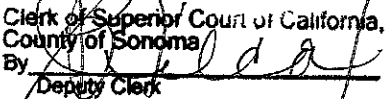


1 HONORABLE GARY NADLER
2 PRESIDING JUDGE
3 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
4 COUNTY OF SONOMA
5 600 Administration Drive, Courtroom 15
6 Santa Rosa, CA 95403
7 Telephone: (707) 521-6726

FILED

OCT 29 2019

Clerk of Superior Court of California,
County of Sonoma
By 
Deputy Clerk

8 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
9 COUNTY OF SONOMA

10 **GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF**
11 **AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY CHAIR**
12 **OF JUDICIAL COUNCIL**

13 Exercising the authority granted under Government Code section 68115 and the
14 October 28, 2019 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the
15 Judicial Council of California (attached as Exhibit “A” hereto), issued in response to the
16 October 28, 2019 request for an emergency order made by the Superior Court of Sonoma
17 County (“Court”), this Court HEREBY FINDS AND ORDERS AS FOLLOWS:

- 18
- 19 1. For purposes of computing time for filing papers with the Court under Code of Civil
20 Procedure sections 12 and 12a, from October 28, 2019, to November 1, 2019, inclusive, are
21 deemed holidays (Gov. Code, § 68115(a)(4));
 - 22 2. For purposes of computing time under Penal Code section 825, and Welfare and
23 Institutions Code sections 313, 315, 334, 631, 632, 637, and 657, from October 28, 2019, to
24 November 1, 2019, inclusive, are deemed holidays (Gov. Code, § 68115(a)(5));
 - 25 3. With the concurrence of the Presiding Judge, a judge of the Court may order that
26 sessions be held anywhere in the county, including in correctional and juvenile detention
27 facilities, from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(1));
- 28

1 4. With the concurrence of the Presiding Judge and the consent of all parties to the case,
2 a judge of the Court may transfer pending civil cases to a superior court in any county, from
3 October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(2)(A));

4 5. With the concurrence of the Presiding Judge, and upon a finding that extreme or undue
5 hardship would result unless a case is transferred for trial, a judge of the Court may transfer
6 pending civil cases to any superior court in an adjacent county or to any superior court within
7 100 miles of the border of Sonoma County, from October 28, 2019, to November 1, 2019,
8 inclusive (Gov. Code, § 68115(a)(2)(B));

9 6. With the concurrence of the Presiding Judge, and upon a finding that extreme or undue
10 hardship would result unless a case is transferred for trial, a judge of the Court may transfer
11 pending civil cases to any superior court within 100 miles of the outer boundary of the area in
12 which Governor Newsom has declared a state of emergency, from October 28, 2019, to
13 November 1, 2019, inclusive (Gov. Code, § 68115(a)(2)(B));

14 7. In cases in which the statutory deadline otherwise would expire from October 28,
15 2019, to November 1, 2019, inclusive, the Court extends the time periods provided in sections
16 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial by five days
17 (Gov. Code, § 68115(a)(6));

18 8. The Court extends by five days the duration of any temporary restraining order that
19 would otherwise expire from October 28, 2019, to November 1, 2019, inclusive, because the
20 emergency condition described in the Order prevented the Court from conducting proceedings
21 to determine whether a permanent order should be entered (Gov. Code, § 68115(a)(7));

22 9. In cases in which the statutory deadline otherwise would expire from October 28,
23 2019, to November 1, 2019, inclusive, the Court extends the time period provided in section
24 825 of the Penal Code within which a defendant charged with a felony offense must be taken
25 before a magistrate from 48 hours to not more than 7 days (Gov. Code, § 68115(a)(8));

26 10. In cases in which the statutory deadline otherwise would expire from October 28,
27 2019, to November 1, 2019, inclusive, the Court extends the time period provided in section
28

1 859b of the Penal Code for the holding of a preliminary examination from 10 court days to
2 not more than 13 court days (Gov. Code, § 68115(a)(9));

3 11. In cases in which the statutory deadline otherwise would expire from October 28,
4 2019, to November 1, 2019, inclusive, the Court extends the time period provided in section
5 1382 of the Penal Code for the holding of a criminal trial by not more than seven days (Gov.
6 Code, § 68115(a)(10));

7 12. In cases in which the statutory deadline otherwise would expire from October 28,
8 2019, to November 1, 2019, inclusive, the Court extends the time period provided in section
9 313 of the Welfare and Institutions Code within which a minor taken into custody pending
10 dependency proceedings must be released from custody to not more than seven days (Gov.
11 Code, § 68115(a)(11));

12 13. In cases in which the statutory deadline otherwise would expire from October 28,
13 2019, to November 1, 2019, inclusive, the Court extends the time period provided in section
14 315 of the Welfare and Institutions Code within which a minor taken into custody pending
15 dependency proceedings must be given a detention hearing to not more than seven days (Gov.
16 Code, § 68115(a)(11));

17 14. In cases in which the statutory deadline otherwise would expire from October 28,
18 2019, to November 1, 2019, inclusive, the Court extends the time periods provided in sections
19 632 and 637 of the Welfare and Institutions Code within which a minor taken into custody
20 pending wardship proceedings and charged with a felony must be given a detention hearing or
21 rehearing to not more than seven days (Gov. Code, § 68115(a)(11));

22 15. In cases in which the statutory deadline otherwise would expire from October 28,
23 2019, to November 1, 2019, inclusive, the Court extends the time period provided in section
24 334 of the Welfare and Institutions Code within which a hearing on a juvenile dependency
25 petition must be held by not more than seven days (Gov. Code, § 68115(a)(12)); and

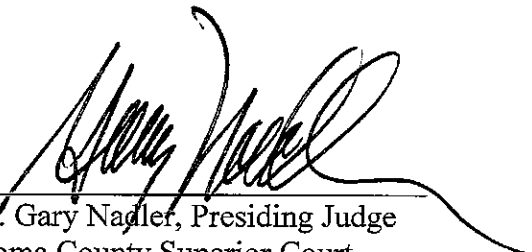
26 16. In cases in which the statutory deadline otherwise would expire from October 28,
27 2019, to November 1, 2019, inclusive, the Court extends the time period provided in section
28 657 of the Welfare and Institutions Code within which a hearing on a wardship petition for a

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minor charged with a felony offense must be held by not more than 10 days (Gov. Code, § 68115(a)(12)).

THIS ORDER IS EFFECTIVE IMMEDIATELY.

Dated: October 29, 2019



Hon. Gary Nadler, Presiding Judge
Sonoma County Superior Court

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of an extreme wildfire event, leading to an evacuation order and the forced closure of Sonoma County courthouses, it has been determined that the conditions described in section 68115 of the Government Code are met with regard to the Superior Court of California, County of Sonoma. Due to the effects of unprecedented high-wind events, resulting in fires and evacuations across the state, including in Sonoma County, Governor Gavin Newsom has declared a statewide state of emergency. Upon the request of Presiding Judge Gary Nadler, it is ordered that the Superior Court of Sonoma County is authorized to do the following:

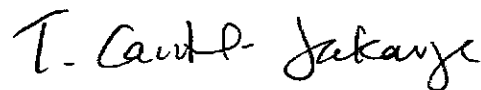
- Hold sessions anywhere in the county, including in correctional and juvenile detention facilities, from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(1));
- Transfer civil cases pending trial to a superior court in any county, with the consent of all parties to the case, from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(2)(A));
- Transfer pending civil cases to a superior court in any adjacent county or to a superior court within 100 miles of the border of Sonoma County, upon a finding by the court that extreme or undue hardship would result unless a case is transferred for trial, from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(2)(B));
- Transfer pending civil cases to any superior court within 100 miles of the outer boundary of the area in which the state of emergency has been declared, upon a finding by the court that extreme or undue hardship would result unless a case is transferred for trial, from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(2)(B));
- Declare that from October 28, 2019, to November 1, 2019, inclusive, be deemed holidays for purposes of computing the time for filing papers with the court under Code of Civil Procedure sections 12 and 12a (Gov. Code, § 68115(a)(4));

- Declare that from October 28, 2019, to November 1, 2019, inclusive, be deemed holidays for purposes of computing time under Penal Code section 825 and Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657 (Gov. Code, § 68115(a)(5));
- Extend the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial by not more than five days, applicable only to cases in which the statutory deadline otherwise would expire from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(6));
- Extend by not more than five days the duration of any temporary restraining order that would otherwise expire from October 28, 2019, to November 1, 2019, inclusive, because the emergency condition described herein prevented the court from conducting proceedings to determine whether a permanent order should be entered (Gov. Code, § 68115(a)(7));
- Extend the time period provided in section 825 of the Penal Code within which a defendant charged with a felony offense must be taken before a magistrate from 48 hours to not more than 7 days, applicable only to cases in which the statutory deadline otherwise would expire from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(8));
- Extend the time period provided in section 859b of the Penal Code for the holding of a preliminary examination from 10 court days to not more than 13 court days, applicable only to cases in which the statutory deadline otherwise would expire from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(9));
- Extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by not more than seven days, applicable only to cases in which the statutory deadline otherwise would expire from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(10));
- Extend the time period provided in section 313 of the Welfare and Institutions Code within which a minor taken into custody pending dependency proceedings must be released from custody to not more than seven days, applicable only to minors for whom the statutory

deadline otherwise would expire from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(11));

- Extend the time period provided in section 315 of the Welfare and Institutions Code within which a minor taken into custody pending dependency proceedings must be given a detention hearing to not more than seven days, applicable only to minors for whom the statutory deadline otherwise would expire from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(11));
- Extend the time periods provided in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into custody pending wardship proceedings and charged with a felony offense must be given a detention hearing or rehearing to not more than seven days, applicable only to minors for whom the statutory deadline otherwise would expire from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(11));
- Extend the time period provided in section 334 of the Welfare and Institutions Code within which a hearing on a juvenile dependency petition must be held by not more than seven days, applicable only to minors for whom the statutory deadline otherwise would expire from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(12)); and
- Extend the time period provided in section 657 of the Welfare and Institutions Code within which a hearing on a wardship petition for a minor charged with a felony offense must be held by not more than 10 days, applicable only to minors for whom the statutory deadline otherwise would expire from October 28, 2019, to November 1, 2019, inclusive (Gov. Code, § 68115(a)(12)).

Date: October 28, 2019



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