

AUG 28 2020

MICHAEL D. PLANET
Executive Officer and Clerk

BY:  Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF VENTURA

**ADMINISTRATIVE ORDER RE:
IMPLEMENTATION OF EMERGENCY RELIEF
OF PENAL CODE § 1382 EXTENSION**

**ADMINISTRATIVE ORDER
NO. 20.31**

**ADMINISTRATIVE ORDER RE:
IMPLEMENTATION OF
EMERGENCY RELIEF OF PENAL
CODE § 1382 EXTENSION**

The Ventura Superior Court is committed to protecting the health and safety of jurors, attorneys, staff, law enforcement, other court users, judges and the general public, while continuing to perform its constitutional and statutory duties. The court has implemented protocols designed to protect health and safety. However, the combined impact of the COVID-19 pandemic and social distancing measures have significantly impacted the court's ability to conduct in-person court proceedings. Therefore, based upon the authority granted under the August 27, 2020 Emergency Order of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California and the court's inherent authority to take into account the needs of the public and court, as they relate to the efficient and effective management of the court's calendars, (*California Rules of Court*, rule 10.603(c)):

This court HEREBY FINDS AND ORDERS AS FOLLOWS:

Any judge of the court, may extend the time period for the holding of a criminal jury trial under *Penal Code* §1382 by not more than 30 days, applicable only to cases in which the original or previously extended statutory deadline otherwise would expire between August 31, 2020 and October 30, 2020. (Chief Justice's August 27, 2020 Order).

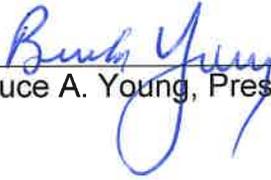
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1 This relief is temporary and intended to address the current COVID-19 pandemic as it
2 poses a challenge to the holding of jury trials.

3 THIS ORDER IS EFFECTIVE IMMEDIATELY AND SHALL REMAIN IN EFFECT UNTIL
4 OCTOBER 31, 2020, UNLESS OTHERWISE AMENDED OR REVOKED.

5 IT IS SO ORDERED.

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8 DATED: August 28, 2020

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12 Bruce A. Young, Presiding Judge
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THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of the COVID-19 pandemic, leading to health and safety concerns and resulting in substantial operational impediments, and the proclamations of states of emergency by federal, state, and local officials, it was determined that the conditions described in Government Code section 68115(a) were met with regard to the Superior Court of Ventura County (Court) on five prior occasions: March 13 and 20, 2020; April 14, 2020; May 11, 2020; and June 10, 2020. At the request of Presiding Judge Kent M. Kellegrew, Orders issued on those dates authorizing the Court to implement certain relief authorized by section 68115(a). Upon the renewed request of current Presiding Judge Bruce A. Young, it is determined that the conditions described in section 68115(a) continue to exist (Gov. Code, § 68115(b)), and it is ordered that the Court is authorized to do the following:

- Extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by not more than 30 days, applicable only to cases in which the original or previously extended statutory deadline otherwise would expire from August 31, 2020, to October 30, 2020, inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).*

* This authority supplements the authority to extend section 1382 deadlines previously granted in the March 23, March 30, and April 29, 2020 statewide emergency orders and in the June 10, 2020 emergency order specific to the Court. Accordingly, for any case in which the time to bring a defendant to trial previously was extended under one or more of those prior emergency orders, and the extended deadline falls within the above-specified time period, this order authorizes the Court to extend the previously extended deadline by up to an additional 30 days. For any case in which the initial section 1382 deadline falls within the above-specified time period and is not governed by a prior emergency order, this order authorizes the Court to extend the time to bring a defendant to trial by a total of up to 30 days.

Date: August 27, 2020

A handwritten signature in black ink, reading "T. Cantil-Sakauye". The signature is written in a cursive, flowing style.

Hon. Tani G. Cantil-Sakauye
Chief Justice of California and
Chair of the Judicial Council