

1 SUPERIOR COURT OF CALIFORNIA  
2 COUNTY OF SAN BERNARDINO  
247 West Third Street, Eleventh Floor  
San Bernardino, CA 92415-0302

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8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF SAN BERNARDINO**  
10

11 IN RE:

12 SECOND AMENDMENT TO GENERAL  
13 ORDER:

14 ESSENTIAL FUNCTIONS OF THE COURT  
15 TO SUPERSEDE GENERAL ORDER OF  
16 IMPLEMENTATION OF MARCH 18, 2020,  
SECTION 3 ONLY

} GENERAL ORDER OF THE PRESIDING  
JUDGE

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19 In accordance with the March 17, 2020 order of Chief Justice Tani G. Cantil-  
20 Sakauye, Chair of the Judicial Council of California, under the authority granted pursuant  
21 to Government Code Section 68115, and issued in response to the March 16, 2020  
22 request for an emergency order made by the Superior Court of San Bernardino County,  
23 to protect the health and safety of the public, court personnel, and criminal defendants  
24 brought before the Court, the Court HEREBY ORDERS AS FOLLOWS From March 24,  
25 2020 through April 2, 2020, all courtrooms except for limited courtrooms in San  
26 Bernardino Justice Center, Victorville, Joshua Tree, San Bernardino Historic courthouses  
27 and Juvenile Court will be closed for judicial business, except for the following time-  
28 sensitive, essential functions:

GENERAL ORDER: SECOND AMENDMENT TO GENERAL ORDER: ESSENTIAL FUNCTIONS OF THE COURT  
TO SUPERSEDE GENERAL ORDER OF IMPLEMENTATION OF MARCH 18, 2020, SECTION 3 ONLY

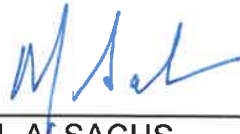
- 1 a. Civil temporary restraining orders involving violent conduct;
- 2 b. Family ex parte including domestic violence proceedings and other
- 3 safety issues;
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- 5 c. Hague Convention (international kidnapping);
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- 7 d. Probate ex parte hearings concerning elder abuse;
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- 9 e. Probate emergency petitions for temporary guardianship;
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- 11 f. Probate emergency petitions for temporary conservatorship;
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- 13 g. Riese hearings;
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- 15 h. Electronically submitted day and night time warrants including the
- 16 following:
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- 18 i. Search;
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- 20 ii. Arrest;
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- 22 iii. Juvenile detention;
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- 24 iv. Juvenile interview;
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- 26 v. Bail enhancement;
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- 28 vi. Emergency protective orders;
- 29
- 30 vii. PEN register;
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- 32 viii. GPS;
- 33
- 34 ix. Parole;
- 35
- 36 x. DUI;
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- 38 xi. Gun violence RO

- 1 i. Criminal, in-custody pre-preliminary and preliminary hearings;  
2 j. Emergency orders relating to the health and safety of a child;  
3 k. Emergency writs challenging COVID-19 emergency measures;  
4 l. In-custody arraignments for new filings;  
5 m. In-custody juvenile dependency and delinquency detentions; and  
6 n. Ex parte orders to address emergency unlawful detainer lock-outs.  
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10 These matters will be conducted with strict distancing protocols being followed.  
11 Six feet of social distance at all times, and no more than 10 persons in a  
12 courtroom, Clerk's Office or lobby at any time are permitted.  
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15 THIS ORDER IS EFFECTIVE IMMEDIATELY.  
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17 Dated this 24th day of March, 2020.  
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22 MICHAEL A. SACHS  
23 Presiding Judge of the Superior Court  
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1 SUPERIOR COURT  
2 COUNTY OF SAN BERNARDINO  
247 West Third Street, Eleventh Floor  
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8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF SAN BERNARDINO**  
10

11 IN RE:

12 IMPLEMENTATION OF EMERGENCY  
13 RELIEF AUTHORIZED PURSUANT TO  
14 GOVERNMENT CODE SECTION 68115  
15 BY CHAIR OF JUDICIAL COUNCIL

} GENERAL ORDER OF THE  
PRESIDING JUDGE

16 Due to Governor Gavin Newsom proclaiming a State of Emergency in California  
17 as a result of COVID-19; Governor Newsom and state public health officials  
18 announcing that gatherings should be postponed or canceled across the State until at  
19 least the end of March; Governor Newsom declaring that non-essential gatherings must  
20 be limited to no more than 250 people, while smaller events can proceed only if the  
21 organizers can implement social distancing of 6 feet per person, and gatherings of  
22 individuals who are at higher risk for severe illness from COVID-19 should be limited to  
23 no more than 10 people, while also following social distancing guidelines; President  
24 Trump declaring a national emergency and issuing directives targeted at reducing  
25 social contact to reduce the spread of COVID-19; in accordance with the March 17,  
26 2020 order of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of  
27 California, under the authority granted pursuant to Government Code Section 68115,  
28 and issued in response to the March 16, 2020 request for an emergency order made by

1 the Superior Court of San Bernardino County, to protect the health and safety of the  
2 public, court personnel, and criminal defendants brought before the Court, the Court  
3 HEREBY ORDERS AS FOLLOWS:  
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- 5 1. For purposes of computing time for filing papers with the Court under Code of  
6 Civil Procedure sections 12 and 12a, March 17, 2020 through April 2, 2020  
7 are deemed holidays.
- 8 2. March 17, 2020 to April 2, 2020 are deemed holidays for purposes of  
9 computing time under:
  - 10 a. Penal Code section 825 (time to bring a criminal defendant before  
11 magistrate after arrest)
  - 12 b. Welfare and Institutions Code section 313 (time to release minor taken  
13 into custody pending dependency proceedings)
  - 14 c. Welfare and Institutions Code section 315 (time to hold detention  
15 hearing for minor taken into custody pending dependency  
16 proceedings)
  - 17 d. Welfare and Institutions Code section 334 (time to hold hearing on  
18 dependency petition)
  - 19 e. Welfare and Institutions Code section 631 (time to release minor taken  
20 into custody pending wardship proceedings)
  - 21 f. Welfare and Institutions Code section 632 (time to hold detention  
22 hearing for minor taken into custody pending wardship proceedings)
  - 23 g. Welfare and Institutions Code section 637 (time to hold detention  
24 rehearing in wardship proceedings if parent/guardian files affidavit  
25 asserting lack of notice of hearing or minor requests evidence of prima  
26 facie case)
  - 27 h. Welfare and Institutions Code section 657 (time to hold hearing on  
28 wardship petition)

- 1 3. From March 17, 2020 through April 2, 2020, all courtrooms except for limited  
2 courtrooms in San Bernardino Justice Center, Victorville, Joshua Tree, San  
3 Bernardino Historic and Juvenile Court will be closed for judicial business,  
4 except for the following time-sensitive, essential functions:
- 5 a. Civil temporary restraining orders involving violent conduct
  - 6 b. Family temporary restraining orders
  - 7 c. Family ex parte proceedings
  - 8 d. Hague Convention (international kidnapping)
  - 9 e. Probate ex parte hearings concerning elder abuse
  - 10 f. Probate emergency petitions for temporary guardianship
  - 11 g. Probate emergency petitions for temporary conservatorship
  - 12 h. Riese hearings
  - 13 i. Search warrants
  - 14 j. Criminal preliminary hearings
  - 15 k. Emergency orders relating to the health and safety of a child
  - 16 l. Emergency writs challenging COVID-19 emergency measures
  - 17 m. Writs of habeas corpus challenging quarantines
- 18 4. All other matters are hereby continued by the Court. The parties shall receive  
19 notice stating the specific time and date of the continuance in their cases.
- 20 5. The Court extends the following deadlines for the period beginning March 17,  
21 2020 through April 2, 2020:
- 22 a. Sections 583.310 and 583.320 of the Code of Civil Procedure to bring  
23 an action to trial has been extended by not more than **15** days.
  - 24 b. The duration of any temporary restraining order that would otherwise  
25 expire because the emergency condition described in the order  
26 prevented the Court from conducting proceedings to determine  
27 whether a permanent order should be entered is extended by not more  
28 than **15** days.

- 1 c. The time provided in section 825 of the Penal Code within which a  
2 defendant charged with a felony offense must be taken before a  
3 magistrate is extended from 48 hours to not more than **7** days.
- 4 d. The time period provided in section 859b of the Penal Code for the  
5 holding of a preliminary examination is extended from 10 court days to  
6 not more than **15** court days.
- 7 e. The time period provided in section 1382 of the Penal Code for the  
8 holding of a criminal trial is extended by not more than **30** days.
- 9 f. The time period provided in section 313 of the Welfare and Institutions  
10 Code within which a minor taken into custody pending dependency  
11 proceedings must be released from custody is extended by not more  
12 than **7** days.
- 13 g. The time period provided in section 315 of the Welfare and Institutions  
14 Code within which a minor taken into custody pending dependency  
15 proceedings must be given a detention hearing is extended by not  
16 more than **7** days.
- 17 h. The time periods provided in sections 632 and 637 of the Welfare and  
18 Institutions Code within which a minor taken into custody pending  
19 wardship proceedings and charged with a felony must be given a  
20 detention hearing or rehearing is extended by not more than **7** days.
- 21 i. The time period provided in section 334 of the Welfare and Institutions  
22 Code within which a hearing on a juvenile dependency petition must  
23 be held is extended by not more than **15** days.
- 24 j. The time period provided in section 657 of the Welfare and Institutions  
25 Code within which a hearing on a wardship petition for a minor  
26 charged with a felony offense must be held is extended by not more  
27 than **15** days.
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1 6. The San Bernardino County Probation Department may review and authorize  
2 the release of in-custody inmates that meet the pretrial services release  
3 requirements pending further hearing.

4 7. Upon assessment by the San Bernardino County Probation Department, the  
5 San Bernardino County Sheriff is authorized to release those identified by the  
6 San Bernardino County Probation Department as low risk through the pretrial  
7 program. The Probation Department may develop terms of release, which, if  
8 violated may result in a criminal defendant's return to custody.

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10 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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14 Dated this 18<sup>th</sup> day of March, 2020.

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19 MICHAEL A. SACHS  
20 Presiding Judge of the Superior Court