

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 02/02/2021 by the following vote:

**AYE:**

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2021/39**

IN THE MATTER OF TRANSITIONING THE CONTRA COSTA COUNTY CIVIL GRAND JURY FROM A FISCAL YEAR TO CALENDAR YEAR IN 2021, AND THEN RETURNING TO A FISCAL YEAR TERM IN 2022, PURSUANT TO CALIFORNIA PENAL CODE SECTION 905.5(b)

WHEREAS, the Contra Costa County Civil Grand Jury is an independent arm of the Superior Court of California, but the Contra Costa County Board of Supervisors has some legislative control over the Grand Jury; and

WHEREAS, Article I, Section 23 of the California Constitution requires that "[o]ne or more grand juries shall be drawn and summoned at least once a year in each county"; and

WHEREAS in Contra Costa County, the Grand Jury operates on a fiscal year term from July to June (Cal. Pen. Code section 905.5(a)); and

WHEREAS, California Penal Code section 905.5(b) permits a county board of supervisors to authorize that a grand jury be impaneled and serve on a calendar year basis instead of a fiscal year basis and that, during this transition from a fiscal-year to a calendar-year term, the current grand jury may serve for up to 18 months; and

WHEREAS, because of the COVID-19 pandemic, the Superior Court was hindered in its efforts to evaluate the qualifications of potential succeeding grand jurors, undertake the selection process, and prepare for the empanelment of a 2020/21 civil grand jury and, consequently, did not impanel that jury until December 11, 2020; and

WHEREAS, the duties and responsibilities of the current grand jury can best be accomplished if the Grand Jury term is moved from a fiscal year to a calendar-year term to allow the current Grand Jury an additional six months, through December 31, 2021, to complete its duties and responsibilities; and

WHEREAS, the Superior Court and County desire to return to transition the civil grand jury back to a fiscal year term beginning in July 2022;

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Penal Code section 905.5(b), the term of the current Civil Grand Jury in Contra Costa County shall be transitioned to a calendar year term and extended through December 31, 2021; and

BE IT FURTHER RESOLVED that the succeeding Civil Grand Jury in Contra Costa County will transition back to a fiscal year term beginning July 1, 2022.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Julie DiMaggio Enea (925)  
655-2056**

**ATTESTED: February 2, 2021**  
Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Superior Court CEO, CAO - Enea