

1
2
3 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
4 **IN AND FOR THE COUNTY OF ORANGE**
5

6 **In Re:**)
7 **COVID-19 Pandemic**)
8) **FOURTH**
9) **IMPLEMENTATION ORDER**
10) **RE EMERGENCY ORDER**
11) **(Gov. Code, § 68115)**
12)
13)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

12 Exercising the authority granted by Government Code section 68115, the March
13 30, 2020 and April 29, 2020 Statewide Emergency Orders issued by Chief Justice Tani
14 Cantil-Sakauye, Chair of the California Judicial Council, and the May 26, 2020 Order of
15 Chief Justice Tani Cantil-Sakauye issued in response to the May 19, 2020 Request for a
16 Judicial Emergency Order made by the Superior Court of Orange County (“Court”), this
17 Court **HEREBY FINDS AND ORDERS AS FOLLOWS:**
18

19 1. The Court extends the time period provided in section 859b of the Penal Code
20 for the holding of a preliminary examination from 10 court days to not more than 15 court
21 days, applicable only to cases in which the statutory deadline otherwise would expire from
22 5/26/2020 to 7/17/2020, inclusive. (Gov. Code Section 68115(a)(9).)
23

24 2. The Court extends the time period provided in section 1382 of the Penal Code
25 for the holding of a criminal trial by not more than 90 days in cases in which the statutory
26 deadline otherwise would expire from 5/26/2020 to 6/15/2020, inclusive. (Statewide
27 Emergency Order by Hon. Tani Cantil-Sakauye, April 29, 2020.)
28

1 3. The Court extends the time period provided in section 825 of the Penal Code
2 within which a defendant charged with a felony offense must be taken before a magistrate
3 from 48 hours to not more than 7 days, applicable only to cases in which the statutory deadline
4 otherwise would expire from 5/26/2020 to 6/19/2020, inclusive. (Gov. Code, § 68115(a)(8).)

5 4. The Court extends the time period provided in section 313 of the Welfare and
6 Institutions Code within which a minor taken into custody pending dependency proceedings
7 must be released from custody to not more than 7 days. (Gov. Code, § 68115(a)(11).) This
8 applies only to minors for whom the statutory deadline otherwise would expire from
9 5/26/2020 to 6/19/2020, inclusive.
10

11 5. The Court extends the time period provided in section 315 of the Welfare and
12 Institutions Code within which a minor taken into custody pending dependency proceedings
13 must be given a detention hearing to not more than 7 days. (Gov. Code, § 68115(a)(11).) This
14 applies only to minors for whom the statutory deadline otherwise would expire from
15 5/26/2020 to 6/19/2020, inclusive.
16

17 6. The Court extends the time periods provided in sections 632 and 637 of the
18 Welfare and Institutions Code within which a minor taken into custody pending wardship
19 proceedings and charged with a felony offense must be given a detention hearing or rehearing
20 to not more than 7 days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom
21 the statutory deadline otherwise would expire from 5/26/2020 to 6/19/2020, inclusive.
22

23 7. The Court extends the time period provided in section 334 of the Welfare and
24 Institutions Code within which a hearing on a juvenile dependency petition must be held by
25 not more than 15 days. (Gov. Code, § 68115(a)(12).) This applies only to minors for whom
26 the statutory deadline otherwise would expire from 5/26/2020 to 6/19/2020, inclusive.
27
28

1 8. The Court extends the time period provided in section 657 of the Welfare and
2 Institutions Code within which a hearing on a wardship petition for a minor charged with a
3 felony offense must be held by not more than 15 days. (Gov. Code, § 68115(a)(12).) This
4 applies only to minors for whom the statutory deadline otherwise would expire from
5 5/26/2020 to 6/19/2020, inclusive.
6

7 It is the intent of this Order to provide the maximum length of constitutionally
8 permitted continuance days authorized by the March 30, 2020 and April 29, 2020 Statewide
9 Emergency Orders and the May 26, 2020 Order issued by the Hon. Tani G. Cantil-Sakauye,
10 Chief Justice of the California Supreme Court. Any conflicts in the above language are to be
11 resolved in favor of granting the lengthier of the continuance options. Until further notice the
12 clerk's office, as well as access to the court's physical files and records, shall remain closed
13 to the general public.
14

15 THIS ORDER IS EFFECTIVE IMMEDIATELY.
16

17 Dated: 5/26/20
18

Kirk H. Nakamura
19 Kirk H. Nakamura, Presiding Judge
20
21
22
23
24
25
26
27
28