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2
3 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
4 **IN AND FOR THE COUNTY OF ORANGE**
5

6 **In Re:**) **CASE/ORDER NO.** _____
7 **COVID-19 Pandemic**)
8) **IMPLEMENTATION ORDER**
9) **RE EMERGENCY ORDER**
10 **March 16, 2020**) **(Gov. Code, § 68115)**
_____)

11
12 Exercising the authority granted under Government Code section 68115 and the
13 March 16, 2020 Order of Chief Justice Tani Cantil-Sakauye, Chair of the California
14 Judicial Council, issued in response to the March 16, 2020 Request for a Judicial
15 Emergency Order made by the Superior Court of Orange County (“Court”), this Court
16 **HEREBY FINDS AND ORDERS AS FOLLOWS:**

17
18 1. The Court declares that 3/17/2020 to 3/27/2020 are holidays for purposes of
19 computing the time for filing papers with the Court under Code of Civil Procedure sections
20 12 and 12a. (Gov. Code, § 68115(a)(4).)

21
22 2. The Court declares that 3/17/2020 to 3/27/2020 are holidays for purposes of
23 computing the time under:

- 24 a. Penal Code section 825 (time to bring criminal defendant before
25 magistrate after arrest);
26 b. Welfare and Institutions Code section 313 (time to release minor
27 taken into custody pending dependency proceedings);
28

- c. Welfare and Institutions Code section 315 (time to hold detention hearing for minor taken into custody pending dependency proceedings);
- d. Welfare and Institutions Code section 334 (time to hold hearing on dependency petition);
- e. Welfare and Institutions Code section 631 (detention of minor in wardship proceedings);
- f. Welfare and Institutions Code section 632 (detention hearing for minor in wardship proceedings);
- g. Welfare and Institutions Code section 637 (detention rehearing for minor in wardship proceedings); and
- h. Welfare and Institutions Code section 657 (hearing on petition to declare minor a ward).

3. The Court extends 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 fourteen (14) days. (Gov. Code, § 68115(a)(6).) This request applies only to cases in which the statutory deadline otherwise would expire from 3/17/2020 to 3/27/2020, inclusive.

4. The Court extends by not more than fourteen (14) days the duration of any restraining order that would otherwise expire from 3/17/2020 to 3/27/2020, inclusive. (Gov. Code, § 68115(a)(7).)

5. The Court extends 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 15 court

1 days where the statutory deadline otherwise would expire from 3/17/2020 to 3/27/2020,
2 inclusive. (Gov. Code, § 68115(a)(9).)

3 6. The Court extends the time period provided in section 1382 of the Penal Code
4 for the holding of a criminal trial by not more than 30 days in cases which the statutory
5 deadline otherwise would expire from 3/17/2020 to 3/27/2020, inclusive. (Gov. Code,
6 § 68115(a)(10).)
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8 7. The Court extends the time period provided in section 825 of the Penal Code
9 within which a defendant charged with a felony offense must be taken before a magistrate
10 from 48 hours to not more than 5 days, applicable only to cases in which the statutory deadline
11 otherwise would expire from 3/17/2020 to 3/27/2020, inclusive. (Gov. Code, § 68115(a)(8).)
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13 8. The Court extends the time period provided in section 313 of the Welfare and
14 Institutions Code within which a minor taken into custody pending dependency proceedings
15 must be released from custody to not more than 5 days, applicable only to minors for whom
16 the statutory deadline otherwise would expire from 3/17/2020 to 3/27/2020, inclusive. (Gov.
17 Code, § 68115(a)(11).)
18

19 9. The Court extends the time period provided in section 315 of the Welfare and
20 Institutions Code within which a minor taken into custody pending dependency proceedings
21 must be given a detention hearing to not more than 5 days, applicable only to minors for whom
22 the statutory deadline otherwise would expire from 3/17/2020 to 3/27/2020, inclusive. (Gov.
23 Code, § 68115(a)(11).)
24

25 10. The Court extends the time periods provided in sections 632 and 637 of the
26 Welfare and Institutions Code within which a minor taken into custody pending wardship
27 proceedings and charged with a felony offense must be given a detention hearing or rehearing
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1 to not more than 7 days, applicable only to minors for whom the statutory deadline otherwise
2 would expire from 3/17/2020 to 3/27/2020, inclusive. (Gov. Code, § 68115(a)(11).)

3 11. The Court extends the time period provided in section 334 of the Welfare and
4 Institutions Code within which a hearing on a juvenile dependency petition must be held by
5 not more than 5 days, applicable only to minors for whom the statutory deadline otherwise
6 would expire from 3/17/2020 to 3/27/2020, inclusive. (Gov. Code, § 68115(a)(12).)
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8 12. The Court extends the time period provided in section 657 of the Welfare and
9 Institutions Code within which a hearing on a wardship petition for a minor charged with a
10 felony offense must be held by not more than 15 days, applicable only to minors for whom
11 the statutory deadline otherwise would expire from 3/17/2020 to 3/27/2020, inclusive. (Gov.
12 Code, § 68115(a)(12).)
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14 It is the intent of this Order to provide the maximum length of constitutionally
15 permitted continuance days authorized by the March 16, 2020 Order issued by the Hon. Tani
16 G. Cantil-Sakauye, Chief Justice of the California Supreme Court. Any conflicts in the above
17 language are to be resolved in favor of granting the lengthier of the continuance options.
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19 THIS ORDER IS EFFECTIVE IMMEDIATELY.

20
21 Dated: 3/17/20

Kirk H. Nakamura

22
23 Kirk H. Nakamura, Presiding Judge
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