

GENERAL OFFICE MEMORANDUM 20-083

TO: ALL DEPUTY DISTRICT ATTORNEYS

FROM:  JOSEPH P. ESPOSITO
Chief Deputy District Attorney

SUBJECT: NEW STATEWIDE AND LOCAL AUTHORIZATIONS AND ORDERS

DATE: JUNE 12, 2020

On June 10, 2020, the Judicial Council (JC) voted to repeal Emergency rule 4 of the California Rules of Court, the statewide COVID-19 Emergency Bail Schedule that set bail at \$0 for most misdemeanor and low-level felonies. The repeal goes into effect **June 20, 2020** but allows superior courts to adopt their own revised bail schedule. It is anticipated that the Los Angeles County Superior Court (Court) will adopt a revised emergency bail schedule.

On June 10, 2020, the JC authorized the Court to implement relief actions based on continuing emergency conditions. On June 11, 2020, the Court ordered the following actions relevant to our operations:

Courthouse Access/Remote Appearances

- Access to Court proceedings will be limited to the judicial officer presiding, Court personnel, parties, counsel, witnesses and those members of the public (including the press) as can be accommodated while enforcing social distancing.
- All parties who use e-filing are ordered to accept electronic service, except where personal service is required by law or the parties are self-represented.
- Each court resuming full operations shall schedule only the number of matters during each session that will comply with social distancing requirements.
- Parties and counsel are urged to make use of technology for remote appearances via LACourtConnect (LACC), CourtCall or Webex, and to exchange and stipulate to the authenticity of documentary evidence.
- Judicial officers retain discretion to require the use of technology for remote appearances for the duration of this general order.

Expanded Court Operations

Effective **June 22, 2020** the court is expanding operations as follows:

- **Mental Health** courtrooms will resume full operations at the **Hollywood Courthouse**. Lanterman-Petris Short proceedings will resume at the **Metropolitan Courthouse**. Riese and hospital hearings will be conducted remotely by video.

- **Juvenile Delinquency** courtrooms will resume full operations. Priority will be given to arraignments, adjudications, dispositions, and WIC § 777 hearings for detained minors, competency hearings, transfer hearings, warrants, and emergency health and safety matters. Remote appearances will continue via Webex.
- **Appellate Division** will resume full operations and hold oral arguments (beginning **June 25, 2020**). Proceedings may be held remotely via Webex.
- **Criminal Division** will commence a phased expansion of operations and increase remote proceedings via Webex, effective **July 6, 2020**.

Continued Essential Operations

Except as noted above, from **June 11, 2020 to July 9, 2020**, the Court will remain closed for judicial business other than for essential functions previously determined.

Continuances

- Extend the time period provided in Penal Code (PC) § 825 to bring a defendant charged with a felony before a magistrate (arraignment) from **48 hours** to not more than **7 days** *only* if the statutory deadline would expire from **June 20, 2020 to July 9, 2020**, inclusive.¹
- Extend the time period in PC § 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 would expire from **June 15, 2020 to August 17, 2020**.
- Extend by **90 court days** the time to submit status and progress reports for defendants for whom either was due from **June 11, 2020 to July 9, 2020**.
- Extend by **90 court days**, unless statutorily required otherwise, the holding of misdemeanor post-arraignment proceedings for out-of-custody defendants set from **June 11, 2020 to July 9, 2020**.
- Select criminal courtrooms will resume or initiate Early Disposition and/or Late Disposition proceedings commencing **June 15, 2020**.

Juvenile Delinquency

- Extend the time periods in WIC §§ 632 and 637 for giving an in-custody minor pending wardship proceedings and charged with a felony a detention hearing or rehearing to not more than **seven days**, applicable only to minors for whom the statutory deadline would otherwise expire from **June 11, 2020 to July 9, 2020**, inclusive.
- Extend the time period provided in WIC § 657 within which a hearing on a wardship petition for a minor charged with a felony must be held to not more than **15 days**, applicable only to minors for whom the statutory deadline would otherwise expire from **June 11, 2020 to July 9, 2020**, inclusive.

¹ This relief was re-requested in response to the JC's June 10, 2020 Statewide Emergency Order rescinding its previous authorization to extend the time period provided in PC § 825 from 48 hours to no longer than seven days. This rescission goes into effect June 20, 2020.

- All non-jury trials, unless statutorily required otherwise, including criminal, scheduled from **June 11, 2020** to **July 9, 2020**, inclusive, are continued until further notice. All pre-trial dates for trials that are continued pursuant to this paragraph are continued consistent with the new trial date.

It is important to note that the Court was authorized several emergency actions that they did *not* order. For example, the JC authorized the Court to extend the time for the holding of a preliminary examination provided in PC § 859b from 10 court days to 15 court days (down from 30). However, the Court did not order this action, thus the Court's previous April 2, 2020, extension from 10 court days to not more than 30 court days remains in effect.

The full text of the Court's June 11, 2020 Order will be posted on <http://www.lacourt.org/newsmedia/ui/HfySfy.aspx> in the Here for You/Safe for You News Center. The Order remains in effect until July 9, 2020.

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