

Superior Court of California County of Santa Clara

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FOR IMMEDIATE RELEASE: April 3, 2020

General Order RE: Implementation of Emergency Relief

*Presiding Judge Deborah A. Ryan orders an extension of
deadlines for Santa Clara County Superior Court*

SAN JOSÉ, California (April 3, 2020): In response to Governor Gavin Newsom's Executive Order issued on Friday, March 27, 2020 and the March 30, 2020 Order of Chief Justice Tani G. Cantil-Sakauye, Presiding Judge Deborah A. Ryan signed an Order for implementation of emergency relief pursuant to Government Code Section 68115.

"The Court must continue to weigh the balance between protecting the health and safety of the public, court staff, deputies, litigants and judicial officers with our statutory and constitutional duties," said Presiding Judge Deborah A. Ryan. "In response to the continued concerns about spread of COVID-19 in Santa Clara County, the Court has made the decision to extend certain deadlines in order to achieve those goals and to reduce the number of people coming into courthouses and courtrooms, including court personnel needed to process cases and calendars."

On March 28, 2020, the Judicial Council met in emergency session to consider the Chief Justice's Order requiring superior courts to suspend jury trials for 60 days, among other actions. The Judicial Council unanimously approved and supported the Chief Justice's authority to issue statewide emergency orders and to allow Presiding Judges in the 58 courts of the state to apply to the Chief for the authority to issue their own emergency orders as needed for their individual courts. The Judicial Council also directed superior courts across the state to explore available technologies in an effort to conduct judicial proceedings and court operations remotely.

As of March 30, 2020, the Santa Clara County Superior Court, [in conjunction with the Santa Clara County Sheriff's Office](#), has begun efforts to provide video arraignments for those recently brought into custody on felony and misdemeanor charges in Santa Clara County. Video arraignments will allow for social distancing and limit direct contact for all persons within the courtroom and jail facility. Persons in custody taking part in video arraignments will no longer need to be transported by bus with others to Court, which will provide another layer of protection against potential exposure for law enforcement, judges and court staff, justice partners, and the public.

Please visit the
[Superior Court's Covid-19 response website](#)
for additional Court information.

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Clerk of the Court
Superior Court of CA County of Santa Clara
BY David K. Walker DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA**

**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 March, 30, 2020 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the March 27, 2020 request for an emergency order made by the Superior Court of Santa Clara County (“Court”), this Court **HEREBY FINDS AND ORDERS AS FOLLOWS:**

1. For purposes of computing time for filing papers with the Court under Code of Civil Procedure sections 12 and 12a, the time from March 30, 2020, to April 28, 2020, inclusive, is deemed holidays because the emergency conditions described in the Order have substantially interfered with the public’s ability to file papers in a court facility on those dates (Gov. Code, §68115(a)(4));

2. For purposes of computing time under Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657, the time from March 30, 2020, to April 28, 2020, inclusive, is deemed holidays because the emergency conditions described in the Order prevent the court from conducting proceedings and accepting filings on those dates as necessary to satisfy these deadlines (Gov. Code, § 68115(a)(5));

1 3. For purposes of computing time under Penal Code section 825, the time from
2 April 8, 2020, to April 28, 2020, inclusive, is deemed holidays because the above-described
3 emergency conditions prevent the court from conducting proceedings or accepting filings as
4 necessary to satisfy these deadlines on those dates (Gov. Code, section 68115(a)(5));

5 4. Any judge of the Court may extend by not more than 30 days the duration of any
6 temporary restraining order that would otherwise expire from April 6, 2020, to April 28, 2020,
7 inclusive, because the emergency condition described in the Order prevented the Court from
8 conducting proceedings to determine whether a permanent order should be entered (Gov. Code,
9 § 68115(a)(7));

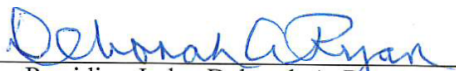
10 5. In cases in which the statutory deadline otherwise would expire from April 8,
11 2020, to April 28, 2020, inclusive, any judge of the Court may extend the time period provided
12 in section 825 of the Penal Code within which a defendant charged with a felony offense must be
13 taken before a magistrate from 48 hours to not more than 7 days (Gov. Code, § 68115(a)(8));

14 6. In cases in which the statutory deadline otherwise would expire from April 8,
15 2020, to April 28, 2020, inclusive, any judge of the Court may extend the time period provided
16 in section 859b of the Penal Code for the holding of a preliminary examination from 10 court
17 days to not more than 15 court days (Gov. Code, § 68115(a)(9));

18 7. In cases in which the statutory deadline otherwise would expire from April 8,
19 2020, to April 28, 2020, inclusive, any judge of the Court may extend the time period provided
20 in section 1382 of the Penal Code for the holding of a criminal trial by not more than 30 days
21 (Gov. Code, § 68115(a)(10)).

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23 THIS ORDER IS EFFECTIVE MARCH 30, 2020.

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25 Dated: April 1, 2020

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27 Presiding Judge Deborah A. Ryan
28 Santa Clara County Superior Court