

Hi, this is Chris Micheli with the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law. Thanks for joining my podcast on SB 1208 from the 2018 legislative session concerning rules for judicial emergencies.

Governor Jerry Brown signed Senate Bill 1208, which was authored by the Committee on the Judiciary on August 24th as Chapter 201. The bill takes effect on January 1, 2019, and it creates new authority for the judiciary to deal with emergency situations in the state; basically, to allow for the orderly operations of the courts.

Now, according to the Judiciary Committee, recent emergency situations, such as the fires in Sonoma County and Southern California and the mudslides in Montecito have drawn attention to the need to modernize existing statutes and provide courts with more flexibility in responding to these and additional emergency situations. The Senate Floor Analysis on SB 1208 provides that this bill updates Section 68115 of the California Government Code to replace certain enumerated emergency situations, such as pestilence and insurrection with acts of terrorism, natural disasters, epidemics, and other substantial risks that threaten the orderly operation of the courts, in order to ensure that the judicial system is granted proper flexibility to respond to such incidents.

Now, SB 1208 also allows the Chairperson of the Judicial Council to authorize extensions of the deadlines for bringing civil cases to trial when certain emergency situations occur that are specified in the statute. The supporters of the bill included California Defense Counsel, the Civil Justice Association of California, and the Judicial Council of California.

Again, it provides several instances in which specified emergency situations occur and the judiciary has the authority to act in those instances. Again, it also allows an extension of time period to bring an action to be made by the Chair of the Judicial Council.

At the request of a presiding judge in a county, the Chair may grant further extensions upon making a renewed determination that circumstances warranting relief continue to exist.

Thanks for joining this brief overview of SB 1208 from the 2018 legislative session. Thanks for joining.