

FILED

APR 17 2020

**INYO CO. SUPERIOR COURT
PAMELA M. FOSTER, CLERK
BY *Pam Foster* DEPUTY**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF INYO**

General Order No. 2020-078

**SECOND 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 April 14, 2020 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chief Justice of California, and Chair of the Judicial Council of California, issued in response to the April 13, 2020 request for an emergency order made by the Superior Court of Inyo County (“Court”), this Court **HEREBY FINDS AND ORDERS AS FOLLOWS:**

1. For purposes of computing time under the following Penal Code and Welfare and Institutions Code sections, the days from April 18, 2020 to May 13, 2020, inclusive, are deemed to be holidays. (Gov. Code, § 68115(a)(5))(In this context, these days are deemed to be statutory holidays for deadlines)
 - Penal Code section 825 (time to bring criminal defendant before magistrate after arrest);
 - Welfare and Institutions Code section 313 (time to release minor taken into custody pending dependency proceedings);
 - Welfare and Institutions Code section 315 (time to hold detention hearing for minor taken into custody pending dependency proceedings);
 - Welfare and Institutions Code section 334 (time to hold hearing on dependency petition);
 - Welfare and Institutions Code section 631 (time to release minor taken into custody pending wardship proceedings);

- Welfare and Institutions Code section 632 (time to hold detention hearing for minor taken into custody pending wardship proceedings);
 - Welfare and Institutions Code section 637 (time to hold detention rehearing in wardship proceedings if parent/guardian files affidavit asserting lack of notice of hearing or minor requests evidence of prima facie case); and
 - Welfare and Institutions Code section 657 (time to hear wardship petition).;
2. In cases in which the statutory deadline otherwise would expire from April 18, 2020 to May 13, 2020, inclusive, any judge of the Court may extend the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial by not more than 15 days (Gov. Code, § 68115(a)(6));
 3. Any judge of the Court may extend by not more than 15 days the duration of any temporary restraining order that would otherwise expire from April 18, 2020 to May 13, 2020, inclusive, because the emergency condition described in the Order prevented the Court from conducting proceedings to determine whether a permanent order should be entered (Gov. Code, § 68115(a)(7));
 4. In cases in which the statutory deadline otherwise would expire on from April 18, 2020 to May 13, 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));
 5. In cases in which the statutory deadline otherwise would expire from April 18, 2020 to May 13, 2020, inclusive, any judge of the Court may extend 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));
 6. In cases in which the statutory deadline otherwise would expire from April 18, 2020 to May 13, 2020, inclusive, any judge of the Court may extend the time

1 period provided in section 1382 of the Penal Code for the holding of a criminal
2 trial by not more than 30 days (Gov. Code, § 68115(a)(10));

3 7. In cases in which the statutory deadline otherwise would expire from April 18,
4 2020 to May 13, 2020, inclusive, any judge of the Court may extend the time
5 period provided in section 313 of the Welfare and Institutions Code within
6 which a minor taken into custody pending dependency proceedings must be
7 released from custody to not more than 7 days (Gov. Code, § 68115(a)(11));

8 8. In cases in which the statutory deadline otherwise would expire from April 18,
9 2020 to May 13, 2020, inclusive, any judge of the Court may extend the time
10 period provided in section 315 of the Welfare and Institutions Code within
11 which a minor taken into custody pending dependency proceedings must be
12 given a detention hearing to not more than 7 days (Gov. Code, § 68115(a)(11));

13 9. In cases in which the statutory deadline otherwise would expire from April 18,
14 2020 to May 13, 2020, inclusive, any judge of the Court may extend the time
15 periods provided in sections 632 and 637 of the Welfare and Institutions Code
16 within which a minor taken into custody pending wardship proceedings and
17 charged with a felony must be given a detention hearing or rehearing to not
18 more than 7 days (Gov. Code, § 68115(a)(11));

19 10. In cases in which the statutory deadline otherwise would expire from April 18,
20 2020 to May 13, 2020, inclusive, any judge of the Court may extend the time
21 period provided in section 334 of the Welfare and Institutions Code within
22 which a hearing on a juvenile dependency petition must be held by not more
23 than 7 days (Gov. Code, § 68115(a)(12)); and

24 11. In cases in which the statutory deadline otherwise would expire from April 18,
25 2020 to May 13, 2020, inclusive, any judge of the Court may extend the time
26 period provided in section 657 of the Welfare and Institutions Code within
27 which a hearing on a wardship petition for a minor charged with a felony
28 offense must be held by not more than 15 days (Gov. Code, § 68115(a)(12)).

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THIS ORDER IS EFFECTIVE commencing Saturday, April 18, 2020 through
Wednesday, May 13, 2020, inclusive, unless otherwise ordered by the Court.

SO ORDERED.

Dated: April 17, 2020.



Brian J. Lamb, Presiding Judge