

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF SANTA BARBARA

3
4 **GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF**
5 **AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY CHAIR**
6 **OF JUDICIAL COUNCIL**

7 Exercising the authority granted under Government Code section 68115 and the March
8 18th and 27th, 2020 Orders (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the
9 Judicial Council of California, issued in response to the March 17th and 26th, 2020 request for an
10 emergency order made by the Superior Court of Santa Barbara County (“Court”), this Court

11 **HEREBY FINDS AND ORDERS AS FOLLOWS:**

12 1. For purposes of computing time for filing papers with the Court under Code of
13 Civil Procedure sections 12 and 12a, any dates from March 30, 2020 to April 23, 2020 inclusive,
14 are deemed holidays (Gov. Code, § 68115(a)(4));

15 2. Any judge may extend the time period provided in section 859b of the Penal Code
16 for the holding of a preliminary examination and the defendant’s right to release from 10 court
17 days to not more than 30 court days;

18 3. Any judge may extend the time period provided in section 825 of the Penal Code
19 within which a defendant charged with a felony offense must be taken before a magistrate from
20 48 hours to not more than seven days;

21 4. Any judge may extend the time period provided in section 1382 of the Penal Code
22 for the holding of a criminal trial by no more than 60 days from the last date on which the
23 statutory deadline otherwise would have expired;

24 5. Any judge may extend the time periods provided in section 583.310 and 583.320
25 of the Code of Civil Procedure to bring an action to trial by no more than 60 days from the last
26 date on which the statutory deadline otherwise would have expired.

27 6. When the Santa Barbara District Attorney’s Office (DA) files a criminal or
28 juvenile case the Public Defender (PD) is provisionally appointed to represent the
defendant/juvenile on that case. The DA is authorized to provide an electronic copy of the

1 discovery to the PD prior to arraignment;

2 7. The PD is to screen the cases for any conflicts and refer cases in which there is a
3 conflict to either the Conflict Defense Team or the Conflict Defense Association, as appropriate.
4 If a case is referred to either of the conflict defense attorney groups, they are appointed to
5 represent the defendant/juvenile;

6 8. The appointed agency is to notify the defendant/juvenile as expeditiously as
7 possible of the appointment, and the defendant/juvenile's option to decline the appointment and
8 proceed with retained counsel and, for criminal defendants, the option to proceed in propria
9 persona ("in pro per"). If the defendant/juvenile notifies the appointed agency that he or she has
10 retained counsel, or if the defendant/juvenile declines appointment, the appointed agency is
11 relieved of its appointment;

12 9. Any appointment of counsel pursuant to this order is temporary pending the
13 defendant/juvenile's first court appearance. At that first court appearance, the appointment will
14 either be confirmed or discontinued. Accepting or declining appointment prior to this first court
15 appearance does not affect any rights regarding representation the defendant/juvenile would
16 otherwise have;

17 10. For purposes of computing time under Welfare and Institutions Code sections
18 313, 315, 334, 631, 632, 637 and 657 the dates between March 25, 2020 through April 23, 2020,
19 inclusive, are deemed to be holidays, if the emergency conditions associated with the COVID-
20 19 pandemic prevent the court from conducting proceedings or accepting filings as necessary to
21 satisfy these deadlines on those dates (Gov. Code, § 68115(a)(8));

22 11. Extend the time period provided in 825 of the Penal Code within which a
23 defendant charged with a felony offense must be taken before a magistrate from 48 hours to not
24 more than 7 days, applicable only to cases in which the statutory deadline otherwise would
25 expire from March 25, 2020, to April 23, 2020, inclusive (Gov. Code, § 68115(a) (8));

26 12. In cases in which the statutory deadline otherwise would expire from March 25,
27 2020 to April 23, 2020, inclusive, any judge of the Court may extend the time period provided in
28 section 313 of the Welfare and Institutions Code within which a minor taken into custody

1 pending dependency proceedings must be released from custody to not more than 7 days (Gov.
2 Code, § 68115(a)(11));

3 13. In cases in which the statutory deadline otherwise would expire from March 25,
4 2020, to April 23, 2020, inclusive, any judge of the Court may extend the time period provided
5 in section 315 of the Welfare and Institutions Code within which a minor taken into custody
6 pending dependency proceedings must be given a detention hearing to not more than 7 days
7 (Gov. Code, § 68115(a)(11));

8 14. In cases in which the statutory deadline otherwise would expire from March 25,
9 2020, to April 23, 2020, inclusive, any judge of the Court may extend the time periods provided
10 in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into
11 custody pending wardship proceedings and charged with a felony must be given a detention
12 hearing or rehearing to not more than 7 days (Gov. Code, § 68115(a)(11));

13 15. In cases in which the statutory deadline otherwise would expire from March 25,
14 2020, to April 23, 2020, inclusive, any judge of the Court may extend the time period provided
15 in section 334 of the Welfare and Institutions Code within which a hearing on a juvenile
16 dependency petition must be held by not more than 15 days (Gov. Code. § 68115(a)(12));

17 16. In cases in which the statutory deadline otherwise would expire from March 25,
18 2020, to April 23, 2020, inclusive, any judge of the Court may extend the time period provided
19 in section 657 of the Welfare and Institutions Code within which a hearing on a wardship
20 petition for a minor charged with a felony offense must be held by not more than 15 days (Gov.
21 Code, § 68115 (a)(12));

22 17. Criminal cases currently scheduled on the Court's calendar from March 17, 2020,
23 through and including April 23, 2020, will be re-scheduled and notice of a new date will be sent
24 to the parties.

25 18. All Civil, Family and Probate matters currently set on the Court's calendar from
26 March 17, 2020 through and including April 23, 2020 will be rescheduled and notice of a new
27 date will be sent to the parties.

28 19. All Child Support Hearings currently scheduled on the Court's calendar from

1 March 17, 2020 through and including April 23, 2020 will be rescheduled and notice of a new
2 date will be sent to the parties.

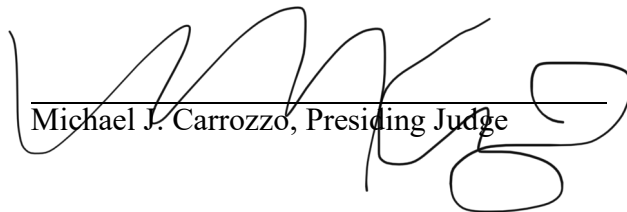
3 20. Any letters of temporary guardianship or temporary conservatorship with an
4 expiration date of March 17, 2020 through and including April 23, 2020 are hereby amended.
5 Paragraph 3 of all such orders is amended to read "These letters shall expire on May 15, 2020 or
6 upon earlier issuance of Letters to a general guardian or conservator."
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8 New Letters of Temporary Guardianship or Conservatorship shall be issued by the clerk
9 upon request.
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11 21. In light of Governor Newsom's Executive Orders, N-28-20 dated March 16, 2020
12 and N-37-20 dated March 27, 2020 urging emergency action to promote housing stability and
13 security and the court's inability to hold unlawful detainer related hearings throughout the
14 emergency period, the court finds good cause to continue all unlawful detainer trials without a
15 determination pursuant to Code of Civil Procedure section 1170.5(c).
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19 THIS ORDER IS EFFECTIVE IMMEDIATELY.
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22 Dated: March 30, 2020

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Michael J. Carrozzo, Presiding Judge