

1 •The time period provided in section 1382 of the Penal Code for the holding of a criminal
2 trial is extended by 30 days, applicable only to cases in which the original or previously extended
3 statutory deadline otherwise would expire from February 12, 2021 to March 15, 2021, inclusive.
4 (Gov. Code §68115(a)(10); Executive Order N-38-20 (3/27/20)).

5 •All civil jury trials are suspended through March 12, 2021.

6 •All LPS trials are suspended through March 12, 2021.

7 •This Order does not apply to family law or juvenile cases. For family law cases, please
8 see the most recent family law memo, titled “Family Law COVID-19 Protocols and FAQs”,
9 updated January 26, 2021, which can be accessed on the Court’s website at
10 www.sanmateocourt.org. For juvenile cases, please see the most recent juvenile memo titled
11 “Juvenile Dependency and Juvenile Justice Memo #7”, dated November 3, 2020 which also can
12 be accessed on the Court’s website.

13 •The Presiding Judge retains the discretion to hear any matters that, in the interest of
14 justice, the Presiding Judge determines should be heard.

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16 Dated: February 9, 2021.

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19 LELAND DAVIS, III
20 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 resulting in substantial operational impediments, and the proclamations of states of emergency by federal, state, and local officials, it was determined on eleven prior occasions that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of San Mateo (Court). Based on those determinations, and pursuant to the Court's requests, corresponding emergency orders issued, authorizing the Court to implement certain relief under Government Code section 68115. Upon the renewed request of Presiding Judge Leland Davis, III, it is now determined that the conditions described in Government Code section 68115(a) continue to exist (Gov. Code, § 68115(c)), 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 (section 1382) 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 February 12, 2021 to March 15, 2021, inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).*

Date: February 9, 2021



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

* This authority supplements the authority to extend section 1382 deadlines granted to the Court in prior emergency orders. Accordingly, for any case in which the time to bring a defendant to trial was extended under one or more prior emergency order, 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.