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APR 06 2020

FRESNO COUNTY SUPERIOR COURT
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SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
CENTRAL DIVISION

ORDER RE IMPLEMENTATION OF) GENERAL ORDER
EMERGENCY RELIEF AUTHORIZED)
PURSUANT TO GOVERNMENT CODE)
SECTION 68115 BY CHAIR OF)
JUDICIAL COUNCIL)
_____)

Due to the numerous public health and safety concerns the COVID-19 pandemic presents, and the proclamations of a state of emergency by Governor Newsom and President Trump, it has been determined that the conditions described in section 68115 of the Government Code continue to be met with regard to the Superior Court of California, County of Fresno.

Exercising the authority granted under Government Code section 68115, as conferred by the Governor and the April 1, 2020 Order of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the April 1, 2020, renewed request for an emergency order made by the Superior Court of Fresno County ("Court"), through Arlan L. Harrell, the Presiding Judge of the Court,

Order of the Presiding Judge re Implementation of Emergency Relief Authorized Pursuant to GC 68115

1 **THE COURT HEREBY FINDS AND ORDERS, EFFECTIVE IMMEDIATELY, AS**
2 **FOLLOWS:**

3 1. From April 6, 2020 until May 1, 2020, inclusive, all
4 courtrooms of the Court will remain closed for judicial business,
5 except for the following time-sensitive and essential functions:

6 a. Temporary Restraining Orders in Civil or Family Law
7 (includes initial ex parte application, as well as hearings on
8 restraining order requests where no temporary orders were granted
9 and, at the discretion of the Court, hearings on restraining order
10 requests where temporary orders have been granted)

11 b. Ex Parte Proceedings in Civil, Criminal, Family, or
12 Probate Law

13 c. In-custody Juvenile Delinquency Detention Hearings
14 and uncontested matters submitted without argument

15 d. Emergency Probate Petitions for Temporary
16 Conservatorship or Guardianship

17 e. Reise Hearings

18 f. Search Warrants

19 g. In-custody Arraignments

20 h. In-custody Preliminary Hearings

21 i. Bail Bond and Cash Bond Processing

22 j. Bail Review

23 k. Criminal Mental Competency Hearings, sentencing
24 proceedings

25 l. Criminal Jury Trials, upon a finding of good cause

26 **NOTICE IS HEREBY GIVEN THAT ALL OTHER MATTERS THAT HAD BEEN**
27 **PREVIOUSLY SCHEDULED OR CALENDARED DURING THE PERIOD BETWEEN APRIL**
28 **6, 2020, AND MAY 1, 2020, WILL BE RESET AND CONTINUED AS STATED IN**

1 THE APRIL 6, 2020, GENERAL ORDER RE: HEARINGS SET DURING THE
2 COVID-19 PANDEMIC. PLEASE VISIT OUR COURT WEBSITE TO VIEW A COPY
3 OF THAT ORDER.

4 2. The Court declares that from April 6, 2020, to May 1,
5 2020, inclusive, be deemed holidays for purposes of computing the
6 time for filing papers with the court under Code of Civil
7 Procedure sections 12 and 12a, if the above-described emergency
8 conditions substantially interfere with the public's ability to
9 file papers in a court facility on those dates (Gov. Code, §
10 68115(a)(4));

11 3. For purposes of computing time under Penal Code
12 section 825, and Welfare and Institutions Code sections 313, 315,
13 334, 631, 632, 637, and 657, from April 6, 2020, to May 1, 2020,
14 inclusive, are deemed holidays (Gov. Code, § 68115(a)(5));

15 4. The Court extends by **not more than 30 days** the duration
16 of any temporary restraining order that would otherwise expire on
17 from April 1, 2020, to May 1, 2020, inclusive, because the
18 emergency condition described in the Order prevented the Court
19 from conducting proceedings to determine whether a permanent order
20 should be entered (Gov. Code, § 68115(a)(7));

21 5. In cases in which the statutory deadline otherwise would
22 expire from April 6, 2020, to May 1, 2020, inclusive, the Court
23 extends the time period provided in section 313 of the Welfare and
24 Institutions Code within which a minor taken into custody pending
25 dependency proceedings must be released from custody to **not more**
26 **than seven days** (Gov. Code, § 68115(a)(11));

27 6. In cases in which the statutory deadline otherwise would
28 expire from April 6, 2020, to May 1, 2020, inclusive, the Court

1 extends the time period provided in section 315 of the Welfare and
2 Institutions Code within which a minor taken into custody pending
3 dependency proceedings must be given a detention hearing to **not**
4 **more than seven days** (Gov. Code, § 68115(a)(11));

5 7. In cases in which the statutory deadline otherwise would
6 expire from April 6, 2020, to May 1, 2020, inclusive, the Court
7 extends the time periods provided in sections 632 and 637 of the
8 Welfare and Institutions Code within which a minor taken into
9 custody pending wardship proceedings and charged with a felony
10 must be given a detention hearing or rehearing to **not more than**
11 **seven days** (Gov. Code, § 68115(a)(11));

12 8. In cases in which the statutory deadline otherwise would
13 expire from April 6, 2020, to May 1, 2020, inclusive, the Court
14 extends the time period provided in section 334 of the Welfare and
15 Institutions Code within which a hearing on a juvenile dependency
16 petition must be held by **not more than fifteen days** (Gov. Code,
17 § 68115(a)(12));

18 9. In cases in which the statutory deadline otherwise would
19 expire from April 6, 2020, to May 1, 2020, inclusive, the Court
20 extends the time period provided in section 657 of the Welfare and
21 Institutions Code within which a hearing on a wardship petition
22 for a minor charged with a felony offense must be held by **not more**
23 **than 15 days** (Gov. Code, § 68115(a)(12));

24 10. Pursuant to the March 30, 2020, order of the Chief
25 Justice, the Court extends the time period provided in section
26 859b of the Penal Code for the holding of a preliminary
27 examination and the defendant's right to release from 10 court
28 days to **not more than 30 court days**;

1 11. Pursuant to the March 30, 2020, order of the Chief
2 Justice, the Court extends the time period provided in section 825
3 of the Penal Code within which a defendant charged with a felony
4 offense must be taken before a magistrate from 48 hours to **not**
5 **more than seven days;**

6 12. Pursuant to the March 23, 2020, order of the Chief
7 Justice, the Court suspends and continues all jury trials are for
8 a period of **sixty (60) days** from the date of the Chief Justice's
9 March 23, 2020, order. However, the Court may conduct such a trial
10 at an earlier date, upon a finding of good cause shown or through
11 the use of remote technology, when appropriate;

12 13. Pursuant to the March 30, 2020, order of the Chief
13 Justice, the Court extends the time period provided in Penal Code
14 section 1382 for the holding of a criminal trial by no more than
15 **sixty (60) days** from the last date on which the statutory deadline
16 otherwise would have expired or **sixty (60) days** from the date of
17 Chief Justice's March 23, 2020, order, whichever is longer. The
18 Court may conduct such a trial at an earlier date, upon a finding
19 of good cause shown or through the use of remote technology, when
20 appropriate; and

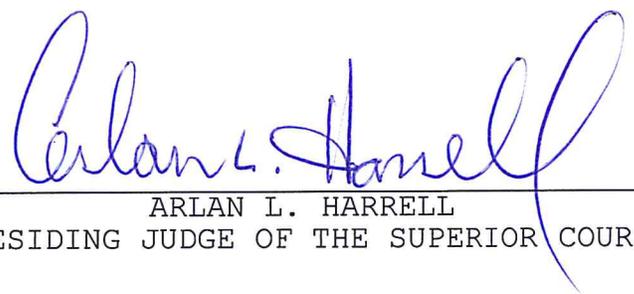
21 14. Pursuant to the March 30, 2020, order of the Chief
22 Justice, the Court extends the time period provided in Code of
23 Civil Procedure sections 583.310 and 583.320 for the holding of a
24 civil trial for a period of **sixty (60) days** from the last on which
25 date on which the statutory deadline otherwise would have expired.
26 The Court may conduct a trial at an earlier date, upon a finding

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1 of good cause shown or through the use of remote technology, when
2 appropriate.

3 DATED this 6th day of April, 2020.

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ARLAN L. HARRELL
PRESIDING JUDGE OF THE SUPERIOR COURT