

OCT 30 2020

MICHAEL D. PLANET
Executive Officer and Clerk
Deputy


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

ADMINISTRATIVE ORDER RE: MANDATORY
FACE MASKS AND SOCIAL DISTANCING
REQUIREMENTS IN EFFECT DURING COVID-
19 PANDEMIC

ADMINISTRATIVE ORDER
NO. 20.38

During the on-going COVID-19 pandemic, the Court must continue to fulfill its statutory duties, while safeguarding the well-being of the public it serves. In the absence of a cure, treatment, or effective vaccine for this highly contagious virus, social distancing, face coverings and good hygiene are the only tools available to slow or prevent its spread. The Court has and continues to take extensive measures to reduce the number of persons coming to its courthouses, including: limiting the matters to be heard on any given day; staggering the scheduling of cases; reducing the number of summoned jurors; facilitating remote telephonic/video court proceedings; increasing on-line services; requiring appointments for in-person services, and conducting court check-in and COVID-19 screening outdoors.

On June 8, 2020, this Court issued Administrative Order No. 20.18, mandating facial coverings and social distancing requirements to help prevent the spread of COVID-19 and to protect the health of court users, employees and judicial officers, pursuant to *Code of Civil Procedure* §128; *Government Code* §68070, *California Rules of Court*, rule 10.603 and the inherent powers of the Court (*In re Reno* (2012) 55 Cal.4th 428, 522) and in compliance with public health guidelines.

Since June 8, 2020, the Centers for Disease Control and Prevention (“CDC”) and the California Department of Public Health (“CDPH”) have learned more about COVID-19

1 transmission, most notably that people who are infected but are asymptomatic or pre-
2 symptomatic play an important part in community spread and the use of face masks can limit
3 the release of infected droplets when talking, coughing and/or sneezing, as well as reinforce
4 physical distancing. The CDC recommends that a mask fit securely and snugly over the nose
5 and mouth and currently does not recommend the use of face shields as a substitute for masks.

6 THEREFORE, THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS¹:

7 1. Until further notice, all persons entering any courthouse, courtroom or other court
8 facility shall wear a face mask that fits securely and snugly over his or her nose and mouth at
9 all times within public areas of the courthouse or courtroom, (this order is not intended to apply
10 to the internal offices of the District Attorney or Public Defender.) A face mask with a valve
11 shall not be used. A face shield shall not be used without a mask, unless required by a
12 physician. Children under the age of two (2) are exempt from the order.

13 2. Persons with a medical condition, mental health condition, or disability that
14 precludes them from wearing a face mask are exempt from this order. Nevertheless, they must
15 take whatever protective measures their condition permits, such as wearing a face shield with
16 a drape on the bottom edge as long as their medical condition allows it. Individuals with
17 disabilities may seek an exemption from this order, as a reasonable accommodation under the
18 Americans with Disabilities Act or *California Rules of Court*, rule 1.100. To make certain that a
19 timely accommodation is granted, individuals are encouraged to submit a written request
20 (Judicial Council form MC-410) to the clerk's office at www.ventura.courts.ca.gov/ada.html. To
21 reduce the risk of contagion, the matters of individuals exempted from wearing a mask may be
22 scheduled when fewer people are present to reduce the risk of transmission of the virus.

23 3. Non- exempt individuals who decline or refuse to wear a face mask will be denied
24 entry to the courthouse and/or courtroom.

25 4. Individuals who remove their face mask from covering their nose and mouth after
26 entering the courthouse or courtroom will be reminded to wear them. If they refuse to do so,
27 they may be denied services, may have their legal matters rescheduled, and/or will be asked to
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¹ This order supersedes and replaces the Court's June 8, 2020 Administrative Order No. 20.18 on face coverings.

1 leave the courthouse or courtroom immediately. Persons who refuse to leave voluntarily will
2 be escorted out of the courthouse and/or courtroom by Ventura County Sheriff's Department
3 personnel and/or may be punished by contempt.

4 5. Maintain at least six (6) feet of physical distance from all persons (except those
5 within your household) at all times. Comply with social distance signage throughout the
6 courthouse.

7 6. While in the courthouse, practice good hand washing hygiene, and cover coughs
8 and sneezes, preferably with a tissue.

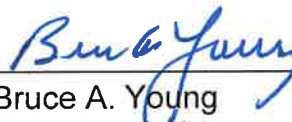
9 7. This order does not restrict or otherwise abrogate the express and inherent
10 authority of the court and its judges to provide for the orderly conduct of proceedings, including
11 the decision to permit a witness to remove a face mask while testifying and other safety
12 measures such as the use of acrylic barriers and/or appropriate physical distancing may be
13 maintained.

14 8. Court employees who are in a non-public, private office or workspace, which
15 permits at least six (6) feet of physical distance from others, may temporarily remove their face
16 masks.

17 THIS ORDER IS EFFECTIVE IMMEDIATELY AND REPLACES AND SUPERSEDES
18 ADMINISTRATIVE ORDER NO. 20.18, AND WILL REMAIN IN EFFECT UNTIL FURTHER
19 NOTICE.

20 **IT IS SO ORDERED.**

21
22 DATED: October 30, 2020



Bruce A. Young
Presiding Judge