implement certain relief under Government Code section 68115. Upon the renewed request of Presiding Judge Jacquelyn H. Duffy, it now 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 Court is authorized to do the following:

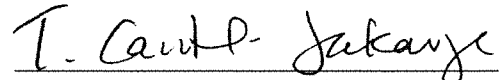
- Hold sessions anywhere in the county, including in correctional and juvenile detention facilities, from February 18, 2021 to March 19, 2021, inclusive (Gov. Code, § 68115(a)(1));
- Declare that from February 18, 2021 to March 19, 2021, inclusive, be deemed holidays for purposes of computing time under 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 (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 February 18, 2021 to March 19, 2021, inclusive (Gov. Code, § 68115(a)(10));*

* This authority supplements the authority to extend section 1382 deadlines granted to the Court in previous emergency orders. Accordingly, for any case in which the time to bring a defendant to trial previously was extended under one or more prior emergency order, 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.

- 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 February 18, 2021 to March 19, 2021, 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 February 18, 2021 to March 19, 2021, 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 February 18, 2021 to March 19, 2021, 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 February 18, 2021 to March 19, 2021, 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 February 18, 2021 to March 19, 2021,
inclusive (Gov. Code, § 68115(a)(12)).

Date: February 18, 2021

A handwritten signature in black ink, reading "T. Cantil-Sakauye". The signature is written in a cursive style with a horizontal line underneath it.

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