

AUG 19 2021

BRENDA L. McCORMICK
Executive Officer and Clerk
Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF VENTURA

**ADMINISTRATIVE ORDER RE: MANDATORY
FACE MASKS; PHYSICAL DISTANCING
REQUIREMENTS; AND LIVESTREAM
BROADCASTING**

**ADMINISTRATIVE ORDER
NO. 21.16**

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. Due to the highly contagious Delta Variant and the existence of breakthrough cases, and at the recommendation of the Ventura County Public Health Officer, the court herein re-implements the mandatory use of masks.

To continue to protect the health of court users, pursuant to Cal. Const. art., VI §1, Code Civ. Proc. §128, Gov. Code §68070, Cal. 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 federal, state and local public health guidance,

THEREFORE, THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:

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

2. Individuals with a physical or mental health impairment or disability who seek an

1 exemption from the face mask requirement must request a reasonable accommodation under
2 the Americans with Disabilities Act or California Rules of Court, rule 1.100. Written requests can
3 be made by use of Judicial Council form MC-410, available at ventura.courts.ca.gov/ada.html.

4 3. Individuals who decline to wear a face mask without a court order exempting them
5 from the mask requirement will be denied entry to the courthouse and/or courtroom.

6 4. Individuals who remove their face mask from covering their nose and mouth after
7 entering the courthouse or courtroom will be reminded to wear them. If they refuse to do so,
8 they may be denied services, may have their legal matters rescheduled, and/or will be asked to
9 leave the courthouse or courtroom immediately. Individuals who refuse to leave voluntarily will
10 be escorted out of the courthouse and/or courtroom by Ventura County Sheriff's Department
11 personnel and/or may be punished by contempt.

12 5. While in the courthouse, practice good hand washing hygiene, and cover coughs
13 and sneezes, preferably with a tissue.

14 6. Masks may be temporarily removed in non-public, private office or workspace, only
15 by individuals who are vaccinated and who can maintain six (6) feet of physical distance from
16 others.

17 7. Except as indicated in paragraph 6 above, all individuals are no longer required to
18 comply with six (6) feet of physical distancing inside of any courthouse, courtroom or other court
19 facility. In the jury assembly room and courtrooms, individuals shall be seated in every other seat
20 only, as marked. This includes audience seating and seating in the jury box but does not apply
21 to seating for counsel and parties at counsel tables.

22 8. As the Court continues to monitor the capacity and close contact of individuals in
23 the courthouses, the Court will continue: limiting the matters to be heard on any given day;
24 staggering the scheduling of cases; monitoring the number of summoned jurors; facilitating
25 remote telephonic/video court proceedings; maintaining on-line services; and requiring
26 appointments for in-person services.

27 9. Access to clerk's offices and self-help centers will be restricted at all times to
28 judges, commissioners, court staff, persons seeking or participating in emergency services, and

1 persons with a scheduled appointment for the clerk's offices or self-help centers. Documents
2 can be submitted for filing by appointment, eDelivery, United States Mail, or drop boxes located
3 at the entrance to the Hall of Justice and Juvenile Courthouse.

4 10. Access to any and all courtroom proceedings is open to summoned jurors, parties,
5 their attorneys, witnesses subpoenaed to testify, one support person statutorily permitted to
6 accompany a person seeking a temporary restraining order, and other authorized persons.
7 Members of the media or public may also attend to the extent that seating is available, which will
8 be determined by the courtroom assigned judicial officer based upon the number of required
9 court participants and the size of the individual courtroom.

10 11. The court shall continue to broadcast live audio streams of public court
11 proceedings, if courtroom audience seating is at capacity under the requirements of this order
12 and/or a courtroom is closed to in-person appearances and subject to the following:

- 13 a. The public may simultaneously access, live audio streams of certain
14 court proceedings via the links available on the court's website at
15 ventura.courts.ca.gov.
- 16 b. However, each judge retains the discretion and authority to refuse,
17 limit or terminate such broadcasts, in whole or in part, pursuant to
18 the factors and prohibitions articulated in California Rules of court,
19 rule 1.150, and in consideration of other statutory and constitutional
20 provisions. Further, nothing in this order prevents a judicial officer
21 from Livestreaming even when audience seating is available in the
22 courtroom.
- 23 c. The livestreamed court proceedings may not be photographed,
24 recorded (audio or video), or re-broadcast by anyone without prior
25 written judicial authorization.

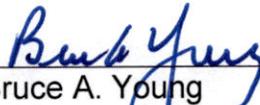
26 12. This order does not restrict or otherwise abrogate the express and inherent
27 authority of the court and its judges to provide for the orderly conduct of proceedings, including
28 the decision to permit a witness to remove a face mask while testifying and other safety

1 measures such as the use of acrylic barriers and/or appropriate physical distancing may be
2 maintained.

3 THIS ORDER IS EFFECTIVE MONDAY AUGUST 23, 2021, AND IS INTENDED TO
4 REPLACE AND SUPERSEDE ADMINISTRATIVE ORDER 21.14. IT WILL REMAIN IN
5 EFFECT UNTIL FURTHER NOTICE.

6 **IT IS SO ORDERED.**

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8 DATED: August 19, 2021

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12 Bruce A. Young
13 Presiding Judge
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