

FILED

JUN 16 2020

SUPERIOR COURT OF THE STATE OF CALIFORNIA

MICHELLE MARTINEZ, CLERK OF COURT  
SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF KINGS

IN AND FOR THE COUNTY OF KINGS

*Nancy Rizo*  
DEPUTY

**GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF AUTHORIZED  
BY THE CHAIR OF THE JUDICIAL COUNCIL EMERGENCY ORDER OF JUNE 15, 2020**

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

**WHEREAS** as of June 16, 2020 the World Health Organization has reported 7,941,791 confirmed cases of COVID-19 worldwide with 434,796 deaths caused by the virus.

**WHEREAS** as of June 16, 2020 the Center for Disease Control has reported 2,104,346 confirmed cases of COVID-19 in 50 states and 4 territories of the United States of America, 116,140 of which have resulted in deaths.

**WHEREAS** as of June 16, 2020 the California Department of Public Health has reported 151,452 confirmed cases of the COVID-19 virus in the state of California causing 5,089 deaths.

**WHEREAS** as of June 10, 2020 the Kings County Department of Public Health has reported 714 confirmed cases of the COVID-19 virus in the community with an additional

1 974 cases in the State Prisons located in Kings County for a total of 1,688 positive COVID-  
2 19 cases in Kings County causing 6 deaths.

3  
4 **WHEREAS** the World Health organization, the Center for Disease Control ,California  
5 Department of Public Health and the Kings County Department of Public Health have all  
6 recommended social distancing practices of staying at least six feet apart and the  
7 prohibition of gathering in groups as the best method to prevent the contraction and spread  
8 of the COVID-19 virus.  
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11 **WHEREAS** on March 4, 2020 California Governor Gavin Newsom declared a state of  
12 emergency in California because of the COVID-19 virus.  
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14 **WHEREAS** on March 13, 2020 The President of the United States declared a national  
15 emergency because of the COVID-19 virus.  
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18 **WHEREAS** on March 19, 2020 Governor Newsom issued Executive Order N-33-20,  
19 requiring all residents of the State of California to stay home and shelter in place.  
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21 **WHEREAS** on March 23, 2020 the Chief Justice of the California Supreme Court and  
22 Chair of the Judicial Council, the Honorable Tani G. Cantil-Sakauye, issued a state-wide  
23 order recognizing the Courts in the State of California are ill –equipped to effectively allow  
24 social distancing and other recommendations by public health experts required to protect  
25 people involved in court proceedings and to prevent the spread of the COVID-19 virus.  
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1 **WHEREAS** on March 23, 2020 the Chief Justice of the California Supreme Court and  
2 Chair of the Judicial Council, the Honorable Tani G. Cantil-Sakauye, issued a state wide  
3 order suspending all jury trials for 60 days from the date of her order and the time period  
4 for bringing a case to jury trial for 60 days from the date her order..  
5

6 **WHEREAS** on March 27, 2020 Governor Newsom issued executive order N-38-20  
7 suspending all legal authorities that impede the use of technology in court proceedings and  
8 authorized the Chair of the Judicial Council to extend deadlines for certain court  
9 proceedings until 90 days after the state of emergency related to COVID-19 is lifted.  
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12 **WHEREAS** in order to protect the health and safety of the public, court employees,  
13 attorney's, litigants, judicial officers, law enforcement officers and the staff and inmates in  
14 detention facilities, on March 30, 2020 the Chief Justice of the California Supreme Court  
15 and Chair of the Judicial Council, the Honorable Tani G. Cantil-Sakauye, issued a state  
16 wide emergency order authorizing trial courts to make orders extending deadlines for  
17 certain court proceedings and for the use of technology to conduct legal proceedings.  
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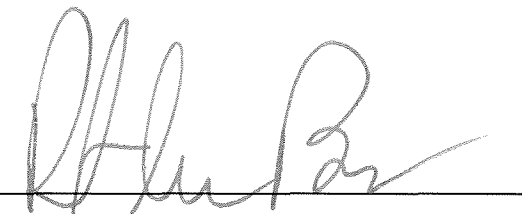
20 **WHEREAS** On June 15<sup>th</sup>, 2020 The Honorable Tani G. Cantil-Sakauye, Chief Justice of  
21 the California Supreme Court and Chair of the Judicial Council determined that the  
22 conditions described in Government Code section 68115(a) continue to exist in Kings  
23 County and therefore she authorized this Court to issue an implementation order extending  
24 the deadline for jury trials.  
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1 **WHEREAS** after balancing the Constitutional due process rights of parties in criminal and  
2 civil cases with the health and safety of these parties, the public, court staff, judicial  
3 officers, attorneys, witnesses, jurors, law enforcement officers, deputy Sheriffs, probation  
4 officers and other persons present during court proceedings;

5  
6 **IT IS HEREBY ORDERED THAT:**

- 7
- 8 1. The time period provided in Penal Code section 1382 for the holding of a  
9 criminal trial is extended by no more than 30 days from the last date on which  
10 the statutory deadline otherwise would have expired. This order is applicable  
11 only to cases in which the original or previously extended statutory deadline  
12 otherwise would expire from June 16, 2020, to July 16, 2020, inclusive (Gov.  
13 Code section 68115(a)(10); Executive Order N-38-20 (03-27-2020).
  - 14 2. These extensions are in addition to any relief provided pursuant to any specific  
15 emergency order issued under a subdivision of Government Code section 68115  
16 related to any other extension or form of relief.
  - 17 3. The Kings County Superior Court is to make use of available technology, when  
18 possible, to conduct judicial proceedings and court operations remotely.
  - 19 4. Any statute, local rule or California Rule of Court which would prevent the court  
20 from using technology to conduct judicial proceedings and court operations  
21 remotely are suspended.

22 Dated: 06/16/, 2020



23 Robert Shane Burns, Presiding Judge  
24 Kings County Superior Court