

DEC 11 2020

JAMES M. KIM, Court Executive Officer
MARIN COUNTY SUPERIOR COURT

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN

ADMINISTRATIVE ORDER RE:)	
IMPLEMENTATION OF ADDITIONAL)	ADMINISTRATIVE ORDER NO. 20-17
EMERGENCY RELIEF AUTHORIZED)	
PURSUANT TO GOVERNMENT CODE)	
§68115 AND OTHER ORDERS BY CHAIR)	ADMINISTRATIVE ORDER RE:
OF JUDICIAL COUNCIL)	IMPLEMENTATION OF ADDITIONAL
)	EMERGENCY RELIEF AUTHORIZED
)	PURSUANT TO GOVERNMENT CODE
)	§68115 AND OTHER ORDERS BY
)	CHAIR OF JUDICIAL COUNCIL
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Due to the COVID-19 pandemic, on March 16, 2020, March 17, 2020, April 1, 2020, April 28, 2020, May 26, 2020, June 19, 2020, July 20, 2020, August 18, 2020, September 17, 2020, October 15, 2020, and November 13, 2020, the Court issued Administrative Orders 20-04, 20-05, 20-06, 20-07, 20-08, 20-09, 20-10, 20-11, 20-14, 20-15, and 20-016. Since those orders were issued, the pandemic has continued or worsened. The President of the United States, the Governor of California, the California Judicial Council and the Chief Justice have all issued orders that recognize the continued need to protect the health and safety of the public and court personnel. In addition, the Judicial Council passed temporary Emergency Rules related to the Covid-19 pandemic. Pursuant to the authority granted under Government Code section 68115, issued in response to the renewed request for an emergency order made by the Superior Court of Marin County (“Court”), the December 11, 2020, Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, and based on the Court’s inherent authority to control its own calendars and

1 the Presiding Judge's duty to take into account the needs and safety of the public and the Court as
2 they relate to the efficient and effective management of the Court's calendar (California Rules of
3 Court, rule 10.603(c)), this Court HEREBY FINDS AND ORDERS AS FOLLOWS:

- 4 1. This Administrative Order 20-17 supplements Administrative Orders 20-16, 20-15, 20-14, 20-
5 11, 20-10, 20-09, 20-08, 20-07, 20-06, 20-05, and 20-04. Except as specifically modified
6 herein, Administrative Orders 20-16, 20-15, 20-14, 20-11, 20-10, 20-09, 20-08, 20-07, 20-06,
7 20-05, and 20-04 remain in full force and effect;
- 8 2. Any judge of the Court is hereby authorized to make use of available technology, when
9 possible, to conduct judicial proceedings and court operations remotely, in order to protect the
10 health and safety of the public, court personnel, judicial officers, litigants, and witnesses. This
11 includes the use of video, audio, and telephonic means for remote appearances, reporting, and
12 interpreting in judicial proceedings, and the electronic exchange and authentication of
13 documentary evidence. Any rule in the California Rules of Court to the extent such rule
14 would prevent a court from using technology to conduct judicial proceedings and court
15 operations remotely is suspended (March 30, 2020 Statewide Emergency Order by Chief
16 Justice, paragraph C);
- 17 3. Consistent with the Governor of California's March 27, 2020 Executive Order N-38-20,
18 related statutes that impose limitations on the subject of these emergency orders are
19 suspended.
- 20 4. The Self-Help Office will be physically closed until further notice, but help is accessible by
21 email and phone;
- 22 5. Court sessions may be held anywhere in the county, including in correctional and juvenile
23 detention facilities, from December 12, 2020, to January 9, 2021, inclusive (Gov. Code
24 §68115(a)(1));
- 25 6. For purposes of computing time under Welfare and Institutions Code sections 313, 315, 334,
26 631, 632, 637, and 657, December 12, 2020, to January 9, 2021, inclusive, are deemed
27 holidays (Gov. Code, §68115(a)(5));
- 28 7. Any judge of the Court may extend the time period provided in section 1382 of the Penal

1 Code for the holding of a criminal trial by not more than 30 days, applicable only to cases in
2 which the initial or previously extended statutory deadline otherwise would expire from
3 December 12, 2020, to January 9, 2021, inclusive (Gov. Code, §68115(a)(10); Executive
4 Order N-38-20 (03-27-20));

5 8. Any judge of the Court may extend the time period provided in section 313 of the Welfare
6 and Institutions Code within which a minor taken into custody pending dependency
7 proceedings must be released from custody to not more than 7 days, applicable only to minors
8 for whom the statutory deadline otherwise would expire from December 12, 2020, to January
9 9, 2021, inclusive (Gov. Code, §68115(a)(11));

10 9. Any judge of the Court may extend the time period provided in section 315 of the Welfare
11 and Institutions Code within which a minor taken into custody pending dependency
12 proceedings must be given a detention hearing to not more than 7 days, applicable only to
13 minors for whom the statutory deadline otherwise would expire from December 12, 2020, to
14 January 9, 2021, inclusive (Gov. Code, §68115(a)(11));

15 10. Any judge of the Court may extend the time periods provided in sections 632 and 637 of the
16 Welfare and Institutions Code within which a minor taken into custody pending wardship
17 proceedings and charged with a felony must be given a detention hearing or rehearing to not
18 more than 7 days, applicable only to minors for whom the statutory deadline otherwise would
19 expire from December 12, 2020, to January 9, 2021, inclusive (Gov. Code, §68115(a)(11));

20 11. Any judge of the Court may extend the time period provided in section 334 of the Welfare
21 and Institutions Code within which a hearing on a juvenile dependency petition must be held
22 by not more than 15 days, applicable only to minors for whom the statutory deadline
23 otherwise would expire from December 12, 2020, to January 9, 2021, inclusive (Gov. Code,
24 §68115(a)(12));

25 12. Any judge of the Court may extend the time period provided in section 657 of the Welfare
26 and Institutions Code within which a hearing on a wardship petition for a minor charged with
27 a felony offense must be held by not more than 15 days, applicable only to minors for whom
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1 the statutory deadline otherwise would expire from December 12, 2020, to January 9, 2021,
2 2020, inclusive (Gov. Code, §68115(a)(12));

3 13. The Court has instituted protocols to comply with the most recent Public Health Order issued
4 by the County of Marin Public Health Officer on May 15, 2020 and thereafter modified
5 and/or supplemented by said Health Officer, including the most recent order on December 8,
6 2020;

7 14. All proceedings, unless otherwise noted, will be conducted through the use of remote
8 technology. In person appearances, unless otherwise noted, are prohibited. Check the Court's
9 website for details and instructions about how to appear remotely;

10 15. The limitations of Court operations, including the requirement that all proceedings will be
11 through the use of remote technology, are to protect the health and safety of the public, court
12 personnel, judicial officers, counsel, litigants and witnesses in connection with the Covid-19
13 threat while at the same time protecting individual and procedural constitutional and civil
14 rights protections; and

15 16. All vCourt fees are waived for all courtrooms from December 12, 2020, to January 9, 2021,
16 inclusive (Cal. Rules of Court, Rule 3.670(j)(2)).

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18 IT IS SO ORDERED.

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20 DATED: December 11, 2020

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ANDREW E. SWEET
Presiding Judge