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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF STANISLAUS

GENERAL ORDER IMPLEMENTING
RENEWED EMERGENCY RELIEF
(Gov. Code §68115)

) GENERAL ORDER
2021-002

CR-21-999999

Given the ongoing COVID-19 public health emergency, the Stanislaus County Superior Court (“Court”) has previously requested emergency authorizations from Chief Justice Tani G. Cantil-Sakauye, as Chair of the Judicial Council of California, pursuant to Government Code section 68115. On March 18, 2020, the Chief Justice granted the Court’s first request for emergency relief and issued an order authorizing the Court to take emergency measures. The Court implemented this relief via General Order on March 19, 2020. At the Court’s request, the

1 Chief Justice has issued further emergency orders authorizing the Court to extend various
2 emergency measures on April 16, May 15, June 10, June 12, June 19, July 13, August 11,
3 September 10, October 9, November 9, and December 9, 2020, respectively, all of which the
4 Court has implemented via General Order.
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6 In addition to the emergency authority the Chief Justice has granted directly to the Court
7 in her court specific emergency orders, on March 30, 2020, the Chief Justice issued a statewide
8 emergency order granting all 58 courts in California additional emergency authority. While
9 certain portions of the Chief Justice's March 30, 2020 statewide emergency order were rescinded
10 effective June 10, 2020, other portions – including the section upon which the Court relies in
11 implementing this General Order - remain in effect.
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13 Because COVID-19 related emergency conditions continue to exist in Stanislaus County,
14 the Court renewed its request for authorization to extend certain emergency measures on January
15 6, 2021, and on January 7, 2021, the Chief Justice issued an order granting such authority
16 directly to the Stanislaus County Superior Court effective through the dates set forth herein.
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18 Now, exercising the authority granted under Government Code section 68115, the Chief Justice's
19 March 30, 2020, statewide emergency order, and the further January 7, 2021, order of the Chief
20 Justice,
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23 **This Court HEREBY FINDS AND ORDERS AS FOLLOWS:**

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25 1. The Court may hold sessions anywhere in the county, including in correctional and juvenile
26 detention facilities from 1/8/2021 to 2/5/2021, inclusive. (Gov. Code, § 68115(a)(1));
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- 1 2. The Court may declare that from 1/8/2021 to 2/5/2021, inclusive, be deemed a
2 holiday/holidays for purposes of computing the time for filing papers with the court under
3 Code of Civil Procedure sections 12 and 12a. (Gov. Code, § 68115(a)(4).)
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5 3. The Court may declare that from 1/8/2021 to 2/5/2021, inclusive, be deemed a
6 holiday/holidays for purposes of computing time under Welfare and Institutions Code
7 sections 313, 315, 334, 631, 632, 637 and 657. (Gov. Code, § 68115(a)(5).)
- 8 4. The Court extends the time periods provided in sections 583.310 and 583.320 of the Code of
9 Civil Procedure to bring an action to trial by not more than ninety (90) days. (Gov. Code,
10 § 68115(a)(6).) This order applies only to cases in which the statutory deadline otherwise
11 would expire from 1/8/2021 to 2/5/2021, inclusive;
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13 5. The Court extends the time period provided in section 1382 of the Penal Code within which a
14 trial must be held by thirty (30) days. (Gov. Code, § 68115(a)(10)). This order applies only
15 to cases in which the original or previously extended statutory deadline otherwise would
16 expire from 1/8/2021 to 2/5/2021, inclusive.
- 17
18 6. The Court extends the time period provided in section 825 of the Penal Code within which a
19 defendant charged with a felony offense must be taken before a magistrate from 48 hours to
20 not more than seven (7) days. (Gov. Code, § 68115(a)(8)). This order applies only to
21 defendants for whom the statutory deadline otherwise would expire from 1/8/2021 to
22 2/5/2021, inclusive.
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24 7. The Court extends the time period provided in section 859b of the Penal Code for the holding
25 of a preliminary examination from ten (10) court days to not more than thirty (30) court days.
26 (Order of Chief Justice Tani G. Cantil-Sakauye, dated March 30, 2020, Section A.1.) This
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1 order applies in all cases until revoked or modified by order of this Court or of the Chief
2 Justice of the California Supreme Court.

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4 8. If the court determines it is necessary, the court may extend the time period provided in
5 section 313 of the Welfare and Institutions Code within which a minor taken into custody
6 pending dependency proceedings must be released from custody to not more than seven (7)
7 days. (Gov. Code, § 68115(a)(11).) This order applies only to minors for whom the
8 statutory deadline otherwise would expire from 1/8/2021 to 2/5/2021, inclusive.
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- 10 9. If the court determines it is necessary, the court may extend the time period provided in
11 section 315 of the Welfare and Institutions Code within which a minor taken into custody
12 pending dependency proceedings must be given a detention hearing to not more than seven
13 (7) days. (Gov. Code, § 68115(a)(11).) This order applies only to minors for whom the
14 statutory deadline otherwise would expire from 1/8/2021 to 2/5/2021, inclusive.
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- 16 10. If the court determines it is necessary, the court may extend the time periods provided in
17 sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into
18 custody pending wardship proceedings and charged with a felony offense must be given a
19 detention hearing or rehearing to not more than seven (7) days. (Gov. Code, § 68115(a)(11).)
20 This order applies only to minors for whom the statutory deadline otherwise would expire
21 from 1/8/2021 to 2/5/2021, inclusive.
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- 23 11. If the court determines it is necessary, the court may extend the time period provided in
24 section 334 of the Welfare and Institutions Code within which a hearing on a juvenile
25 dependency petition must be held by not more than seven (7) days. (Gov. Code, §
26 68115(a)(12).) This order applies only to minors for whom the statutory deadline otherwise
27 would expire from 1/8/2021 to 2/5/2021, inclusive.
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2 12. If the court determines it is necessary, the court may extend the time period provided in
3 section 657 of the Welfare and Institutions Code within which a hearing on a wardship
4 petition for a minor charged with a felony offense must be held by not more than fifteen (15)
5 days. (Gov. Code, § 68115(a)(12).) This order applies only to minors for whom the
6 statutory deadline otherwise would expire from 1/8/2021 to 2/5/2021, inclusive.
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10 This order is intended to supplement the statewide orders issued by the Chief Justice of
11 the California Supreme Court and Emergency Rules of Court adopted by Judicial Council of
12 California. If there is any conflict between the terms of the statewide orders or Emergency Rules
13 of Court and this order, the statewide orders and Emergency Rules shall control.
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15 IT IS SO ORDERED.

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17 DATED: January 7, 2021



18 *Robert B. Westbrook*
19 ROBERT B. WESTBROOK,
20 PRESIDING JUDGE OF THE
21 SUPERIOR COURT
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