

FILED
MAR 23 2020

Clerk of the Court
Superior Court of CA County of Santa Clara
BY David K. Walker DEPUTY

**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. Since March 4, 2020, the State of California has been in a State of Emergency as a result of the threat of COVID-19.

2. On March 16, 2020, the County of Santa Clara Public Health Officer issued an order directing all individuals living in Santa Clara County to shelter at their place of residence except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and governmental services to mitigate the spread of COVID-19.

3. On March 19, 2020, the Governor of California issued an order directing all Californians to shelter in place at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors to protect public health and ensure the healthcare delivery system is capable of serving all and prioritizing those at the highest risk and vulnerability.

1 4. Essential functions of the Superior Court at this time are limited to proceedings
2 that are required to comply with defendants' constitutional rights, protect the health and safety of
3 parties and address jail population concerns.

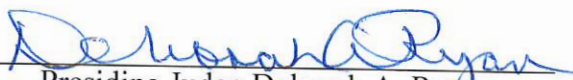
4 5. Protection of public health and safety in connection with the COVID-19 threat has
5 resulted or is expected to result in significant interference with Superior Court services and
6 proceedings.

7 6. Although the federal Constitution generally precludes closure of substantive
8 courtroom proceedings in criminal cases and California's Code of Civil Procedure section 124
9 generally precludes closure of substantive courtroom proceedings in civil proceedings, the
10 current COVID-19 crisis resulting in shelter in place orders clearly demonstrates an overriding
11 interest supporting restricting courthouse entry and permitting access to only those persons who
12 are required to appear in person in any Santa Clara County courthouse. Public health and safety
13 would be prejudiced absent such a restriction, which is narrowly tailored to permit only those
14 required to enter the County's courthouses; there is no less restrictive means of achieving this
15 overriding interest. (*NBC Subsidiary (KNBC-TV), Inc. v. Superior Court* (1999) 20 Cal.4th 1178,
16 1181–1182.)

17 7. It is therefore ordered that access to any and all courthouses is restricted to those
18 persons required to appear in person for a court hearing. This will generally include and be
19 limited to parties, their attorneys and witnesses subpoenaed to testify. No other persons will be
20 permitted entry without good cause.

21 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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23 Dated: March 23, 2020

24 
25 Presiding Judge Deborah A. Ryan