

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

3  
4 GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF  
5 AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY  
6 CHAIR OF JUDICIAL COUNCIL

7 #2021-01

8 On January 12, 2021, the Chief Justice of California and Chair of the  
9 Judicial Council ruled as follows:

10 Because of the COVID-19 pandemic, leading to health and safety  
11 concerns resulting in substantial operational impediments, and the  
12 proclamations of states of emergency by federal, state, and local  
13 officials, it was determined on ten prior occasions that the conditions  
14 described in Government Code section 68115 were met with regard to  
15 the Superior Court of California, County of Merced (Court). Based  
16 on those determinations, and pursuant to the Court's requests,  
17 corresponding prior emergency orders issued, authorizing the Court to  
18 implement certain relief under Government Code section 68115.  
19 Upon the renewed request of Presiding Judge Donald J. Proietti, it is  
determined that the conditions described in Government Code section  
68115(a) continue to exist (Gov. Code, § 68115(c)), and it is ordered  
that the Court is authorized to do the following:

- 20 1. Extend the time periods provided in sections 583.310 and 583.320 of  
21 the Code of Civil Procedure to bring an action to trial by not more  
22 than 30 days, applicable only to cases in which the deadline  
23 otherwise would expire from March 1, 2021 to March 31, 2021,  
24 inclusive (Gov. Code, § 68115(a)(6)); and  
25 2. Extend the time period provided in section 1382 of the Penal Code  
26 (section 1382) for the holding of a criminal trial by not more than 30  
27 days, applicable only to cases in which the original or previously  
28 extended statutory deadline otherwise would expire from January 16,  
2021 to February 15, 2021, inclusive. (Gov. Code, § 68115(a)(10);  
Executive Order N-38-20 (03-27-20)).

1 This authority supplements the authority to extend section 1382  
2 deadlines previously granted in statewide emergency orders and  
3 emergency orders specific to the Court. Accordingly, for any case in  
4 which the time to bring a defendant to trial previously was extended  
5 under one or more of those prior emergency orders, and the extended  
6 deadline falls within the above-specified time period, this order  
7 authorizes the Court to extend the previously extended deadline by up  
8 to an additional 30 days. For any case in which the initial section  
9 1382 deadline falls within the above-specified time period and is not  
10 governed by a prior emergency order, this order authorizes the Court  
11 to extend the time to bring a defendant to trial by a total of up to 30  
12 days.

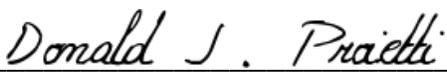
13 Accordingly, the Presiding Judge of the Merced Superior Court, hereby  
14 orders as follows:

15 The Judges of the Merced Superior Court are hereby authorized to:

- 16 1. Extend the time periods provided in sections 583.310 and 583.320  
17 of the Code of Civil Procedure to bring an action to trial by not  
18 more than 30 days, applicable only to cases in which the deadline  
19 otherwise would expire from March 1, 2021 to March 31, 2021,  
20 inclusive (Gov. Code, § 68115(a)(6)); and
- 21 2. Extend the time period provided in section 1382 of the Penal Code  
22 (section 1382) for the holding of a criminal trial by not more than  
23 30 days, applicable only to cases in which the original or  
24 previously extended statutory deadline otherwise would expire  
25 from January 16, 2021 to February 15, 2021, inclusive. (Gov.  
26 Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).

27 THIS ORDER IS EFFECTIVE IMMEDIATELY.

28 Dated: January 13, 2021

  
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Hon. Donald J. Proietti, Presiding Judge