

FILED

January 12, 2022

Clerk of the Court

Superior Court of CA County of Santa Clara

BY  DEPUTY
David K. Walker

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA**

**GENERAL ORDER RESTRICTING COURTHOUSE ENTRY
AND PERMITTING ACCESS TO ONLY THOSE PERSONS
REQUIRED TO APPEAR IN PERSON AT
ANY SANTA CLARA COUNTY SUPERIOR COURTHOUSE**

This Court HEREBY FINDS AND ORDERS AS FOLLOWS:

1. On March 4, 2020, Gavin Newsom, the Governor of California, issued a Proclamation of a State of Emergency relating to COVID-19 and ordering that “all... heed the advice of emergency officials with regard to this emergency in order to protect their safety.” The State of Emergency continues to be in effect.

2. In an order dated December 28, 2021, the Santa Clara County Public Health Department stated: “Emerging evidence indicates that the Omicron variant is significantly more transmissible than prior variants of the virus, and that individuals who have had only their initial vaccine series are more susceptible to infection from the Omicron variant than those who have received a booster in addition to their initial series.” At this time, nearly 30% of Santa Clara County Superior Court employees have been absent for 2 or more days for reasons related to COVID-19.

4. The ongoing COVID-19 pandemic has resulted or is expected to result in significant interference with Court services and proceedings.

1 5. Although the federal Constitution generally precludes closure of substantive
2 courtroom proceedings in criminal cases and California's Code of Civil Procedure section 124
3 generally precludes closure of substantive courtroom proceedings in civil proceedings, the ongoing
4 COVID-19 pandemic clearly demonstrates an overriding interest to restrict courthouse entry and
5 permit access to only those persons who are required to appear in person in any Santa Clara County
6 courthouse. The temporary closures described below will permit the Court to focus on necessary
7 proceedings and interactions with its temporarily limited staffing. These restrictions are narrowly
8 tailored to permit only those required to enter the County's courthouses and there is no less
9 restrictive means of achieving this overriding interest. (*NBC Subsidiary (KNBC-TV), Inc. v.*
10 *Superior Court* (1999) 20 Cal.4th 1178, 1181–1182.)

11 6. It is therefore ordered that, until January 31, 2022, access to any and all courthouses
12 is restricted to:

- 13 a. Persons appearing in person for a court hearing. This will generally include and
14 be limited to parties, their attorneys, witnesses subpoenaed to testify, jurors, and
15 other persons who may be present in the courtroom.
- 16 b. Persons appearing to submit a pleading in person for filing with the court may
17 enter only to place the pleading in the drop box and must leave afterward.
- 18 c. Persons seeking assistance with the following will be permitted to enter the
19 Family Justice Center Courthouse and will be permitted access to the Self-Help
20 Center/Restraining Order Help Center:
 - 21 i. Pleadings related to the prevention of domestic violence, gun violence,
22 civil harassment, elder or dependent abuse, workplace violence, school
23 violence and juvenile dependency restraining orders;
 - 24 ii. Pleadings requesting emergency child custody and visitation orders or
25 child safety issues;
 - 26 iii. Pleadings requesting emergency guardianships; and
 - 27 iv. Pleadings related to evictions, restricted to emergencies.

28 No other persons will be permitted entry without good cause, including access to the Clerk's

1 Offices and public restrooms. The Court will be processing e-filing and drop box filings.

2 Access to court proceedings is available by phone:

3 https://www.scsccourt.org/general_info/contact/pubaccess_phones.shtml

4 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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6 Dated: January 12, 2022

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9 Presiding Judge Theodore C. Zayner
10 Santa Clara County Superior Court
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