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 Orange (Court) as of March 16 and 26, 2020; April 24, 2020; May 26, 2020; June 10 and 18, 2020; July 16, 2020; August 13, 2020; September 11, 2020; October 8, 2020; November 5, 2020; and December 3, 10, and 31, 2020. Based on those determinations, and pursuant to the Court's requests, fourteen prior emergency orders issued authorizing the Court to implement certain relief under Government Code section 68115. Upon the renewed request of Presiding Judge Erick Larsh, 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 Court is authorized to do the following:

- 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, applicable only to cases in which the statutory deadline otherwise would expire from January 11, 2021 to February 5, 2021, inclusive (Gov. Code, § 68115(a)(8)); and

- 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 statutory deadline otherwise would expire from January 11, 2021 to February 5, 2021,

inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).[*]

Date: January 7, 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 June 10 and December 10, 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.