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Superior Court of California
County of Los Angeles

MAY 13 2020

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

ADMINISTRATIVE ORDER OF THE
PRESIDING JUDGE RE COVID-19
PANDEMIC

GENERAL ORDER

The World Health Organization, the United States Centers for Disease Control and Prevention (CDC), and the State of California have recognized that the world, country, and state face a life-threatening pandemic caused by the COVID-19 virus.

In response to the spread of COVID-19, Governor Gavin Newsom on March 4, 2020, declared a state of emergency in California, which was followed on March 13, 2020, by President Donald J. Trump declaring a national emergency. Beginning on March 16, 2020, California counties, including Los Angeles, began issuing shelter-in-place or stay-at-home orders. On March 19, 2020, Governor Newsom issued Executive Order N-33-20, requiring all Californians to stay home, subject to certain limited exemptions. Courts are included in this exemption.

Public Health agencies, including the CDC, the California Department of Public Health, and local county health departments have recommended increasingly stringent social distancing measures of at least six feet between people, and encouraged vulnerable individuals to avoid public gatherings and spaces. The continuous operation of our courts is essential for our constitutional form of government, for providing due process and protecting the public. However, courts are clearly places with high risks during this pandemic because they require gatherings of judicial officers, court staff,

1 litigants, attorneys, witnesses, defendants, law enforcement, and juries—well in excess of the numbers
2 allowed for gathering under current executive and health orders.

3
4 In response, on March 20, 2020, the Chief Justice of California, the Honorable Tani Cantil-
5 Sakaue, issued an advisory recommending steps superior courts could take to mitigate the effect of
6 reduced staffing and court closures and to protect the health of judges, court staff, and court users. On
7 March 23, 2020, the Chief Justice also issued an order requiring superior courts to suspend jury trials
8 for 60 days, unless they were able to conduct such a trial at an earlier date, upon a finding of good
9 cause shown or through the use of remote technology. That order also extended holding last day trials
10 in criminal and civil proceedings; and authorized courts to adopt any proposed local rules or rule
11 amendment intended to address the impact of the COVID-19 pandemic to take effect immediately,
12 without advance circulation for public comment.

13
14 On March 27, 2020, Governor Newsom issued Executive Order N-38-20, which among other
15 things, suspends Government Code section 68115 and any other provision of law to the extent that
16 those laws impose or imply a limitation on the Chief Justice's authority to authorize, via emergency
17 order or statewide rule, any court to take any action that is necessary to maintain the safe and orderly
18 operation of the courts. On March 28, 2020, the Judicial Council met in an emergency session and
19 unanimously authorized and supported the Chief Justice issuing statewide emergency orders to extend
20 statutory deadlines for preliminary hearings, arraignments, and last day trials in both criminal and civil
21 proceedings.

22
23 On March 30, 2020, the Chief Justice issued an order that, inter alia, (a) extended the time
24 period provided in section 859b of the Penal Code for the holding of a preliminary examination and
25 the defendant's right to release from 10 court days to not more than 30 court days; (b) extended the
26 time period provided in section 825 of the Penal Code within which a defendant charged with a felony
27 offense must be taken before a magistrate from 48 hours to not more than seven days; (c) extended the
28 time period provided in section 1382 of the Penal Code for the holding of a criminal trial by no more

1 than 60 days from the last date on which the statutory deadline otherwise would have expired; and (d)
2 extended the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to
3 bring an action to trial by no more than 60 days from the last date on which the statutory deadline
4 otherwise would have expired. These time extensions are in addition to any relief provided pursuant
5 to a court-specific emergency order issued under a subdivision of Government Code section 68115
6 related to another time extension or form of relief.

7
8 On April 6, 2020, the Judicial Council adopted eleven emergency rules of court that addressed
9 the suspension of certain civil proceedings, the use of technology in court proceedings and operations,
10 the conduct of criminal proceedings, the conduct of juvenile dependency and delinquency
11 proceedings, the issuance of emergency protective orders, and the conduct of civil proceedings and
12 discovery. Since adopting those emergency rules, the council has adopted, inter alia, additional rules
13 on service of papers, and the effective date for modification of support orders, and has amended
14 emergency rule 8.

15
16 On April 29, 2020, the Chief Justice issued a statewide order extending by an additional 30
17 days the 60-day continuance of criminal jury trials and the 60-day extension of time in which to
18 conduct a criminal trial under Penal Code Section 1382.

19
20 In addition, upon the renewed request of Presiding Judge Kevin C. Brazile, the Chief Justice
21 determined that the conditions described in Government Code section 68115(a) continue to exist, and
22 authorized the Superior Court of California, County of Los Angeles, to undertake a number of actions.

23
24 In light of these actions and orders, and as supplemented by the specific authority granted to
25 the Superior Court of California, County of Los Angeles, by the Chief Justice pursuant to the
26 provisions of 68115 of the Government Code,

27
28 / / /

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

- 1. **From May 13, 2020 until June 10, 2020**, inclusive, all courtrooms will remain closed for judicial business, except for the following time-sensitive, essential functions:
 - a. Civil Temporary Restraining Orders
 - b. Family Temporary Restraining Orders
 - c. Civil Ex Parte Proceedings, including without limitation, Emergency Minor's Compromise Proceedings¹
 - d. Family Ex Parte Proceedings
 - e. Hague Convention (International Kidnapping)
 - f. Probate Ex Parte Hearings
 - g. Probate Emergency Petitions for Temporary Conservatorship
 - h. Probate Emergency Petitions for Temporary Guardianship
 - i. Riese Hearings
 - j. Search Warrants
 - k. Arraignments
 - l. Criminal Preliminary Hearings
 - m. Criminal Ex Parte Hearings
 - n. Bail Bond and Cash Bail Processings
 - o. Bail Review
 - p. Criminal Mental Competency Hearings
 - q. Criminal Sentencing Proceedings
 - r. Criminal Post-Sentencing Proceedings
 - s. Grand Jury Indictments

¹ From May 13, 2020 until June 10, 2020, all parties may appear telephonically in Civil ex parte matters. Opposition papers for any electronically-filed ex parte application must be electronically filed by 8:00 p.m. the day before the hearing on the ex parte application, unless the party opposing the ex parte application is a self-represented litigant or otherwise exempt from mandatory electronic filing pursuant to the operative General Order re Mandatory Electronic Filing in Civil.

- 1 t. Juvenile Ex Parte Orders
- 2 u. Emergency Orders Relating to the Health and Safety of a Child
- 3 v. Juvenile Restraining Orders
- 4 w. Juvenile Delinquency Detention Hearings and related case processing
- 5 x. Juvenile Dependency Detention Hearings and related case processing
- 6 y. Petitions for Writ Seeking Emergency Relief in Misdemeanor, Limited Civil and
- 7 Infractions
- 8 z. Emergency Writs Challenging COVID-19 Emergency Measures
- 9 aa. Writs of Habeas Corpus Challenging Medical Quarantines
- 10 bb. Emergency Protective Orders
- 11 cc. Proceedings under the Lanterman-Petris-Short (“LPS”) Act
- 12 dd. Judicial Commitments for Dangerous Persons based on Mental Health Conditions
- 13 ee. Parole and Post-Release Community Supervision Revocation Hearings
- 14 ff. Juvenile Arraignment/Detention Hearings: Adjudications and Dispositions
- 15 gg. Juvenile Delinquency Adjudications and Dispositions, and related case processing
- 16

17 2. **NOTICE IS HEREBY GIVEN THAT ALL OTHER MATTERS WILL BE**

18 **CONTINUED BY THE COURT.** The parties shall receive further notice stating the

19 specific time and date of the continuance in their cases.

20

21 3. The Court extends the time periods provided in section 313 of the Welfare and

22 Institutions Code within which a minor taken into custody pending dependency

23 proceedings must be released from custody to not more than **seven (7) days**, applicable

24 only to minors for whom the statutory deadline would otherwise expire from **May 13,**

25 **2020 until June 10, 2020**, inclusive.

26

27 4. The Court extends the time periods provided in section 315 of the Welfare and

28 Institutions Code within which a minor taken into custody pending dependency

1 proceedings must be given a detention hearing to not more than **seven (7) days**,
2 applicable only to minors for whom the statutory deadline would otherwise expire from
3 **May 13, 2020 until June 10, 2020**, inclusive.

4
5 5. The Court extends the time periods provided in sections 632 and 637 of the Welfare
6 and Institutions Code within which a minor taken into custody pending wardship
7 proceedings and charged with a felony offense must be given a detention hearing or
8 rehearing to not more than **seven (7) days**, applicable only to minors for whom the
9 statutory deadline would otherwise expire from **May 13, 2020 until June 10, 2020**,
10 inclusive.

11
12 6. The Court extends the time period provided in section 334 of the Welfare and
13 Institutions Code within which a hearing on a juvenile dependency petition must be
14 held by not more than **fifteen (15) days**, applicable only to minors for whom the
15 statutory deadline would otherwise expire from **May 13, 2020 until June 10, 2020**,
16 inclusive.

17
18 7. The Court extends the time period provided in section 657 of the Welfare and
19 Institutions Code within which a hearing on a wardship petition for a minor charged
20 with a felony offense must be held by not more than **fifteen (15) days**, applicable only
21 to minors for whom the statutory deadline otherwise would expire from **May 13, 2020**
22 **until June 10, 2020**, inclusive.

23
24 8. Further, the Court declares that from **May 13, 2020 until June 10, 2020**, inclusive, be
25 deemed a holiday/holidays for purposes of computing the time under Code of Civil
26 Procedure section 116.330(a) (requires a small claims matter to be scheduled for
27 hearing no earlier than 20 days, but not more than 70 days from the date of the order
28 directing the parties to appear at the hearing).

- 1 9. All civil jury or non-jury trials, including unlawful detainer trials, probate trials, and
2 family law trials, will be continued until a date after **June 22, 2020**. The parties shall be
3 notified of the continued trial date by the Court. The parties shall receive notice of the
4 date on which the trial shall be set. All pre-trial dates for trials that are continued
5 pursuant to this paragraph are also continued consistent with the new trial date.
6
- 7 10. In unlawful detainer cases, Emergency Rule 1(d) establishes that if the defendant has
8 appeared in the action, the Court may not set a trial date earlier than 60 days after a
9 request for trial is made, unless the Court finds that an earlier trial date is necessary to
10 protect public health and safety. Under that same rule, any trial set in an unlawful
11 detainer proceeding as of April 6, 2020 must be continued at least 60 days from the
12 initial date of trial.
13
- 14 11. All traffic and infraction trials set for trial from **May 13, 2020 until June 10, 2020**,
15 inclusive, are continued. The parties shall receive notice of the date on which the trial
16 shall be set.
17
- 18 12. In all criminal cases, the Court imposes a 90-day continuance of all status reports and
19 progress reports, applicable only to defendants for whom a status report or progress
20 report was due from **May 13, 2020 until June 10, 2020**, inclusive. The Court shall
21 provide notice of when the new proceeding will be held.
22
- 23 13. The continuance of any and all misdemeanor post-arraignment proceedings, in which
24 the defendant is out of custody, applicable only to defendants for whom misdemeanor
25 proceedings would otherwise be set from **May 13, 2020 until June 10, 2020**, inclusive.
26
- 27 14. Access to all Los Angeles County courthouses remains restricted at all times to judges,
28 commissioners, court staff, co-lessees, Judicial Council staff and vendors, and

authorized persons, which includes but is not limited to news reporters and news media representatives.

15. Access to all essential court proceedings, including, but not limited to, arraignments, preliminary hearings, restraining order or ex parte matters remains limited to parties, attorneys, witnesses or authorized persons, which includes, but is not limited to news reporters and news media representatives.

16. The Executive Officer/Clerk of Court may provide telephonic and electronic assistance in these essential court proceedings to the greatest extent possible.

17. The April 2, 2020 General Order 007 (2020-GEN-007-00), implementing the state-wide order issued by the Chief Justice on March 30, 2020, remains in full force and effect.

THIS ORDER IS EFFECTIVE IMMEDIATELY AND WILL REMAIN IN EFFECT UNTIL JUNE 10, 2020, AND MAY BE AMENDED AS CIRCUMSTANCES REQUIRE.

DATED: May 13, 2020



Kevin C. Brazile

KEVIN C. BRAZILE
Presiding Judge