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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MADERA

**TWELFTH GENERAL ORDER RE: MADERA COUNTY SUPERIOR COURT
MITIGATION OF THE SPREAD OF THE CORONAVIRUS (COVID-19)**

This General Order supersedes this court's Third General Order.

In re:
SUSPENSION OF MADERA COUNTY
GRAND JURY PROCEEDINGS.

On March 4, 2020, Governor Newsom issued a proclamation that a state of emergency exists in California as a result of the threat and continuing spread of the coronavirus (COVID-19) in this state.

On March 11, 2020, the Centers for Disease Control issued a best practice recommendation that persons at higher risk for suffering serious illness by contracting COVID-19 not participate in gatherings of more than 10 persons.

On March 19, 2020, Governor Newsom issued Executive Order N-33-20 ordering all residents of California to immediately heed current State public health directives to stay home, except as needed to maintain continuity of operations of essential critical infrastructure sectors and additional sectors as the State Public Health Officer may designate as critical to protect health and well-being of all Californians.

1 On March 30, 2020, Chief Justice Tani G. Cantil-Sakauye, as Chair of the Judicial
2 Council, issued a statewide emergency order further extending specific statutory time limits and
3 authorizing trial courts to make use of available technology to protect the health and safety of all
4 persons who use, access and work in the courthouses in California.

5 By this court's Third General Order, the proceedings of the Madera County Grand Jury
6 were suspended as a result of the state of emergency and stay-at-home order. The foreperson of
7 the grand jury, Nina Zarucchi-Mize, has requested that the grand jury be permitted to resume its
8 investigations while maintaining appropriate social distancing and employing available technology
9 when necessary.

10 The use of available technology by this court, including audio and video conferencing, has
11 proven to be an effective method of conducting court-related business during the state of
12 emergency.

13 In an effort to address this unprecedented challenge to the health and wellbeing of
14 members of our community and the operation of the Superior Court of California, County of
15 Madera, and to balance the county's need for a strong, independent grand jury with the health and
16 safety of members of the grand jury, witnesses, members of the community and court and grand
17 jury staff, I hereby issue the following general order:

18 The general order suspending the proceedings of the Madera County Grand Jury until June
19 1, 2020, is vacated. Grand jury proceedings may resume immediately under the following terms
20 and conditions:

- 21 a. all in-person meetings, investigations, conferences and sessions, of whatever
22 nature, conducted by the grand jury shall be in groups of no more than ten persons
23 and in a room of sufficient size to permit a social distance between attendees of not
24 less than six feet;
- 25 b. the grand jury may use available technology, such as video or audio conferencing,
26 when the conditions in paragraph 1.a. are impractical or cannot otherwise be met;

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- c. all interviews of witnesses before the grand jury must be conducted by video conferencing that is available to the witness and all grand jurors in attendance;
- d. the grand jury foreperson, committee chairperson, or his or her designee, must ensure that meetings conducted through the use of available technology be conducted in an orderly manner and that all grand jurors have an opportunity to be heard and express their thoughts and views; and
- e. the grand jury may complete all ongoing investigations and reports, however, no new investigation may be initiated.

Dated: April 24, 2020



Presiding Judge of the Superior Court