

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SONOMA

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 October 12, 2017 Order of Chief Justice Tani G. Cantil-Sakauye, Chair of the California Judicial Council, attached hereto and incorporated hereby, issued in response to the October 11, 2017 request for an emergency order made by the Superior Court of Sonoma 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, October 10, 2017, through October 20, 2017, are deemed holidays (Gov. Code, § 68115(c));

2. For purposes of computing time under Penal Code section 825, and Welfare and Institutions Code sections 313, 315, 631, 632, and 657, October 10, 2017, through October 20, 2017, are deemed holidays (Gov. Code, § 68115(d));

3. Where necessary and appropriate, and with the concurrence of the Presiding Judge, any judge of the Court may order that sessions be held anywhere in the county, including in correctional and juvenile detention facilities, between October 10, 2017, through October 20, 2017 (Gov. Code, § 68115(a));

4. Where necessary and appropriate, and with the concurrence of the Presiding Judge, any judge of the Court may transfer civil cases pending trial to a superior court in

an adjacent county if the requirements of Government Code section 68115(b) are met, between October 10, 2017, through October 20, 2017 (Gov. Code, § 68115(b));

5. In appropriate cases, any judge of the Court may extend the duration of any temporary restraining order to no later than October 25, 2017 that would otherwise expire between October 10, 2017 and October 24, 2017, because the emergency condition described herein prevented the Court from conducting proceedings to determine whether a permanent order should be entered (Gov. Code, § 68115(e));

6. In appropriate cases, any judge of the Court may extend the time period provided in section 825 of the Penal Code within which a defendant who is taken into custody on or before October 20, 2017, and charged with a felony offense must be taken before a magistrate from 48 hours to not more than seven days (Gov. Code, § 68115(f));

7. In appropriate cases, any judge of the Court may extend the time period provided in section 859b of the Penal Code for the holding of a preliminary examination from 10 court days to no more than 15 days for cases in which the last day of the statutory time period otherwise would occur on or between October 10, 2017 and October 20, 2017 (Gov. Code, § 68115(g));

8. In appropriate cases, any judge of the Court may extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by no more than 30 days for cases in which the last day of the statutory time period otherwise would occur on or between October 10, 2017 and October 20, 2017 (Gov. Code, § 68115(h));

9. In appropriate cases, any judge of the Court may extend the time period provided in sections 313 and 315 of the Welfare and Institutions Code within which a

minor taken into custody on or before October 20, 2017, must be given a detention hearing by not more than seven days (Gov. Code, § 68115 (i));

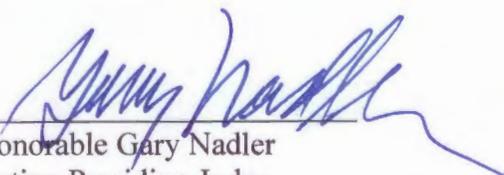
10. In appropriate cases, any judge of the Court may extend the time period provided in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into custody on or before October 20, 2017, who has been charged with a felony must be given a detention hearing by not more than seven days (Gov. Code, § 68115 (i));

11. In appropriate cases, any judge of the Court may extend the time period provided in section 334 of the Welfare and Institutions Code within which an adjudication on a juvenile court petition must be held by not more than 15 days, applicable only as to minors for whom the time period provided in Welfare and Institutions Code section 334 begins to run on or before October 20, 2017 (Gov. Code, § 68115 (j)); and

12. In appropriate cases, any judge of the Court may extend the time period provided in section 657 of the Welfare and Institutions Code within which an adjudication on a juvenile court petition where the minor has been charged with a felony must be held by not more than 15 days applicable only as to minors for whom the time period provided in Welfare and Institutions Code section 657 begins to run on or before October 20, 2017 (Gov. Code, § 68115 (j)).

THIS ORDER IS EFFECTIVE IMMEDIATELY.

Dated: October 13, 2017


Honorable Gary Nadler
Acting Presiding Judge

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Pursuant to section 68115 of the Government Code, it has been determined that because of an extraordinary wildfire event, leading to an evacuation order and the forced closure of all Sonoma County courthouses, there is an immediate threat to the orderly operations of the Superior Court of California, County of Sonoma. The conditions also have led Governor Edmund G. Brown Jr. to declare a state of emergency for Sonoma County under Government Code section 8625. As a result, and at the request of Presiding Judge Raima H. Ballinger, it is ordered that the Superior Court of Sonoma County is authorized to do the following:

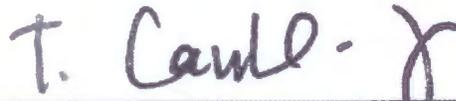
- Hold sessions anywhere in the county, including in correctional and juvenile detention facilities, from October 10, 2017 through October 20, 2017 (section 68115(a));
- Transfer civil cases pending trial to a superior court in an adjacent county from October 10, 2017, through October 20, 2017, where the requirements of Government Code section 68115(b) are met (section 68115(b));
- Declare that October 10, 2017, through October 20, 2017, be deemed holidays for purposes of computing the time for filing papers with the court under Code of Civil Procedure sections 12 and 12a (section 68115(c));
- Declare that October 10, 2017, through October 20, 2017, be deemed holidays for purposes of computing time under Penal Code section 825 and Welfare and Institutions Code sections 313, 315, 631, 632, 637, and 657 (section 68115(d));
- Extend, to no later than October 25, 2017, the duration of any temporary restraining order that would otherwise expire between October 10, 2017, and October 24, 2017, because the emergency condition described herein prevented the Court from conducting proceedings to determine whether a permanent order should be entered (section 68115(e));
- Extend the time period provided in section 825 of the Penal Code within which a defendant who is taken into custody on or before October 20,

2017, and charged with a felony offense must be taken before a magistrate from 48 hours to no more than seven days (section 68115(f));

- Extend the time period provided in section 859b of the Penal Code for the holding of a preliminary examination from 10 court days to no more than 15 days for cases in which the last day of the statutory time period otherwise would occur on or between October 10, 2017, and October 20, 2017 (section 68115(g));
- Extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by no more than 30 days for cases in which the last day of the statutory time period otherwise would occur on or between October 10, 2017, and October 20, 2017 (section 68115(h));
- Extend the time period provided in sections 313 and 315 of the Welfare and Institutions Code within which a minor taken into custody on or before October 20, 2017, must be given a detention hearing by not more than seven days (section 68115(i));
- Extend the time period provided in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into custody on or before October 20, 2017, who has been charged with a felony must be given a detention hearing by not more than seven days (section 68115(i));
- Extend the time period provided in section 334 of the Welfare and Institutions Code within which an adjudication on a juvenile court petition must be held by not more than 15 days, applicable only as to minors for whom the time period provided in Welfare and Institutions Code section 334 begins to run on or before October 20, 2017 (section 68115(j)); and
- Extend the time period provided in section 657 of the Welfare and Institutions Code within which an adjudication on a juvenile court petition where the minor has been charged with a felony must be held by not more than 15 days, applicable only as to minors for whom the time period provided in Welfare and Institutions Code section 657 begins to run on or before October 20, 2017 (section 68115(j)).

The court may apply for an extension of this order should circumstances create a continuing necessity.

Date: October 12, 2017

Handwritten signature of T. Cantil-Sakauy in black ink.

Hon. Tani Cantil-Sakauy
Chief Justice of California and
Chair of the Judicial Council