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 one prior occasion that the conditions described in section 68115 of the Government Code were met with regard to the Superior Court of California, County of San Benito (Court). Based on that determination, and pursuant to the Court's request, an emergency order issued authorizing the Court to implement certain relief under Government Code section 68115. Upon the renewed request of Presiding Judge J. Omar Rodriguez, 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::

- 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 cases in which the original or previously extended statutory deadline otherwise would expire from February 20, 2021 through March 21, 2021, inclusive (Gov. Code, § 68115(a)(10)).*

Date: February 23, 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 granted to the Court in the prior emergency order. Accordingly, for any case in which the time to bring a defendant to trial previously was extended under that 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.