

JUN 10 2020

STEPHANIE CAMERON, CLERK

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF TULARE

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

GENERAL ORDER

No. 20-08

Upon application from this court, Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California issued her emergency order on March 17, 2020 authorizing the court to limit operations of the Tulare County Superior Court in response to the COVID-19 crisis under Government Code 68115. Pursuant to orders dated April 13, 2020 and May 11, 2020 the Chief Justice extended the emergency order through June 9, 2020. The court issued orders to implement the emergency relief authorized. The court's General Orders 20-01, 20-02, 20-03, and 20-05 were issued, extended, and were to expire in accordance with the extended authorization on June 9, 2020.

The COVID19 epidemic and federal, state, and local declarations of a public health emergency continue to adversely impact the court's ability to conduct operations while protecting the safety of court users as directed through limiting personal contacts and maintaining personal distancing. On June 8, 2020, the court made application to the Judicial Council to again extend and

1 renew the March 17, 2020 emergency order beyond June 9, 2020. On June 9, 2020, the Chief Justice
2 and Chair of the Judicial Council issued her emergency order authorizing this court to implement
3 emergency relief for the period from June 10, 2020 through July 8, 2020 pursuant to Government
4 Code 68115. A copy of the June 9, 2020 emergency order is attached. On April 6, 2020, the Judicial
5 Council adopted Emergency Rules of Court 8 and 10. These rules extend the expiration date for
6 temporary restraining orders and extend deadlines for civil trials.

7
8 Since the initial emergency orders were granted, the court has implemented extensive
9 procedures and processes to enable the court to increase services provided by the court while
10 protecting public safety by designing and implementing a comprehensive social distancing and public
11 health plan in all court facilities. Local and state emergency orders remain in effect and the court will
12 continue to operate so that those with essential business at court facilities can come to the court safely
13 and in accordance with guidance issued by public health officials. The court has made its clerks'
14 offices available by appointment, has made telephone access to clerks' offices available, and has
15 provided a number of means (other than by in person visit to the court) by which parties and the public
16 can file documents with the court. In order to comply with public health directives, the court is
17 committed to gradually increasing the number of persons who can safely enter all courthouse facilities.

18
19 Although the federal Constitution generally precludes closure of substantive courtroom
20 proceedings in criminal cases and California's Code of Civil Procedure section 124 generally
21 precludes closure of substantive courtroom proceedings in civil proceedings, the current COVID-19
22 crisis resulting in federal, state, and local public health orders and advisories clearly demonstrates an
23 overriding interest in temporarily limiting courthouse entry and permitting access to only those
24 persons who have essential business or are required to appear in person in any Tulare County
25 courthouse. Public health and safety would be threatened absent such a temporary restriction, which is
26 narrowly tailored to permit only those required to enter the County's courthouses; there is no less
27 restrictive means of achieving this overriding interest. (*NBC Subsidiary (KNBC-TV), Inc. v. Superior*
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1 *Court* (1999) 20 Cal.4th 1178, 1181-1182.)

2 IT IS ORDERED:

3 The court's prior emergency implementation orders, General Orders 20-01, 20-02, 20-03, and
4 20-05 expired on June 9, 2020 and are not renewed or extended by this order.

5 The court finds that emergency conditions no longer substantially interfere with the public's
6 ability to file papers with the court. Accordingly, there is no longer a need for court holidays under
7 Code of Civil Procedure 12 and 12a. All such court holidays declared under prior implementation
8 orders have expired at the latest on June 9, 2020.

9
10 Emergency conditions no longer prevent the court from conducting proceedings or accepting
11 necessary filings under Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657.
12 Accordingly, there is no longer a need for court holidays under these sections. All such court holidays
13 declared under prior interpretation orders have expired at the latest on June 9, 2020.

14
15 For any court proceedings occurring while this order is in effect, any judge of the court may
16 permit press coverage of proceedings in accordance with California Rules of Court 1.150.

17 Access to any and all courthouse facilities is restricted to persons with an appointment and to
18 those persons either required to appear in person for a court hearing or have essential business within
19 the courthouse. Persons required to appear generally include parties, their attorneys, victims, jurors,
20 and witnesses subpoenaed to testify. Any judge of the court may approve additional access to
21 courtroom proceedings for good cause shown.

22
23 In accordance with the Judicial Council's Statewide Emergency Order dated March 30, 2020,
24 any judge of the court may suspend any rule in the California Rules of Court to the extent such rule
25 would prevent a court from using technology to conduct judicial proceedings and court operations
26 remotely, in order to protect the health and safety of the public, court personnel, judicial officers,
27 litigants, and witnesses.

28 Any judge of the court may extend the time period provided in section 825 of the Penal Code

1 within which a defendant charged with a felony offense must be taken before a magistrate from 48
2 hours to not more than 7 days. This applies to defendants for whom the statutory deadline otherwise
3 would expire from June 10, 2020 through July 8, 2020.

4 Any judge of the court may extend the time period provided in section 859b of the Penal Code
5 for the holding of a preliminary examination from 10 court days to not more than 15 court days. This
6 applies to cases in which the statutory deadline otherwise would expire from June 10, 2020 through
7 July 8, 2020.

8 Any judge of the court may extend the time period provided in section 1382 of the Penal Code
9 for the holding of a criminal trial by not more than an additional 30 days. This applies to cases in
10 which the original statutory deadline otherwise would expire from June 10, 2020 through July 8, 2020.

11 Any judge of the court may extend the time period provided in section 313 of the Welfare and
12 Institutions Code within which a minor taken into custody pending dependency proceedings must be
13 released from custody to not more than three (3) days. This applies to minors for whom the statutory
14 deadline otherwise would expire from June 10, 2020 through July 8, 2020.

15 Any judge of the court may extend the time period provided in section 315 of the Welfare and
16 Institutions Code within which a minor taken into custody pending dependency proceedings must be
17 given a detention hearing to not more than three (3) days. This applies only to minors for whom the
18 statutory deadline otherwise would expire from June 10, 2020 through July 8, 2020.

19 Any judge of the court may extend the time periods provided in sections 632 and 637 of the
20 Welfare and Institutions Code within which a minor taken into custody pending wardship proceedings
21 and charged with a felony offense must be given a detention hearing or rehearing to not more than
22 three (3) days. This applies to minors for whom the statutory deadline otherwise would expire from
23 June 10, 2020 through July 8, 2020.

24 Any judge of the court may extend the time period provided in section 334 of the Welfare and
25 Institutions Code within which a hearing on a juvenile dependency petition must be held by not more
26

1 than ten (10) days. This applies to minors for whom the statutory deadline otherwise would expire
2 from June 10, 2020 through July 8, 2020.


3 Any judge of the court may extend the time period provided in section 657 of the Welfare and
4 Institutions Code within which a hearing on a wardship petition for a minor charged with a felony
5 offense must be held by not more than ten (10) days. This applies to minors for whom the statutory
6 deadline otherwise would expire from June 10, 2020 through July 8, 2020.
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8
9 THIS ORDER IS EFFECTIVE IMMEDIATELY. IT WILL REMAIN IN EFFECT THROUGH
10 JULY 8, 2020. THIS ORDER MAY BE AMENDED AS CIRCUMSTANCES REQUIRE.

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13 Date: June 10, 2020



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BRETT R. ALLDREDGE,
Presiding Judge

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

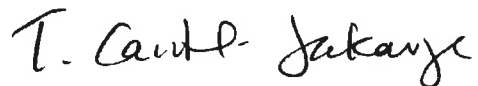
Because of the COVID-19 pandemic, leading to health and safety concerns resulting in substantial operational impediments, and the proclamations of states of emergency by federal, state, and local officials, it was determined that the conditions described in Government Code section 68115(a) were met with regard to the Superior Court of Tulare County (Court) on three prior occasions: March 17, 2020, April 13, 2020, and May 11, 2020. At the request of Presiding Judge Brett R. Alldredge, orders issued on those dates authorizing the Court to implement certain relief provided for in section 68115(a). Upon the renewed request of Presiding Judge Alldredge, it is determined that the conditions described in section 68115(a) continue to exist (Gov. Code, § 68115(b)), and it is ordered that the Court is authorized to do the following:

- Hold sessions anywhere in the county, including in correctional and juvenile detention facilities, from June 10, 2020, through July 8, 2020, inclusive (Gov. Code, § 68115(a)(1));
- Declare that from June 10, 2020, through July 8, 2020, inclusive, be deemed holidays for purposes of computing the time for filing papers with the Court under Code of Civil Procedure sections 12 and 12a, if the above-described emergency conditions substantially interfere with the public's ability to file papers in a Court facility on those dates (Gov. Code, § 68115(a)(4));
- Declare that from June 10, 2020, through July 8, 2020, inclusive, be deemed holidays for purposes of computing time under Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657, if the above-described emergency conditions prevent the Court from conducting proceedings or accepting filings as necessary to satisfy these deadlines on those dates (Gov. Code, § 68115(a)(5));
- Extend the time period provided in section 825 of the Penal Code within which a defendant charged with a felony offense must be taken before a magistrate from 48 hours to not more than 7 days. (Gov. Code, § 68115(a)(8).) This applies only to defendants for whom the statutory deadline otherwise would expire from June 10, 2020, to July 8, 2020, inclusive;

- Extend the time period provided in section 859b of the Penal Code for the holding of a preliminary examination from 10 court days to not more than 15 court days, applicable only to cases in which the statutory deadline otherwise would expire from June 10, 2020, through July 8, 2020, inclusive (Gov. Code, § 68115(a)(9));
- Extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by not more than an additional 30 days, applicable only to cases in which the original statutory deadline otherwise would expire from June 10, 2020, through July 8, 2020, inclusive (Gov. Code, § 68115(a)(10));
- Extend the time period provided in section 313 of the Welfare and Institutions Code within which a minor taken into custody pending dependency proceedings must be released from custody to not more than three (3) days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom the statutory deadline otherwise would expire from June 10, 2020, through July 8, 2020, inclusive;
- Extend the time period provided in section 315 of the Welfare and Institutions Code within which a minor taken into custody pending dependency proceedings must be given a detention hearing to not more than three (3) days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom the statutory deadline otherwise would expire from June 10, 2020, through July 8, 2020, inclusive;
- Extend the time periods provided in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into custody pending wardship proceedings and charged with a felony offense must be given a detention hearing or rehearing to not more than three (3) days. (Gov. Code, § 68115(a)(11).) This applies only to minors for whom the statutory deadline otherwise would expire from June 10, 2020, through July 8, 2020, inclusive;
- Extend the time period provided in section 334 of the Welfare and Institutions Code within which a hearing on a juvenile dependency petition must be held by not more than ten (10) days. (Gov. Code, § 68115(a)(12).) This applies only to minors for whom the statutory deadline otherwise would expire from June 10, 2020, through July 8, 2020, inclusive;

- Extend the time period provided in section 657 of the Welfare and Institutions Code within which a hearing on a wardship petition for a minor charged with a felony offense must be held by not more than ten (10) days. (Gov. Code, § 68115(a)(12).) This applies only to minors for whom the statutory deadline otherwise would expire from June 10, 2020, through July 8, 2020, inclusive.

Date: June 9, 2020



Hon. Tani G. Cantil-Sakauye
Chief Justice of California and
Chair of the Judicial Council



Superior Court of the State of California

COUNTY OF TULARE

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Richard Langevin – Judicial/Research Attorney

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Lisa Bertolino – Public Defender
David Allen – Conflict Counsel
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Sue Gunderman – Tulare County Sheriff Department – Headquarters
Lt. Duane Cornett – Tulare County Sheriff Department – Court Services
Lt. David Winters & Lt. Cory Jones – Tulare County Sheriff Department – Detention Unit
Michelle Bonwell – Tulare County Probation Department
Deanne Peterson – Tulare County Office of County Counsel
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John Hall, Chief – Exeter Police Department
Mario Krstic, Chief – Farmersville Police Department
Chris Hughes, Chief – Lindsay Police Department
Wes Hensley, Chief – Tulare Police Department
Mike Marquez, Chief – Woodlake Police Department
Jason Salazar, Chief – Visalia Police Department
Eric Kroutil, Chief – Porterville Police Department
Timothy Lutz – HHSA
Anita Ortiz – CWS
Patrick Hamblin – Tulare County Animal Services
Roger Dixon – Tulare County Department of Child Support Services (DCSS)
Doug Barnhart – California Department of Fish & Game
Damon Gilmore – California Highway Patrol – Visalia Division
Susan Rodriguez – CDCR Department of Adult Parole
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