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**FILED**  
**APR 26 2022**  
CLERK OF THE SUPERIOR COURT  
COUNTY OF STANISLAUS  
BY *[Signature]* DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF STANISLAUS

GENERAL ORDER CONTINUING  
FAMILY LAW TRIALS

GENERAL ORDER  
2022-010

*CR-22-999999*

As a result of the COVID-19 public health emergency and delays occasioned thereby, the Stanislaus County Superior Court ("Court") has a large backlog of criminal matters awaiting trial. Over the next sixty (60) days the Court has 89 felony cases and 114 misdemeanor cases scheduled for trial.

Penal Code section 1382 requires criminal cases be tried in a timely manner. If they are not tried in a timely fashion, they "shall" be dismissed unless good cause to the contrary is shown.

1 In addition, Penal Code section 1050 requires the Court to prioritize the resolution of  
2 these criminal cases. Section 1050 states: "It is ... recognized that the people, the defendant, and  
3 the victims and other witnesses have the right to an expeditious disposition, and to that end it  
4 shall be the duty of all courts and judicial officers and of all counsel, both for the prosecution and  
5 the defense, to expedite these proceedings to the greatest degree that is consistent with the ends  
6 of justice. In accordance with this policy, criminal cases shall be given precedence over, and set  
7 for trial and heard without regard to the pendency of, any civil matters or proceedings."  
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9  
10 On April 20, 2022, Chief Justice of the California Supreme Court Tani G. Cantil-  
11 Sakauye, in her capacity as Chair of the Judicial Council, granted the Court limited emergency  
12 relief under Government Code section 68115(a)(10). Pursuant to this relief, the Court may  
13 extend the time period provided in Penal Code section 1382 by not more than fifteen (15) days  
14 for cases in which the deadline to bring the case to trial will expire from April 20, 2022, through  
15 and including May 19, 2022.  
16

17 This relief, while helpful, is only temporary and does not provide sufficient time to  
18 reduce the backlog of cases caused by the COVID-19 pandemic. As noted above, there are 203  
19 criminal cases set for trial within the next 60 days. Many of these trials involve cases where the  
20 defendants have not waived their statutory speedy trial rights pursuant to Penal Code section  
21 1382 and the last day to bring those matters to trial falls within this 60-day period. Unless the  
22 Court implements additional measures to increase its capacity to conduct criminal trials it may  
23 become necessary to dismiss cases. (Pen. Code §1382, subd. (a)(2)-(3).)  
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26 Departments 11 is one of five (5) departments assigned to hear Family Law cases. This  
27 department is suitable for criminal jury trials and the Court has judicial and staff resources that  
28 can be assigned to conduct criminal trials in this courtroom.

1  
2           Based on these findings, and pursuant to the mandate of Penal Code Section 1050 to  
3 prioritize criminal trials and the presiding judge's authority to apportion the business of the  
4 Court, as set forth in California Rules of Court, rule 10.603, the Court **HEREBY ORDERS:**  
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7 1.       Department 11 shall be available to conduct criminal jury trials every day at  
8 approximately 8:30 a.m. A criminal trial assigned to Department 11 shall have priority over any  
9 other matter on the Department 11 calendar.  
10

11 2.       When Department 11 is engaged in a criminal trial, any Family Law trials on the  
12 Department 11 calendar shall be reassigned to another available department;

13 3.       If Department 11 is engaged in a criminal trial, all law and motion matters, including  
14 child custody and visitation mediations and economic hearings shall be reassigned to another  
15 available department;

16  
17 4.       Good cause exists to continue all Family Law trials, other than domestic violence<sup>1</sup> trials,  
18 for a period of sixty (60) days if, in the discretion of the judge presiding at the trial, the  
19 continuance is necessitated by the assignment of criminal trials to Department 11;

20  
21 5.       The backlog of criminal trials will be assessed on or before June 24, 2022, and a finding  
22 of good cause for further continuances may be made as necessary.

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28 <sup>1</sup> As used in this order, "domestic violence" refers to actions filed pursuant to the Domestic Violence Prevention Act, Family Code section 6200, et seq..

1 6. This order shall be effective May 2, 2022, and shall terminate on July 1, 2022, unless  
2 revoked or amended by further order of the Court.  
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5 IT IS SO ORDERED.

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7 DATED: April 25, 2022

*Robert Westbrook*

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ROBERT B. WESTBROOK,  
PRESIDING JUDGE OF THE  
SUPERIOR COURT

