

1 SUPERIOR COURT
2 COUNTY OF SAN BERNARDINO
247 West Third Street, Eleventh Floor
3 San Bernardino, CA 92415-0302
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8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**
10

11 IN RE:

12 IMPLEMENTATION OF EMERGENCY
13 RELIEF AUTHORIZED PURSUANT TO
14 GOVERNMENT CODE SECTION 68115
15 BY CHAIR OF JUDICIAL COUNCIL

} GENERAL ORDER OF THE
PRESIDING JUDGE

16 Due to Governor Gavin Newsom proclaiming a State of Emergency in California
17 as a result of COVID-19; Governor Newsom and state public health officials
18 announcing that gatherings should be postponed or canceled across the State until at
19 least the end of March; Governor Newsom declaring that non-essential gatherings must
20 be limited to no more than 250 people, while smaller events can proceed only if the
21 organizers can implement social distancing of 6 feet per person, and gatherings of
22 individuals who are at higher risk for severe illness from COVID-19 should be limited to
23 no more than 10 people, while also following social distancing guidelines; President
24 Trump declaring a national emergency and issuing directives targeted at reducing
25 social contact to reduce the spread of COVID-19; in accordance with the March 17,
26 2020 order of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of
27 California, under the authority granted pursuant to Government Code Section 68115,
28 and issued in response to the March 16, 2020 request for an emergency order made by

1 the Superior Court of San Bernardino County, to protect the health and safety of the
2 public, court personnel, and criminal defendants brought before the Court, the Court
3 HEREBY ORDERS AS FOLLOWS:
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- 5 1. For purposes of computing time for filing papers with the Court under Code of
6 Civil Procedure sections 12 and 12a, March 17, 2020 through April 2, 2020
7 are deemed holidays.
- 8 2. March 17, 2020 to April 2, 2020 are deemed holidays for purposes of
9 computing time under:
 - 10 a. Penal Code section 825 (time to bring a criminal defendant before
11 magistrate after arrest)
 - 12 b. Welfare and Institutions Code section 313 (time to release minor taken
13 into custody pending dependency proceedings)
 - 14 c. Welfare and Institutions Code section 315 (time to hold detention
15 hearing for minor taken into custody pending dependency
16 proceedings)
 - 17 d. Welfare and Institutions Code section 334 (time to hold hearing on
18 dependency petition)
 - 19 e. Welfare and Institutions Code section 631 (time to release minor taken
20 into custody pending wardship proceedings)
 - 21 f. Welfare and Institutions Code section 632 (time to hold detention
22 hearing for minor taken into custody pending wardship proceedings)
 - 23 g. Welfare and Institutions Code section 637 (time to hold detention
24 rehearing in wardship proceedings if parent/guardian files affidavit
25 asserting lack of notice of hearing or minor requests evidence of prima
26 facie case)
 - 27 h. Welfare and Institutions Code section 657 (time to hold hearing on
28 wardship petition)

- 1 3. From March 17, 2020 through April 2, 2020, all courtrooms except for limited
2 courtrooms in San Bernardino Justice Center, Victorville, Joshua Tree, San
3 Bernardino Historic and Juvenile Court will be closed for judicial business,
4 except for the following time-sensitive, essential functions:
- 5 a. Civil temporary restraining orders involving violent conduct
 - 6 b. Family temporary restraining orders
 - 7 c. Family ex parte proceedings
 - 8 d. Hague Convention (international kidnapping)
 - 9 e. Probate ex parte hearings concerning elder abuse
 - 10 f. Probate emergency petitions for temporary guardianship
 - 11 g. Probate emergency petitions for temporary conservatorship
 - 12 h. Riese hearings
 - 13 i. Search warrants
 - 14 j. Criminal preliminary hearings
 - 15 k. Emergency orders relating to the health and safety of a child
 - 16 l. Emergency writs challenging COVID-19 emergency measures
 - 17 m. Writs of habeas corpus challenging quarantines
- 18 4. All other matters are hereby continued by the Court. The parties shall receive
19 notice stating the specific time and date of the continuance in their cases.
- 20 5. The Court extends the following deadlines for the period beginning March 17,
21 2020 through April 2, 2020:
- 22 a. Sections 583.310 and 583.320 of the Code of Civil Procedure to bring
23 an action to trial has been extended by not more than **15** days.
 - 24 b. The duration of any temporary restraining order that would otherwise
25 expire because the emergency condition described in the order
26 prevented the Court from conducting proceedings to determine
27 whether a permanent order should be entered is extended by not more
28 than **15** days.

- 1 c. The time provided in section 825 of the Penal Code within which a
2 defendant charged with a felony offense must be taken before a
3 magistrate is extended from 48 hours to not more than **7** days.
- 4 d. The time period provided in section 859b of the Penal Code for the
5 holding of a preliminary examination is extended from 10 court days to
6 not more than **15** court days.
- 7 e. The time period provided in section 1382 of the Penal Code for the
8 holding of a criminal trial is extended by not more than **30** days.
- 9 f. The time period provided in section 313 of the Welfare and Institutions
10 Code within which a minor taken into custody pending dependency
11 proceedings must be released from custody is extended by not more
12 than **7** days.
- 13 g. The time period provided in section 315 of the Welfare and Institutions
14 Code within which a minor taken into custody pending dependency
15 proceedings must be given a detention hearing is extended by not
16 more than **7** days.
- 17 h. The time periods provided in sections 632 and 637 of the Welfare and
18 Institutions Code within which a minor taken into custody pending
19 wardship proceedings and charged with a felony must be given a
20 detention hearing or rehearing is extended by not more than **7** days.
- 21 i. The time period provided in section 334 of the Welfare and Institutions
22 Code within which a hearing on a juvenile dependency petition must
23 be held is extended by not more than **15** days.
- 24 j. The time period provided in section 657 of the Welfare and Institutions
25 Code within which a hearing on a wardship petition for a minor
26 charged with a felony offense must be held is extended by not more
27 than **15** days.
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1 6. The San Bernardino County Probation Department may review and authorize
2 the release of in-custody inmates that meet the pretrial services release
3 requirements pending further hearing.

4 7. Upon assessment by the San Bernardino County Probation Department, the
5 San Bernardino County Sheriff is authorized to release those identified by the
6 San Bernardino County Probation Department as low risk through the pretrial
7 program. The Probation Department may develop terms of release, which, if
8 violated may result in a criminal defendant's return to custody.

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10 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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14 Dated this 18th day of March, 2020.

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19 MICHAEL A. SACHS
20 Presiding Judge of the Superior Court