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MAY 01 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 Government Code section 68115 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 30, 2020 Order of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the April 29, 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,

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

3 1. From May 4, 2020 until May 29, 2020, inclusive, all  
4 courtrooms of the Court will remain closed for judicial business,  
5 except for the following time-sensitive, essential functions, and  
6 priority matters:

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

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

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

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

18 e. Priority Family Law proceedings (see Emergency  
19 Family Law Rule 5.13 a copy of which may be viewed on the Court's  
20 website)

21 f. Reize Hearings

22 g. Search Warrants

23 h. In-custody Arraignments

24 i. In-custody Preliminary Hearings

25 j. Bail Bond and Cash Bond Processing

26 k. Bail Reviews

27 l. Criminal Mental Competency Hearings, sentencing  
28 proceedings

- 1 m. Criminal Jury Trials, upon a finding of good cause  
2 n. Writs of Habeas Corpus challenging medical  
3 quarantines.

4 NOTICE IS HEREBY GIVEN THAT ALL OTHER MATTERS THAT HAD BEEN  
5 PREVIOUSLY SCHEDULED OR CALENDARED DURING THE PERIOD BETWEEN MAY  
6 4, 2020, AND MAY 29, 2020, WILL BE RESET AND CONTINUED AS STATED  
7 IN THE APRIL 29, 2020, GENERAL ORDER RE: [CRIMINAL] HEARINGS SET  
8 DURING THE COVID-19 PANDEMIC OR THE APRIL 30, 2020, GENERAL ORDER  
9 RE: CIVIL HEARING AND TRIAL DATES DUE TO COVID-19 PANDEMIC, A COPY  
10 OF WHICH ORDERS MAY BE VIEWED ON THE COURT'S WEBSITE.

11 2. In cases in which the statutory deadline otherwise would  
12 expire from May 4, 2020, to May 29, 2020, inclusive, the Court  
13 extends the time periods provided in sections 632 and 637 of the  
14 Welfare and Institutions Code within which a minor taken into  
15 custody pending wardship proceedings and charged with a felony  
16 must be given a detention hearing or rehearing to **not more than**  
17 **seven days** (Gov. Code, § 68115(a)(11));

18 3. In cases in which the statutory deadline otherwise would  
19 expire from May 4, 2020, to May 29, 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 4. Pursuant to the March 30, 2020, order of the Chief  
25 Justice, the Court continues to extend the time period provided in  
26 section 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           5. Pursuant to the March 30, 2020, order of the Chief  
2 Justice, the Court continues to extend the time period provided in  
3 section 825 of the Penal Code within which a defendant charged  
4 with a felony offense must be taken before a magistrate from 48  
5 hours to **not more than seven days**;

6           6. Pursuant to the April 29, 2020, order of the Chief  
7 Justice, the 60-day continuance of criminal jury trials and the  
8 60-day extension of time in which to conduct a criminal trial  
9 under Penal Code section 1382, are extended an additional 30 days.  
10 The total extension of 90 days shall be calculated from the last  
11 date on which the trial initially could have been conducted under  
12 Penal Code section 1382, as illustrated below.

13           This extension applies only to those matters for which the  
14 last date on which the trial could be conducted under Penal Code  
15 section 1382 occurred or will occur between March 16, 2020, and  
16 June 15, 2020. This will result in a range of trial dates as  
17 follows: A criminal trial for which March 16, 2020, is the last  
18 day a trial could be conducted under Penal Code section 1382 would  
19 be extended to June 14, 2020, and a criminal trial for which June  
20 15, 2020, is the last day a trial could be conducted under Penal  
21 Code section 1382 would be extended until September 13, 2020.

22           7. The Court will collaborate with local justice partners  
23 to conduct a trial at an earlier date, if the Court can do so in  
24 compliance with applicable health and safety laws, regulations,  
25 and orders, including through the use of remote technology, when  
26 appropriate.

27           8. Pursuant to the March 30, 2020, order of the Chief  
28 Justice, the Court continues to extend the time period provided in

1 Code of Civil Procedure sections 583.310 and 583.320 for the  
2 holding of a civil trial for a period of **sixty (60) days** from the  
3 last on which date on which the statutory deadline otherwise would  
4 have expired. The Court may conduct a trial at an earlier date,  
5 upon a finding of good cause shown or through the use of remote  
6 technology, when appropriate.

7 9. The Order Restricting Courthouse Entry and Permitting  
8 Access Only to Authorized Persons dated April 6, 2020 remains in  
9 full force and effect.

10 10. This Order is subject to amendment as the ability to  
11 conduct additional case types and proceedings through the use of  
12 remote technology increases.

13 DATED this 1<sup>st</sup> day of May, 2020.



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18 ARLAN L. HARRELL  
PRESIDING JUDGE OF THE SUPERIOR COURT

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