

FILED
JUN 11 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 AT A COURT HEARING
OR CONDUCT OFFICIAL BUSINESS WITH THE COURT
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, March 31, April 29, May 18 and June 1, 2020, the County of Santa Clara Public Health Officer issued orders 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 services or engage in certain activities and work for certain 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. Although court personnel are categorically exempt from the order while
2 performing Court functions, the Court must employ all necessary emergency protective measures
3 to prevent, mitigate, respond to and recover from the COVID-19 pandemic and Court functions
4 must be performed in compliance with Social Distancing Requirements to the greatest extent
5 feasible. The Social Distancing Requirements include maintaining at least six feet of physical
6 distance and wearing face coverings. The June 1 Order does not include a specified end date to
7 the shelter in place restrictions.


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

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

21 7. It is therefore ordered that access to any and all courthouses is restricted to those
22 persons appearing at a court hearing or conducting official business with the court. No other
23 persons will be permitted entry without good cause.

24 THIS ORDER IS EFFECTIVE JUNE 15, 2020.

25
26 Dated: June 11, 2020



Presiding Judge Deborah A. Ryan