

FILED

FEB 08 2021

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

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MARIN

ADMINISTRATIVE ORDER RE:)	
IMPLEMENTATION OF ADDITIONAL)	ADMINISTRATIVE ORDER NO. 21-01
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

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, November 13, 2020, December 11, 2020, and January 8, 2021 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, 20-16, and 20-17, and 20-19. 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 February 4, 2021, Order (“Order”) of Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council of California, and based on the Court’s

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

- 5 1. This Administrative Order 21-01 supplements Administrative Orders 20-19, 20-17, 20-16, 20-
6 15, 20-14, 20-11, 20-10, 20-09, 20-08, 20-07, 20-06, 20-05, and 20-04. Except as specifically
7 modified herein, Administrative Orders 20-19, 20-17, 20-16, 20-15, 20-14, 20-11, 20-10, 20-
8 09, 20-08, 20-07, 20-06, 20-05, and 20-04 remain in full force and effect;
- 9 2. Any judge of the Court is hereby authorized to make use of available technology, when
10 possible, to conduct judicial proceedings and court operations remotely, in order to protect the
11 health and safety of the public, court personnel, judicial officers, litigants, and witnesses. This
12 includes the use of video, audio, and telephonic means for remote appearances, reporting, and
13 interpreting in judicial proceedings, and the electronic exchange and authentication of
14 documentary evidence. Any rule in the California Rules of Court to the extent such rule
15 would prevent a court from using technology to conduct judicial proceedings and court
16 operations remotely is suspended (March 30, 2020 Statewide Emergency Order by Chief
17 Justice, paragraph C);
- 18 3. Consistent with the Governor of California's March 27, 2020 Executive Order N-38-20,
19 related statutes that impose limitations on the subject of these emergency orders are
20 suspended.
- 21 4. The Self-Help Office will be physically closed until further notice, but help is accessible by
22 email and phone;
- 23 5. Court sessions may be held anywhere in the county, including in correctional and juvenile
24 detention facilities, from February 7, 2021, to March 5, 2021, inclusive (Gov. Code
25 §68115(a)(1));
- 26 6. For purposes of computing time under Welfare and Institutions Code sections 313, 315, 334,
27 631, 632, 637, and 657, February 7, 2021, to March 5, 2021, inclusive, are deemed holidays
28 (Gov. Code, §68115(a)(5));

- 1 7. Any judge of the Court may extend the time period provided in section 1382 of the Penal
2 Code for the holding of a criminal trial by not more than 30 days, applicable only to cases in
3 which the initial or previously extended statutory deadline otherwise would expire from
4 February 7, 2021, to March 5, 2021, inclusive (Gov. Code, §68115(a)(10); Executive Order
5 N-38-20 (03-27-20));
- 6 8. Any judge of the Court may extend the time period provided in section 313 of the Welfare
7 and Institutions Code within which a minor taken into custody pending dependency
8 proceedings must be released from custody to not more than 7 days, applicable only to minors
9 for whom the statutory deadline otherwise would expire from February 7, 2021, to March 5,
10 2021, inclusive (Gov. Code, §68115(a)(11));
- 11 9. Any judge of the Court may extend the time period provided in section 315 of the Welfare
12 and Institutions Code within which a minor taken into custody pending dependency
13 proceedings must be given a detention hearing to not more than 7 days, applicable only to
14 minors for whom the statutory deadline otherwise would expire from February 7, 2021, to
15 March 5, 2021, inclusive (Gov. Code, §68115(a)(11));
- 16 10. Any judge of the Court may extend the time periods provided in sections 632 and 637 of the
17 Welfare and Institutions Code within which a minor taken into custody pending wardship
18 proceedings and charged with a felony must be given a detention hearing or rehearing to not
19 more than 7 days, applicable only to minors for whom the statutory deadline otherwise would
20 expire from February 7, 2021, to March 5, 2021, inclusive (Gov. Code, §68115(a)(11));
- 21 22 11. Any judge of the Court may extend the time period provided in section 334 of the Welfare
23 and Institutions Code within which a hearing on a juvenile dependency petition must be held
24 by not more than 15 days, applicable only to minors for whom the statutory deadline
25 otherwise would expire from February 7, 2021, to March 5, 2021, inclusive (Gov. Code,
26 §68115(a)(12));
- 27 12. Any judge of the Court may extend the time period provided in section 657 of the Welfare
28 and Institutions Code within which a hearing on a wardship petition for a minor charged with

1 a felony offense must be held by not more than 15 days, applicable only to minors for whom
2 the statutory deadline otherwise would expire from February 7, 2021, to March 5, 2021, 2020,
3 inclusive (Gov. Code, §68115(a)(12));

4 13. The Court has instituted protocols to comply with the most recent Public Health Order issued
5 by the County of Marin Public Health Officer on May 15, 2020 and thereafter modified
6 and/or supplemented by said Health Officer, including the most recent order on January 25,
7 2021.

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

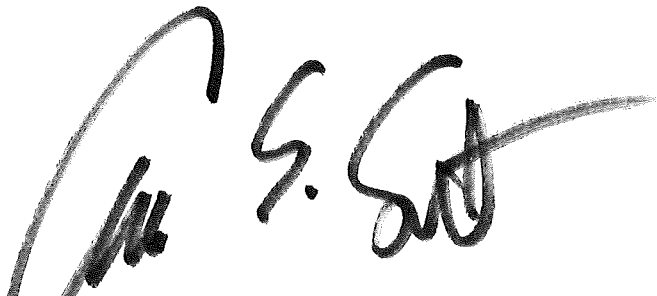
11 15. The limitations of Court operations, including the requirement that all proceedings will be
12 through the use of remote technology, are to protect the health and safety of the public, court
13 personnel, judicial officers, counsel, litigants and witnesses in connection with the Covid-19
14 threat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

16 16. All vCourt fees are waived for all courtrooms from February 7, 2021, to March 5, 2021, 2021,
17 inclusive (Cal. Rules of Court, Rule 3.670(j)(2)).

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19 IT IS SO ORDERED.

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21 DATED: February 8, 2021

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ANDREW E. SWEET
Presiding Judge