

AUG 10 2020

STEPHANIE CAMERON, CLERK

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF TULARE

ADMINISTRATIVE ORDER OF THE
PRESIDING JUDGE RE: COVID-19
PANDEMIC

GENERAL ORDER

No. 20-12

Upon application from this court, Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California issued her emergency order on March 17, 2020 authorizing the court to limit operations of the Tulare County Superior Court in response to the COVID-19 crisis under Government Code 68115. Pursuant to orders dated April 13, 2020, May 11, 2020, June 8, 2020, and July 8, 2020 the Chief Justice extended certain emergency orders through August 10, 2020. The court issued its General Order 20-10 on July 9, 2020 to implement emergency orders granted through August 10, 2020.

The COVID19 epidemic and federal, state, and local declarations of a public health emergency continue to adversely impact the court's ability to conduct operations while protecting the

1 safety of court users as directed through limiting personal contacts and maintaining personal
2 distancing. On August 7, 2020, the court made application to the Judicial Council to provide relief
3 limited to deadlines for criminal jury trials. On August 10, 2020, the Chief Justice and Chair of the
4 Judicial Council issued her emergency order authorizing this court to implement emergency relief for
5 the period from August 11, 2020 through September 18, 2020 pursuant to Government Code 68115. A
6 copy of the August 10, 2020 emergency order is attached.

7
8 Since the initial emergency orders were granted, the court has implemented extensive
9 procedures and processes to enable the court to increase services provided by the court while
10 protecting public safety by designing and implementing a comprehensive social distancing and public
11 health plan in all court facilities. At this time all departments of the court are conducting the court's
12 business. Local and state emergency orders remain in effect and the court will continue to operate so
13 that those with essential business at court facilities can come to the court safely and in accordance with
14 guidance issued by public health officials. The court has made its clerks' offices available by
15 appointment, has made telephone access to clerks' offices available, and has provided a number of
16 means (other than by in person visit to the court) by which parties and the public can file documents
17 with the court. The court has implemented audio streaming of court proceedings. In order to comply
18 with public health directives, the court is committed to gradually increasing the number of persons
19 who can safely enter all courthouse facilities.
20

21
22 Although the federal Constitution generally precludes closure of substantive courtroom
23 proceedings in criminal cases and California's Code of Civil Procedure section 124 generally
24 precludes closure of substantive courtroom proceedings in civil proceedings, the current COVID-19
25 crisis resulting in federal, state, and local public health orders and advisories clearly demonstrates an
26 overriding interest in temporarily limiting courthouse entry and permitting access to only those
27 persons who have essential business or are required to appear in person in any Tulare County
28 courthouse. Public health and safety would be threatened absent such a temporary restriction, which is

1 narrowly tailored to permit only those required to enter the County's courthouses; there is no less
2 restrictive means of achieving this overriding interest. (*NBC Subsidiary (KNBC-TV), Inc. v. Superior*
3 *Court* (1999) 20 Cal.4th 1178, 1181-1182.)

4
5 IT IS ORDERED:

6 For any court proceedings occurring while this order is in effect, any judge of the court may
7 permit press coverage of proceedings in accordance with California Rules of Court 1.150.

8
9 Access to any and all courthouse facilities is restricted to persons with an appointment and to
10 those persons either required to appear in person for a court hearing or have essential business within
11 the courthouse. Persons required to appear generally include parties, their attorneys, victims, jurors,
12 and witnesses subpoenaed to testify. Any judge of the court may approve additional access to
13 courtroom proceedings for good cause shown. Members of the public can access audio streaming of
14 court proceedings by accessing the court's web site.

15
16 In accordance with the Judicial Council's Statewide Emergency Order dated March 30, 2020,
17 any judge of the court may suspend any rule in the California Rules of Court to the extent such rule
18 would prevent a court from using technology to conduct judicial proceedings and court operations
19 remotely, in order to protect the health and safety of the public, court personnel, judicial officers,
20 litigants, and witnesses.

21
22 Any judge of the court may extend the time period provided in section 1382 of the Penal Code
23 for the holding of a criminal trial by not more than an additional 30 days. This applies to cases in
24 which the original statutory deadline otherwise would expire from August 11, 2020 through
25 September 18, 2020 and to any case for which a previously extended deadline would expire from
26 August 11, 2020 through September 18, 2020.

27
28 THIS ORDER IS EFFECTIVE IMMEDIATELY. IT WILL REMAIN IN EFFECT THROUGH

1 SEPTEMBER 18, 2020. THIS ORDER MAY BE AMENDED AS CIRCUMSTANCES REQUIRE.
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4 Date: August 10, 2020



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6 DAVID C. MATHIAS,
7 Assistant 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 March 17, April 13, May 11, June 9, and July 8, 2020, that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of Tulare (Court). Based on those determinations, and at the request of Presiding Judge Brett R. Alldredge, five prior emergency orders issued, authorizing the Court to implement certain relief under Government Code section 68115. Upon the renewed request of Presiding Judge Alldredge, it is determined that the conditions described in Government Code section 68115(a) continue to exist (Gov. Code, § 68115(b)), and it is ordered that the Court is authorized to do the following:

- Hold sessions anywhere in the county, including in correctional and juvenile detention facilities, from August 11, 2020, to September 18, 2020, inclusive (Gov. Code, § 68115(a)(1)); and
- 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

August 11, 2020, to September 18, 2020, inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).*

Date: August 10, 2020



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 previously granted in the March 23, March 30, and April 29, 2020 statewide emergency orders and in the June 9, and July 8, 2020 emergency orders 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.



Superior Court of the State of California

COUNTY OF TULARE

ADMINISTRATION

221 S. Mooney Blvd., Room 303
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Telephone: (559) 730-5000
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Nocona Soboleski
Assistant Court Executive Officer

Stephanie Cameron
Court Executive Officer/Jury
Commissioner

DISTRIBUTION LIST

Judicial Officers

Brett Alldredge
John Bianco
Juliet Boccone
Norma Castellanos-Perez (Commissioner)
Anthony Fultz
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Nathan Ide
Tara James
Gary Johnson
Nathan Leedy
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Gary Paden
Melinda Reed
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Michael Sheltzer
Ricky Tripp (Commissioner)
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David Wooten (Commissioner)

Court Managers/Supervisors

Stephanie Cameron – Court Executive Officer
Nocona Soboleski – Assistant Court Executive Officer
Deanna Jasso – Director of Court Administration – Court Reporters/Court Interpreters
Sophia Almanza – Court Financial Officer
Sherry Pacillas – Director of Court Operations
Rebecca Haagenson – Courtroom Services – Jury Division/Court Reporters/Court Interpreters
Claudia Cardenas – Courtroom Clerks – Visalia
Kelsey-Nate Martin – Courtroom Clerks – Visalia
Staci Gray – Civil Filings – Room 201 – Visalia
Rilene Santos – Civil Filings – Room 201 – Visalia
Amy Williams – Criminal Filing – Room 124 – Visalia
Kim Anaya – Criminal Filing – Room 124 – Visalia
Jessica Vargas – Juvenile Clerks
Deon Whitfield – Director of Information Technology
Angela Rodd-Terry – Director of Family Court Services
Natasha Moiseyev – Self Help Resource Center – Visalia
Valerie Vasquez – Director of Human Resources
Victoria Taylor – South County Justice Center – Clerks
Joyce McLaughlin – South County Justice Center Clerks
Marsha Cortez – South County Justice Center – Clerks
Danette Borba – Director of Safety and Risk Management
Rob Blue – Judicial/Research Attorney
Richard Langevin – Judicial/Research Attorney

Law Enforcement/Justice Partners

Tim Ward – District Attorney
Lisa Bertolino – Public Defender
David Allen – Conflict Counsel
Jason Britt, County Administrative Officer – County of Tulare
Mike Boudreaux, Sheriff – Tulare County Sheriff Department/Asst. Sheriff K. Douglas/Asst. Sheriff C. Lehner
Sue Gunderman – Tulare County Sheriff Department – Headquarters
Lt. Duane Cornett – Tulare County Sheriff Department – Court Services
Lt. David Winters & Lt. Cory Jones – Tulare County Sheriff Department – Detention Unit
Michelle Bonwell – Tulare County Probation Department
Deanne Peterson – Tulare County Office of County Counsel
Devon Popovich, Chief – Dinuba Police Department
John Hall, Chief – Exeter Police Department
Mario Krstic, Chief – Farmersville Police Department
Chris Hughes, Chief – Lindsay Police Department
Wes Hensley, Chief – Tulare Police Department
Mike Marquez, Chief – Woodlake Police Department
Jason Salazar, Chief – Visalia Police Department
Eric Kroutil, Chief – Porterville Police Department
Timothy Lutz – HHSA
Anita Ortiz – CWS
Patrick Hamblin – Tulare County Animal Services
Roger Dixon – Tulare County Department of Child Support Services (DCSS)
Doug Barnhart – California Department of Fish & Game
Damon Gilmore – California Highway Patrol – Visalia Division
Susan Rodriguez – CDCR Department of Adult Parole
Pete Bisacca, Commander – Office of Protective Services – Porterville Developmental Center
Tulare County Bar Association