

**Superior Court of California
COUNTY OF ALAMEDA**



Tara M. Desautels, Presiding Judge
Charles Smiley, Assistant Presiding Judge
Chad Finke, Executive Officer

René C. Davidson Courthouse
1225 Fallon Street
Oakland, California 94612
 @AlamedaSuperior
www.alameda.courts.ca.gov

**For more information about this news
release, please contact:**

Executive Office
pcomments@alameda.courts.ca.gov
510-891-6012

FOR IMMEDIATE RELEASE

Thursday, April 2, 2020

OAKLAND, CALIFORNIA: Superior Court of Alameda County extends public closure period and requests extension of emergency relief, enacts emergency bail schedule, and extends stay of unlawful detainer actions.

In response to the [March 31, 2020, Shelter in Place Order](#) (Order 20-04) issued by the Alameda County Public Health Officer, the Superior Court of Alameda County (Court) is formally extending its current public closure period through the close of business on Friday, May 1, 2020. Further, after the unanimous vote of its Judicial Executive Committee, the Court has requested an extension of the Chair of the Judicial Council's March 17, 2020, Emergency Order for that same time period. The Court's April 2 request seeks a number of forms of relief, including the authority to continue to deem the public closure period a "holiday" for purposes of Code of Civil Procedure sections 12 and 12a, and also all relief and authority available under Government Code section 68115 as to Juvenile matters.

In addition, in a March 30, 2020, [Statewide Order](#) issued by Chief Justice Tani G. Cantil-Sakauye under the authority granted her by Governor Gavin Newsom's March 27, 2020 [Executive Order N-38-20](#), the Chief Justice, among other things, authorized all Superior Courts to issue implementation orders that would extend the time for holding preliminary examinations and criminal arraignments and further continue civil and criminal jury trials.

In light of this authority, the current COVID-19 pandemic, and the Court's ongoing efforts to maintain essential services to the greatest extent possible while maximizing compliance with federal, state, and local public health and safety directives, on April 2, 2020, the Court's Presiding Judge, Hon. Tara Desautels, issued an [Implementation Order](#) extending the time for in-custody arraignments and preliminary examinations, and continuing criminal trial dates by 60 days.

However, during this emergency period the Court continues to work with its justice partners and other court stakeholders to maintain due process rights and expand and enhance its provision of essential services as resources permit. For example:

- Today, the Court's Judicial Executive Committee approved the adoption of a new emergency Local Rule—[Rule 4.115](#)—which sets forth an Emergency Bail Schedule, consistent with the recommendations of the Chief Justice in

her March 20, 2020, Advisory and the authority conferred by the Chief Justice in her March 23, 2020, Statewide Order.

- The Court continues to review cases prior to arraignment and order the pre-arraignment release of certain arrestees.
- The Court is working with its justice partners to formalize early settlement opportunities that enable case resolution prior to preliminary examination or jury trial.
- The Juvenile Court and its justice partners are implementing remote video-appearance opportunities in both dependency and delinquency matters and is doubling its court hearing days.
- The Court is working to re-open fax filing for certain limited pleadings in Civil, Probate, and Family matters.
- The Court anticipates enacting additional emergency Local Rules, as permitted under the Chief Justice's March 23, 2020, Statewide Order, requiring telephonic or remote appearances in a number of case types.
- With unanimous approval of its Judicial Executive Committee and consistent with the Governor's and related local orders, the Court is further ordering the stay of all unlawful detainer proceedings, including evictions, through the requested extended closure period, up to and including Sunday, May 3, 2020.

These efforts are consistent with the Chief Justice's March 20, 2020, Advisory to all Superior Courts, that encourages courts to attempt to "mitigate the effect of reduced staffing and court closures and to protect the health of judges, court staff, and court users," while at the same time striving to "protect constitutional and due process rights of court users," as well as her March 30, 2020, Statewide Order expressing her intent to "support courts in making use of available technology, when possible, to conduct judicial proceedings and court operations remotely."

The Court particularly thanks its staff and partners throughout this emergency closure period for working together during this stressful and resource-strained time. The Court will continue to issue Press Releases and update its [COVID-19 web site](#) as its service expansion efforts proceed and as new Local Rules are approved and implemented.