

MAY 27 2021

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. 21-03

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, May 11, 2020, June 8, 2020, July 8, 2020, August 10, 2020, September 17, 2020, November 19, 2020, January 21, 2021, and March 22, 2021 the Chief Justice extended certain emergency orders through May 28, 2021. The court issued its General Order 21-02 on March 23, 2021 to implement emergency orders granted through May 28, 2021.

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 May 25, 2021, the court made application to the Judicial Council to provide relief

1 related to deadlines for criminal jury trials. On May 26, 2021, the Chief Justice and Chair of the  
2 Judicial Council issued her emergency order authorizing this court to implement emergency relief for  
3 the period from May 29, 2021 through July 30, 2021 pursuant to Government Code 68115. A copy of  
4 the May 26, 2021 emergency order is attached.

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

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

1 Court (1999) 20 Cal.4<sup>th</sup> 1178, 1181-1182.)

2 IT IS ORDERED:

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

5 Access to any and all courthouse facilities is restricted to persons with an appointment and to  
6 those persons either required to appear in person for a court hearing or have essential business within  
7 the courthouse. Persons required to appear generally include parties, their attorneys, victims, jurors,  
8 and witnesses subpoenaed to testify. Any judge of the court may approve additional access to  
9 courtroom proceedings for good cause shown. Members of the public can access audio streaming of  
10 court proceedings by accessing the court's web site.

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

16 Any judge of the court may extend the time period provided in section 1382 of the Penal Code  
17 for the holding of a criminal trial by not more than an additional 30 days. This applies to cases in  
18 which the original statutory deadline otherwise would expire from May 29, 2021 through July 30,  
19 2021 and to any case for which a previously extended deadline would expire from May 29, 2021  
20 through July 30, 2021.

21 THIS ORDER IS EFFECTIVE IMMEDIATELY. IT WILL REMAIN IN EFFECT THROUGH  
22 JULY 30, 2021. THIS ORDER MAY BE AMENDED AS CIRCUMSTANCES REQUIRE.

23 Date: May 27, 2021



*David C. Mathias*  
DAVID C. MATHIAS,  
Presiding Judge

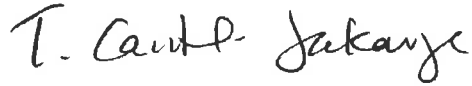
## THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

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 on ten prior occasions that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of Tulare (Court). Based on those determinations, and pursuant to the Court's requests, corresponding emergency orders issued authorizing the Court to implement certain relief under Government Code section 68115. Upon the renewed request of Presiding Judge David C. Mathias, it is now 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:

- Hold sessions anywhere in the county, including in correctional and juvenile detention facilities, from May 29, 2021, to July 30, 2021, inclusive (Gov. Code, § 68115(a)(1)); and
- Extend the time period provided in section 1382 of the Penal Code (section 1382) for the holding of a criminal trial by not more than 30 days, applicable to cases in which the original or previously extended

statutory deadline otherwise would expire from May 29, 2021, to July 30, 2021, inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).\*

Date: May 26, 2021



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

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



# Superior Court of the State of California

## COUNTY OF TULARE

ADMINISTRATION

221 S. Mooney Blvd., Room 303

Visalia, California 93291

Telephone: (559) 730-5000

Facsimile: (559) 737-4290

Stephanie Cameron  
Court Executive Officer/Jury  
Commissioner

### DISTRIBUTION LIST

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David Wooten (Commissioner)

### **Court Managers/Supervisors**

Stephanie Cameron – Court Executive Officer  
Deanna Jasso – Director of Court Administration – Court Reporters/Court Interpreters  
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Claudia Cardenas – Courtroom Clerks – Visalia  
Rilene Santos – Courtroom Clerks – Visalia  
Jessica Vargas – Criminal Clerks – Room 124 – Visalia  
Joyce McLaughlin – Criminal Clerks – Room 124 - Visalia  
Amy Williams – Civil Filing – Room 201 – Visalia  
Kim Anaya – Civil Filing – Room 201 – Visalia  
Kelsey-Nate Martin – Juvenile Clerks  
Deon Whitfield – Director of Information Technology  
Angela Rodd-Terry – Director of Family Court Services  
Natasha Moiseyev – Self Help Resource Center – Visalia  
Valerie Velasquez – Director of Human Resources  
Victoria Taylor – South County Justice Center – Clerks  
Marsha Cortez – South County Justice Center – Clerks  
Danette Borba – Safety and Risk Management  
Rob Blue – Judicial/Research Attorney  
Richard Langevin – Judicial/Research Attorney

### **Law Enforcement/Justice Partners**

Tim Ward – District Attorney  
Erin Brooks – Public Defender  
David Allen – Conflict Counsel  
Jason Britt, County Administrative Officer – County of Tulare  
Mike Boudreaux, Sheriff – Tulare County Sheriff Department/Asst. Sheriff Wenzinger/Asst. Sheriff Lehner  
Alisa Bartlett – Tulare County Sheriff Department – Headquarters  
Lt. Nathan Polk – Tulare County Sheriff Department – Court Services  
Lt. Jason Villareal & Lt. David Winters & Lt. Cyrena Robles – Tulare County Sheriff Department – Detention Unit  
Michelle Bonwell – Tulare County Probation Department  
Jennifer Flores – Tulare County Office of County Counsel  
Devon Popovich, Chief – Dinuba Police Department  
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  
Jennifer Menne – CWS  
Kennon Keoseyan, Director – County IT  
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  
Pete Bisacca, Commander – Office of Protective Services – Porterville Developmental Center  
Tulare County Bar Association  
James Koontz, Assistant City Attorney – City of Visalia