

FILED
MERCED COUNTY

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

2020 MAR 20 PM 5: 04

CLERK OF THE SUPERIOR COURT

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

#2020-02

Exercising the authority granted under Government Code section 68115 and the March 20, 2020 Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the March 20, 2020 request for an emergency order made by the Superior Court of Merced County (“Court”), this Court HEREBY FINDS AND ORDERS AS FOLLOWS:

1. March 23, 2020 to April 17, 2020, inclusive, for purposes of computing time for filing papers under Code of Civil Procedure Sections 12 and 12(a), are deemed holidays.

2. March 23, 2020 through April 17, 2020, inclusive, be deemed holidays for purposes of computing time under Penal Code section 825 (time to bring arrested person before magistrate) and Welfare and Institutions Code sections 313 (detention of minor pending dependency proceedings), 315 (detention hearing for minor in custody pending dependency proceedings), 334 (time to hold hearing on dependency petition), 631 (detention of minor in wardship proceedings), 632 (detention hearing for minor in wardship proceedings), 637 (detention rehearing for minor in wardship proceedings), and 657 (hearing on petition to declare minor a ward) (Gov. Code, § 68115(a)(5));

3. From March 23, 2020 to April 17, 2020, inclusive, all courtrooms will remain closed for judicial business, except the following for time-sensitive, essential functions:

- a. Civil Temporary Restraining Orders, including Gun Violence Restraining Orders
- b. Domestic Violence Restraining Orders
- c. Civil Ex Parte Requests for Emergency Relief
- d. Family Ex Parte Proceedings
- e. Hague Convention (International Kidnapping)

- f. Probate Ex parte Hearings
- g. Emergency Petitions for Temporary Conservatorship
- h. Emergency Petitions for Temporary Guardianship
- i. Mental Health Hearings (Riese, Writ, ECT)
- j. Search Warrants
- k. Arraignments
- l. Criminal Preliminary Hearings
- m. Bail Bond and Cash Bail Processing
- n. Criminal Jury Trials – where there is no consent to continuance and ordered by the court
- o. Juvenile Ex Parte Orders
- p. Emergency Orders Relating to the Health and Safety of a Child
- q. Juvenile Restraining Orders
- r. Juvenile Delinquency Detention Hearings
- s. Juvenile Dependency Detention Hearings
- t. Traffic License Suspensions
- u. Claim of Exemption Hearings, Small Claims
- v. Emergency Writs Challenging COVID-19 Emergency Measures
- w. Writ of Habeas Corpus Challenging the Medical Quarantines

4. **NOTICE IS HEREBY GIVEN THAT ALL OTHER MATTERS HAVE BEEN CONTINUED BY THE COURT.** Parties shall receive further notice stating the specific time and date of the continuance in their cases.

5. Pursuant to the authority granted under section 68115 of the Government Code, the court extends the following deadlines for the period of March 23, 2020 to April 17, 2020, inclusive:

- a. The duration of any temporary restraining order that would otherwise expire because the emergency condition prevented the court from conducting proceedings to determine whether the permanent order should be entered is

1 extended by 30 days. This applies only to cases in which the statutory deadline
2 otherwise would expire from March, 23, 2020, to April 17, 2020.

3 b. The court extends the time periods provided in section 859b of the Penal Code for
4 the holding of a preliminary examination from 10 court days to not more than 15
5 court days. This applies only to cases in which the statutory deadline otherwise
6 would expire from March 23, 2020, to April 17, 2020, inclusive.

7 c. The court extends the time periods provided in section 825 of the Penal Code for
8 within which a defendant charged with a felony offense must be taken before a
9 magistrate from 48 hours to no more than seven (7) days. This applies only to
10 cases in which the statutory deadline otherwise would expire from March 23,
11 2020, to April 17, 2020, inclusive.

12 d. The court extends the time periods provided in section 313 of the Welfare and
13 Institutions Code within which a minor taken into custody pending dependency
14 proceedings must be released from custody to not more than seven (7) days. This
15 applies only to cases in which the statutory deadline otherwise would expire from
16 March 23, 2020, to April 17, 2020, inclusive.

17 e. The court extends the time periods provided in section 315 of the Welfare and
18 Institutions Code within which a minor taken into custody pending dependency
19 proceedings must be given a detention hearing to not more than seven (7) days.
20 This applies only to cases in which the statutory deadline otherwise would expire
21 from March 23, 2020, to April 17, 2020, inclusive.

22 f. The court extends the time periods provided in sections 632 and 637 of the
23 Welfare and Institutions Code within which a minor taken into custody pending
24 wardship proceedings and charged with a felony offense must be given a
25 detention hearing or rehearing to not more than seven (7) days. This applies only
26 to cases in which the statutory deadline otherwise would expire from March 23,
27 2020, to April 17, 2020, inclusive.

28 g. Extend the time periods provided in section 334 of the Welfare and Institutions

1 Code within which a hearing on a juvenile dependency petition must be held by
2 not more than 15 days, applicable only to minors for whom the statutory deadline
3 otherwise would expire from March 23, 2020, to April 17, 2020, inclusive; and

4 h. Extend the time periods provided in section 657 of the Welfare and Institutions
5 Code within which a hearing on a wardship petition for a minor charged with a
6 felony offense must be held by not more than 15 days, applicable only to minors
7 for whom the statutory deadline otherwise would expire from March 23, 2020, to
8 April 17, 2020, inclusive.

9 6. Further, the court declares that from March 23, 2020, to April 17, 2020, inclusive,
10 is deemed a holiday/holidays for purposes of computing time under Code of Civil Procedure
11 1167 (five-day period within which defendant must respond to a complaint in unlawful detainer
12 action).

13 7. Further, the court declares that from March 23, 2020, to April 17, 2020, inclusive,
14 is deemed a holiday/holidays for purposes of computing time under Code of Civil Procedure
15 116.330(a) (requires a small claims matter to be scheduled for hearing no earlier than 20 days but
16 not more than 70 days from the date of the order directing the parties to appear at the hearing).

17
18 THIS ORDER IS EFFECTIVE IMMEDIATELY AND WILL REMAIN IN EFFECT
19 UNTIL APRIL 17, 2020. THIS ORDER MAY BE AMENDED AS CIRCUMSTANCES
20 REQUIRE.

21
22 Dated: March 20, 2020

23 
24
25
26
27
28
Hon. Donald J. Proietti, Presiding Judge