



CalendarRules Client Memo

To: CalendarRules California Rules Subscribers
Date: November 12, 2014
Subject: New CA Holiday Effective January 1, 2015: Native American Day

Background

California recently approved a bill which makes the last Friday in September an official state holiday: Native American Day. It falls on Friday September 25 in 2015. As currently written, this holiday will be considered a “judicial holiday” as of January 1, 2015 and has the same effect as any other judicial holiday for purposes of computing dates and scheduling appearances; it will be a non-court day.

Illustration

The question you need to ask yourselves is should you consider that holiday when calendaring items received before January 1, 2015, for after January 1, 2015. For example, if you receive notice today for a trial on October 26, 2015, this new holiday has an effect. Certain deadlines require counting back 30 days from the trial date, and if the calculation lands on a weekend or holiday, rolling back to the previous business day. In this example, 30 days before trial falls on a Saturday, September 26. Rolling back would therefore be either Thursday the 24th or Friday the 25th, depending on the holiday. Put another way, it’s not technically a holiday yet, but it will be, so does it apply now?

Recommendation

Be aware, take note, and wait and see. CalendarRules has sent a letter seeking clarification and guidance on this issue to the sponsor of the bill. Meanwhile, we have not included the holiday in our system, yet. We are prepared to do so immediately, but we have not yet, for several reasons:

- 1) We believe it is more likely than not that Native American Day was not intended to be a judicial holiday, and may be changed before January 1.
- 2) Even if it ends up being a judicial holiday on January 1, 2015, firms will have time after January 1 to account for the new holiday and make adjustments. If the holiday fell on January 15, we would be much less inclined to wait and see.