THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of the COVID-19 pandemic, leading to health and safety concerns and 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(a) were met with regard to the Superior Court of Fresno County (Court) on nine prior occasions: March 17 and 19, 2020; April 1 and 30, 2020; June 18, 2020; July 16, 2020; August 17, 2020; September 15, 2020; and November 19, 2020. At the request of Presiding Judge Arlan L. Harrell, orders issued on those dates authorizing the Court to implement certain relief authorized by section 68115(a). Upon the renewed request of Presiding Judge Harrell, it is determined that the conditions described in section 68115(a) continue to exist (Gov. Code, § 68115(c)), and it is ordered that the Court is authorized to do the following:

- 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 January 11, 2021, through February 12, 2021, inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).*

Date: January 8, 2021

T. Cantil-Sakauye

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

* 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 and in the July 16, 2020, September 15, 2020, and November 19, 2020 emergency orders specific to the Court. Accordingly, for any case in which the time to bring a defendant to trial previously was extended under one or more of those prior emergency orders, 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.