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8 **THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO**

10 **IN RE: COURT CLOSURE OF OCTOBER } GENERAL ORDER OF THE**
11 **22, 2007, THROUGH OCTOBER 26, 2007, } PRESIDING DEPARTMENT**
12 **DUE TO THE SAN DIEGO COUNTY } ORDER NO. 102607**
13 **WILDFIRES }**
14 **}**
15 **}**

16 Pursuant to the Superior Court, County of San Diego's ("Court") requests for emergency
17 orders, made via facsimile and telephone on October 22, 23 and 25, 2007; the orders from the
18 Judicial Council signed by the Chief Justice, dated October 22, 23, and 25, 2007; this court's
19 Special Order Numbers 102207-S and 102307-S, all of which are incorporated by reference
20 herein; and Government Code section 68115, THIS COURT HEREBY FINDS AND ORDERS
21 AS FOLLOWS:

22 1. Pursuant to the Orders of Chief Justice of the California Supreme Court and Chair of
23 the Judicial Council of California, October 22, 2007 through and including October 26, 2007, are
24 court holidays for purposes of computing time for (1) filing papers with the court under Code of
25 Civil Procedure sections 12 and 12a (Govt. Code § 68115(c)), and (2) conducting proceedings
26 under Penal Code section 825 and Welfare and Institutions Code section 631. (Govt. Code §
27 68115(d).)

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1 2. The court further finds that good cause exists to declare October 22, 2007 through and
2 including October 26, 2007, court holidays for purposes of computing time for conducting all
3 proceedings in all case types, including but not limited to proceedings under Penal Code sections
4 849, 859b and 1382, and proceedings under Welfare and Institutions Code sections 313, 315,
5 632 and 657. This good cause finding is factually based on the devastating fires occurring
6 throughout San Diego County, the fact that all available sworn San Diego County Sheriff
7 personnel have been deployed through mutual aid to assist with these emergency operations, and
8 the inability of many residents to attend court proceedings. The finding is further based on Code
9 of Civil Procedure section 128, which provides all courts with the power to enforce order in
10 court proceedings, provide for the orderly conduct of proceedings, and amend and control court
11 processes to make them conform to justice. Additionally, California Rule of Court, rule
12 10.603(a) states that the presiding judge is responsible generally for leading the court in such a
13 way that “promotes access to justice for all members of the public,” “maximizes the use of
14 judicial and other resources,” and “increases efficiency in court operations.”

15 3. Notwithstanding the fact that October 22, 2007 through and including October 26,
16 2007, are court holidays for the purpose set forth as above, the court’s staff is authorized to
17 conduct ministerial and administrative acts during the period of closure, including but not limited
18 to rescheduling hearings.

19 4. In addition, pursuant to the authorization of the Chief Justice of the California
20 Supreme Court and Chair of the Judicial Council of California, in accordance with Government
21 Code section 68115, and based on the good cause set forth in paragraph 2, THE COURT
22 FURTHER ORDERS:

23 (a) The duration of any temporary restraining order that would have otherwise expired
24 because of the emergency condition is extended to October 29, 2007. (Govt. Code § 68115(e)).

25 (b) The time period provided in Penal Code section 825 within which a defendant
26 charged with a felony offense must be taken before a magistrate is extended from 48 hours to
27 seven days. (Govt. Code § 68115(f)).
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1 (c) The time period provided in Penal Code section 859b for the holding of a preliminary
2 examination is extended from 10 court days to 15 court days. (Govt. Code § 68115(g)).

3 (d) The time period provided in Penal Code section 1382 for holding a criminal trial is
4 extended by 30 days. (Govt. Code § 68115(h)).

5 (e) The time period provided in Welfare and Institutions Code sections 313 and 315
6 within which a minor must be given a dependency detention hearing is extended by seven days.
7 (Govt. Code § 68115(i)).

8 (f) The time period provided in Welfare and Institutions Code sections 632 and 637
9 within which a minor charged with a felony offense must be given a delinquency detention
10 hearing is extended by seven days. (Govt. Code § 68115(i)).

11 (g) The time period provided in Welfare and Institutions Code section 334 within which
12 an adjudication on a juvenile court dependency petition must be held is extended by 15 days.
13 (Govt. Code § 68115(j)).

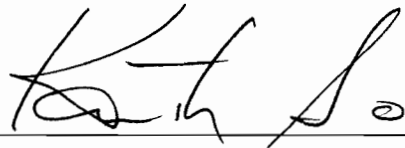
14 (h) The time period provided in Welfare and Institutions Code section 657 within which
15 a minor charged with a felony offense must be given an adjudication on a juvenile court
16 delinquency petition is extended by 15 days. (Govt. Code § 68115(j)).

17 The authorizations set forth in subsections (b), (e), (f), (g) and (h) of paragraph 4 are
18 effective until November 26, 2007, unless extended hereafter.

19 This Order shall apply to all proceedings in all case types.

20 IT IS SO ORDERED.

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22 DATED: 10-26-07

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HON. KENNETH K. SO
PRESIDING JUDGE