

FILED
MAY - 4 2020
ALEX CALVO, CLERK
CLERK, SANTA CRUZ COUNTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CRUZ

**THIRD GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF
AUTHORIZED PURSUANT TO THE APRIL 29, 2020 STATEWIDE ORDER BY THE
CHIEF JUSTICE AND CHAIR OF JUDICIAL COUNCIL**

Pursuant to the April 29, 2020 Statewide Emergency Order (“Statewide Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, this Court HEREBY FINDS AND ORDERS AS FOLLOWS:

1. Any judge of the Court may extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by not more than a total of 90 days from the last date on which the trial would have otherwise been conducted in any case on which the last day occurred or will occur between March 16, 2020 and June 15, 2020;
2. Any previous extensions of time issued by a judge pursuant to this Court’s General Implementation Orders of March 18, 2020 and April 1, 2020 shall run concurrently with the extension authorized by paragraph 1. above, such that the authorized extension of the section 1382 deadline in any case may not exceed a total of 90 days. The following scenarios are provided as examples of the authority authorized by this Order:
 - A. In a misdemeanor case where the defendant is first arraigned on May 14, 2020 and declines to waive time, the last day may be extended to September 14, 2020 (e.g. 90 days from June 15, 2020) because no previous extensions of time were issued;
 - B. In a felony case where the defendant was previously arraigned on an Information, and trial was previously set with a last day of March 29, 2020, and the trial was

1 thereafter extended by 60 days to May 29, 2020 (pursuant to the authority of this
2 Court's Second General Implementation Order of April 1, 2020), the last day may
3 be extended an additional 30 days to June 29, 2020.

4 C. In a felony case where the defendant is first arraigned on the Information on May
5 14, 2020 and declines to waive time, the last day is July 13, 2020 and may not be
6 extended because the last day under section 1382 does not "occur between March
7 16, 2020 and June 15, 2020".

8 D. In a felony case where the defendant was previously arraigned on the Information,
9 subsequently failed to appear and was placed in warrant status, is returned to court
10 on the bench warrant on March 6, 2020 and then declines to waive time, the last
11 day may be extended to August 3, 2020 (e.g. 90 days from May 5, 2020) because
12 the initial last day falls within the qualified time period and no previous
13 extensions of time were issued.

14 This Implementation Order is temporary. It may be rescinded or modified upon directive
15 or authorization of the Chief Justice and/or Judicial Council of California. It is issued due to the
16 emergency circumstances created by the COVID-19 pandemic manifesting in Santa Cruz County
17 which make it currently impossible for the Court to safely conduct jury trials, open and staff the
18 courtrooms that would be capable of meeting social distancing mandates, and because of the
19 May 1, 2020 Order of the Santa Cruz County Public Health Officer which indefinitely extends
20 the Shelter in Place Order applicable to all Santa Cruz County residents thereby preventing the
21 Court from summoning sufficient qualified venire and impaneling jurors. This Order is issued on
22 the express authority of the Chief Justice of California.

23
24 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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26 Dated: 5/4/2020



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28 PAUL P. BURDICK, PRESIDING JUDGE