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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) **AMENDED THIRD**
9) **IMPLEMENTATION ORDER**
10) **RE EMERGENCY ORDER**
11) **(Gov. Code, § 68115)**
12 **April 24, 2020**)
13 _____)

14 Exercising the authority granted by Government Code section 68115 and the April
15 24, 2020 Order of Chief Justice Tani Cantil-Sakauye, Chair of the California Judicial
16 Council, issued in response to the April 21, 2020 Request for a Judicial Emergency Order
17 made by the Superior Court of Orange County (“Court”), this Court **HEREBY FINDS**
18 **AND ORDERS AS FOLLOWS:**

19 1. The Court declares that all dates from 4/27/2020 to 5/22/2020 are holidays for
20 purposes of computing the time for filing papers with the Court under Code of Civil Procedure
21 sections 12 and 12a. (Gov. Code, § 68115(a)(4).)

22 2. The Court declares that all dates from 4/27/2020 to 5/22/2020 are holidays for
23 purposes of computing the time under:

24 a. Welfare and Institutions Code section 313 (time to release minor
25 taken into custody pending dependency proceedings);
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- 1 b. Welfare and Institutions Code section 315 (time to hold detention
2 hearing for minor taken into custody pending dependency
3 proceedings);
4 c. Welfare and Institutions Code section 334 (time to hold hearing on
5 dependency petition);
6 d. Welfare and Institutions Code section 631 (detention of minor in
7 wardship proceedings);
8 e. Welfare and Institutions Code section 632 (detention hearing for
9 minor in wardship proceedings);
10 f. Welfare and Institutions Code section 637 (detention rehearing for
11 minor in wardship proceedings); and
12 g. Welfare and Institutions Code section 657 (hearing on petition to
13 declare minor a ward).
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16 3. The Court extends the time periods provided in sections 583.310 and 583.320
17 of the Code of Civil Procedure to bring an action to trial by not more than sixty (60) days.
18 (Gov. Code, § 68115(a)(6).) This request applies only to cases in which the statutory deadline
19 otherwise would expire from 4/27/2020 to 5/22/2020, inclusive.
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21 4. Until the Court orders otherwise or holds a hearing to determine whether a
22 longer-term order should be entered, the Court extends by ninety (90) days the duration of any
23 temporary restraining order issued or set to expire during the state of emergency related to the
24 COVID-19 pandemic because the emergency condition prevents the court from conducting
25 proceedings to determine whether a permanent order should be entered. (Cal. Rules of Court,
26 Emergency Rule 8(b)(3).)
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1 5. The Court extends the time period provided in section 859b of the Penal Code
2 for the holding of a preliminary examination from 10 court days to not more than 30 court
3 days, applicable only to cases in which the statutory deadline otherwise would expire from
4 4/27/2020 to 5/22/2020, inclusive. (Statewide Emergency Order by Hon. Tani Cantil-
5 Sakauye, March 30, 2020.)
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7 6. The Court extends the time period provided in section 1382 of the Penal Code
8 for the holding of a criminal trial by not more than 60 days in cases in which the statutory
9 deadline otherwise would expire from 4/27/2020 to 5/22/2020, inclusive. (Statewide
10 Emergency Order by Hon. Tani Cantil-Sakauye, March 30, 2020.)
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12 7. The Court extends the time period provided in section 825 of the Penal Code
13 within which a defendant charged with a felony offense must be taken before a magistrate
14 from 48 hours to not more than 7 days, applicable only to cases in which the statutory deadline
15 otherwise would expire from 4/27/2020 to 5/22/2020, inclusive. (Gov. Code, § 68115(a)(8).)
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17 8. The Court extends the time period provided in section 313 of the Welfare and
18 Institutions Code within which a minor taken into custody pending dependency proceedings
19 must be released from custody to not more than 7 days. (Gov. Code, § 68115(a)(11).) This
20 applies only to minors for whom the statutory deadline otherwise would expire from
21 4/27/2020 to 5/22/2020, inclusive.
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23 9. The Court extends the time period provided in section 315 of the Welfare and
24 Institutions Code within which a minor taken into custody pending dependency proceedings
25 must be given a detention hearing to not more than 7 days. (Gov. Code, § 68115(a)(11).) This
26 applies only to minors for whom the statutory deadline otherwise would expire from
27 4/27/2020 to 5/22/2020, inclusive.
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1 10. The Court extends the time periods provided in sections 632 and 637 of the
2 Welfare and Institutions Code within which a minor taken into custody pending wardship
3 proceedings and charged with a felony offense must be given a detention hearing or rehearing
4 to not more than 7 days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom
5 the statutory deadline otherwise would expire from 4/27/2020 to 5/22/2020, inclusive.
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7 11. The Court extends the time period provided in section 334 of the Welfare and
8 Institutions Code within which a hearing on a juvenile dependency petition must be held by
9 not more than 15 days. (Gov. Code, § 68115(a)(12).) This applies only to minors for whom
10 the statutory deadline otherwise would expire from 4/27/2020 to 5/22/2020, inclusive.
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12 12. The Court extends the time period provided in section 657 of the Welfare and
13 Institutions Code within which a hearing on a wardship petition for a minor charged with a
14 felony offense must be held by not more than 15 days. (Gov. Code, § 68115(a)(12).) This
15 applies only to minors for whom the statutory deadline otherwise would expire from
16 4/27/2020 to 5/22/2020, inclusive.
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18 13. The declaration in paragraph 1 of this Order shall not apply to: (a) proceedings
19 regarding a guardianship or conservatorship under the Probate Code; (b) proceedings
20 pursuant to Title 7, Chapter 20 of the California Rules of Court (“Claims of Minors and
21 Persons With Disabilities”) and (c) proceedings regarding a conservatorship under the
22 Lanterman-Petris-Short (LPS) Act (Welfare & Institutions Code section 5150, et seq.). Such
23 proceedings remain subject to the other provisions of this Order, to the extent applicable.
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25 Except as indicated in paragraph 13, it is the intent of this Order to provide the
26 maximum length of constitutionally permitted continuance days authorized by the April 24,
27 2020 Order issued by the Hon. Tani G. Cantil-Sakauye, Chief Justice of the California
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1 Supreme Court. Any conflicts in the above language are to be resolved in favor of granting
2 the lengthier of the continuance options. The clerk's office, as well as access to the court's
3 physical files and records shall remain closed to the general public during this time.

4 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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7 Dated: _____

4/28/20



Kirk H. Nakamura, Presiding Judge