

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF SANTA BARBARA

3  
4 **GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF**  
5 **AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY CHAIR**  
6 **OF JUDICIAL COUNCIL**

7 Exercising the authority granted under Government Code section 68115 and the March  
8 18th and 27th, 2020 Orders (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the  
9 Judicial Council of California, issued in response to the March 17<sup>th</sup> and 26th, 2020 request for an  
10 emergency order made by the Superior Court of Santa Barbara County (“Court”), this Court

11 **HEREBY FINDS AND ORDERS AS FOLLOWS:**

12 1. For purposes of computing time for filing papers with the Court under Code of  
13 Civil Procedure sections 12 and 12a, any dates from March 30, 2020 to April 23, 2020 inclusive,  
14 are deemed holidays (Gov. Code, § 68115(a)(4));

15 2. When the Santa Barbara District Attorney’s Office (DA) files a criminal or  
16 juvenile case the Public Defender (PD) is provisionally appointed to represent the  
17 defendant/juvenile on that case. The DA is authorized to provide an electronic copy of the  
18 discovery to the PD prior to arraignment;

19 3. The PD is to screen the cases for any conflicts and refer cases in which there is a  
20 conflict to either the Conflict Defense Team or the Conflict Defense Association, as appropriate.  
21 If a case is referred to either of the conflict defense attorney groups, they are appointed to  
22 represent the defendant/juvenile;

23 4. The appointed agency is to notify the defendant/juvenile as expeditiously as  
24 possible of the appointment, and the defendant/juvenile’s option to decline the appointment and  
25 proceed with retained counsel and, for criminal defendants, the option to proceed in propria  
26 persona (“in pro per”). If the defendant/juvenile notifies the appointed agency that he or she has  
27 retained counsel, or if the defendant/juvenile declines appointment, the appointed agency is  
28 relieved of its appointment;

5. Any appointment of counsel pursuant to this order is temporary pending the

1 defendant/juvenile's first court appearance. At that first court appearance, the appointment will  
2 either be confirmed or discontinued. Accepting or declining appointment prior to this first court  
3 appearance does not affect any rights regarding representation the defendant/juvenile would  
4 otherwise have;

5 6. For purposes of computing time under Welfare and Institutions Code sections  
6 313, 315, 334, 631, 632, 637 and 657 the dates between March 25, 2020 through April 23, 2020,  
7 inclusive, are deemed to be holidays, if the emergency conditions associated with the COVID-  
8 19 pandemic prevent the court from conducting proceedings or accepting filings as necessary to  
9 satisfy these deadlines on those dates (Gov. Code, § 68115(a)(8));

10 7. Extend the time period provided in 825 of the Penal Code within which a  
11 defendant charged with a felony offense must be taken before a magistrate from 48 hours to not  
12 more than 7 days, applicable only to cases in which the statutory deadline otherwise would  
13 expire from March 25, 2020, to April 23, 2020, inclusive (Gov. Code, § 68115(a) (8));

14 8. In cases in which the statutory deadline otherwise would expire from March 25,  
15 2020 to April 23, 2020, inclusive, any judge of the Court may extend the time period provided in  
16 section 313 of the Welfare and Institutions Code within which a minor taken into custody  
17 pending dependency proceedings must be released from custody to not more than 7 days (Gov.  
18 Code, § 68115(a)(11));

19 9. In cases in which the statutory deadline otherwise would expire from March 25,  
20 2020, to April 23, 2020, inclusive, any judge of the Court may extend the time period provided  
21 in section 315 of the Welfare and Institutions Code within which a minor taken into custody  
22 pending dependency proceedings must be given a detention hearing to not more than 7 days  
23 (Gov. Code, § 68115(a)(11));

24 10. In cases in which the statutory deadline otherwise would expire from March 25,  
25 2020, to April 23, 2020, inclusive, any judge of the Court may extend the time periods provided  
26 in sections 632 and 637 of the Welfare and Institutions Code within which a minor taken into  
27 custody pending wardship proceedings and charged with a felony must be given a detention  
28 hearing or rehearing to not more than 7 days (Gov. Code, § 68115(a)(11));

1 11. In cases in which the statutory deadline otherwise would expire from March 25,  
2 2020, to April 23, 2020, inclusive, any judge of the Court may extend the time period provided  
3 in section 334 of the Welfare and Institutions Code within which a hearing on a juvenile  
4 dependency petition must be held by not more than 15 days (Gov. Code. § 68115(a)(12));

5 12. In cases in which the statutory deadline otherwise would expire from March 25,  
6 2020, to April 23, 2020, inclusive, any judge of the Court may extend the time period provided  
7 in section 657 of the Welfare and Institutions Code within which a hearing on a wardship  
8 petition for a minor charged with a felony offense must be held by not more than 15 days (Gov.  
9 Code, § 68115 (a)(12));

10 13. Criminal cases currently scheduled on the Court's calendar from March 17, 2020,  
11 through and including April 23, 2020, will be re-scheduled and notice of a new date will be sent  
12 to the parties.

13 14. All Civil, Family and Probate matters currently set on the Court's calendar from  
14 March 17, 2020 through and including April 23, 2020 will be rescheduled and notice of a new  
15 date will be sent to the parties.

16 15. All Child Support Hearings currently scheduled on the Court's calendar from  
17 March 17, 2020 through and including April 23, 2020 will be rescheduled and notice of a new  
18 date will be sent to the parties.

19 16. Any letters of temporary guardianship or temporary conservatorship with an  
20 expiration date of March 17, 2020 through and including April 23, 2020 are hereby amended.  
21 Paragraph 3 of all such orders is amended to read "These letters shall expire on May 15, 2020 or  
22 upon earlier issuance of Letters to a general guardian or conservator."  
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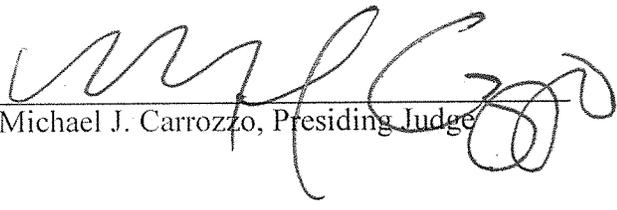
24 New Letters of Temporary Guardianship or Conservatorship shall be issued by the clerk  
25 upon request.  
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27 17. In light of Governor Newsom's Executive Orders, N-28-20 dated March 16, 2020  
28 and N-37-20 dated March 27, 2020 urging emergency action to promote housing stability and

1 security and the court's inability to hold unlawful detainer related hearings throughout the  
2 emergency period, the court finds good cause to continue all unlawful detainer trials without a  
3 determination pursuant to Code of Civil Procedure section 1170.5(c).

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6 THIS ORDER IS EFFECTIVE IMMEDIATELY.  
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9 Dated: March 30, 2020

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11 Michael J. Carrozzo, Presiding Judge  
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