

MAR 18 2020

By: **C. McCoy**

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

**IN RE: ADMINISTRATIVE ORDER OF  
THE PRESIDING JUDGE RE COVID-19  
PANDEMIC**

**GENERAL ORDER OF THE  
PRESIDING DEPARTMENT**

**ORDER NO. 031820-34**

Due to the health and safety concerns caused by the COVID-19 epidemic resulting in a reduced jury pool and substantial operational impediments, and Governor Newsom's Declaration of a State of Emergency, the Declaration of Local Health Emergency issued by the Health Officer of the County of San Diego, the Proclamation of Local Emergency issued by the County Director of Emergency Services, President Trump declaring a national emergency over the epidemic, and the directives from those government officials to ensure and facilitate social distancing, and to protect the health and safety of the public and court personnel, and under the court's inherent authority to control its own calendars and the Presiding Judge's duty to take into account the needs of the public and court as they relate to the efficient and effective management of the court (Cal. Rules of Court, rule 10.603), and the authority granted under Government Code § 68115 and the March 17, 2020 and March 18, 2020 orders of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, issued in response to the March 16, 2020, request for an emergency order made by the Superior Court of California, County of San Diego,

This court **HEREBY FINDS AND ORDERS AS FOLLOWS:**

- 1 1. March 17, 2020, to April 3, 2020, inclusive, are deemed holidays for purposes of  
2 computing time for filing papers under Code of Civil Procedure §§ 12 and 12a.
- 3 2. March 17, 2020, to April 3, 2020, inclusive, are deemed holidays for purposes of  
4 computing time under Penal Code § 825 and Welfare and Institutions Code §§ 313,  
5 315, 334, 631, 632, 637 and 657.
- 6 3. March 17, 2020, to April 3, 2020, inclusive, are deemed holidays for purposes of  
7 computing time under the Penal Code, the Welfare and Institutions Code, the Probate  
8 Code, the Government Code, the Code of Civil Procedure, any other statutory deadlines,  
9 and any deadlines established by case law.
- 10 4. From March 17, 2020, to April 3, 2020, inclusive, all courthouses and courtrooms will  
11 be closed to the public, except with regard to the following time-sensitive, essential  
12 functions:
  - 13 • Chamber *Ex-Parte* requests for Civil Harassment Temporary Restraining Orders,  
14 Domestic Violence Temporary Restraining Orders, and Gun Violence Protective  
15 Orders.
  - 16 • Emergency *Ex-Parte* Lockout Proceedings (Unlawful Detainer).
  - 17 • Family Emergency Temporary Restraining Orders.
  - 18 • Juvenile Temporary Restraining Orders and other Emergency Juvenile Orders.
  - 19 • Emergency Probate Orders, including Emergency Conservatorships and  
20 Emergency Guardianships.
  - 21 • Search Warrants.
  - 22 • Petitions for Writ Seeking Emergency Relief in Unlawful Detainer matters.
  - 23 • Emergency Writs Challenging COVID-19 Emergency Measures.
  - 24 • Writs of Habeas Corpus Challenging Medical Quarantines.
  - 25 • Such other matters that the court subsequently finds to be necessary and essential,  
26 which will be set forth in an Addendum to this Order if the court makes such  
27 findings.

- 1           5. To the extent the Court accepts and/or processes filings associated with the time-  
2           sensitive, essential functions described in Paragraph 4 or performs preliminary  
3           administrative work on files to prepare for the resumption of services, such acceptance  
4           and/or processing shall not alter the designation and application of the court holidays  
5           and extensions provided by this Order.
- 6           6. **NOTICE IS HEREBY GIVEN THAT ALL OTHER MATTERS HAVE BEEN**  
7           **CONTINUED BY THE COURT.** The parties shall receive further notice stating the  
8           specific time and date of the continuance in their cases.
- 9           7. The court extends the time periods provided in Code of Civil Procedure §§ 583.310 &  
10          583.320 for a period of 30 days for those cases in which the statutory deadline otherwise  
11          would expire from March 17, 2020, to April 6, 2020, inclusive.
- 12          8. For any temporary restraining orders that would otherwise expire from March 17, 2020,  
13          to April 6, 2020, inclusive, the court extends the duration of such restraining orders by  
14          30 days.
- 15          9. The court extends the time period provided in Penal Code § 825 within which a  
16          defendant charged with a felony offense must be taken before a magistrate from 48  
17          hours to not more than 7 days, applicable only to cases in which the statutory deadline  
18          otherwise would expire from March 17, 2020 to April 6, 2020, inclusive.
- 19          10. The court extends the time period provided in Penal Code § 859b for the holding of a  
20          preliminary examination from 10 court days to not more than 15 court days, applicable  
21          only to cases in which the statutory deadline otherwise would expire from March 17,  
22          2020, to April 6, 2020, inclusive.
- 23          11. The court extends the time period provided in Penal Code § 1382 for the holding of a  
24          criminal trial by 30 days, applicable only to cases in which the statutory deadline  
25          otherwise would expire from March 17, 2020, to April 6, 2020, inclusive.
- 26          12. The court extends the time period provided in Welfare and Institutions Code § 313  
27          within which a minor taken into custody pending dependency proceedings must be  
28          released from custody to not more than 7 days, applicable only to minors for whom the

1 statutory deadline otherwise would expire from March 17, 2020, to April 6, 2020,  
2 inclusive.

3 13. The court extends the time period provided in Welfare and Institutions Code § 315  
4 within which a minor taken into custody pending dependency proceedings must be  
5 given a detention hearing to not more than 7 days, applicable only to minors for  
6 whom the statutory deadline otherwise would expire from March 17, 2020, to April 6,  
7 2020, inclusive.

8 14. The court extends the time period provided in Welfare and Institutions Code §§ 632  
9 and 637 within which a minor taken into custody pending wardship proceedings and  
10 charged with a felony offense must be given a detention hearing or rehearing to not  
11 more than 7 days, applicable only to minors for whom the statutory deadline  
12 otherwise would expire from March 17, 2020, to April 6, 2020, inclusive.

13 15. The court extends the time period provided in Welfare and Institutions Code § 334  
14 within which a hearing on a juvenile dependency petition must be held by not more  
15 than 15 days, applicable only to minors for whom the statutory deadline otherwise  
16 would expire from March 17, 2020, to April 6, 2020, inclusive.

17 16. The court extends the time period provided in Welfare and Institutions Code § 657  
18 within which a hearing on a wardship petition for a minor charged with a felony  
19 offense must be held by not more than 15 days, applicable only to minors for whom  
20 the statutory deadline otherwise would expire from March 17, 2020, to April 6, 2020,  
21 inclusive.

22 17. Further, the court declares that the time period from March 17, 2020, to April 3, 2020,  
23 inclusive, is deemed a holiday/holidays for purposes of computing time under Code of  
24 Civil Procedure § 1167 (five-day period within which defendant must respond to a  
25 complaint in an unlawful detainer action).

26 18. Further, pursuant to Code of Civil Procedure § 116.570(a), the court finds and declares  
27 that good cause exists for postponing the time period within which a small claims  
28 matter may be heard as provided in Code of Civil Procedure § 116.330(a). The court

1 will issue orders re-setting the hearings of all small claims matters that have been  
2 continued as a result of the COVID-19 epidemic.

3 19. Further, the court finds and declares that court employees who are called to work during  
4 this time period are necessary to provide essential services for the court and the public.

5 **THIS ORDER IS EFFECTIVE IMMEDIATELY AND MAY BE AMENDED AS**  
6 **CIRCUMSTANCES REQUIRE.**

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8  
9 DATED: March 18, 2020



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10 **HON. LORNA A. ALKSNE**  
11 **PRESIDING JUDGE**