

VENTURA
SUPERIOR COURT
FILED
JUN 25 2021

BRENDA L. MCCORMICK
Executive Officer and Clerk
Deputy

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

AMENDED ADMINISTRATIVE ORDER RE:
PUBLIC ACCESS, FACE MASKS AND
PHYSICAL DISTANCING REQUIREMENTS
AND LIVE- STREAM BROADCASTING

**AMENDED
ADMINISTRATIVE ORDER
NO. 21.08**

In compliance with the current Centers for Disease Control and Prevention (“CDC”) and the California Department of Public Health (“CDPH) guidelines regarding COVID-19 virus prevention and pursuant to the Court’s authority under *Code of Civil Procedure* §128; *Government Code* §68070, *California Rules of Court*, rule 10.603 and its inherent powers (*In re Reno* (2012) 55 Cal.4th 428, 522), the Court hereby finds, and orders as follows:

1. All fully vaccinated individuals are no longer required to wear a mask in any Ventura Superior Court courthouse, courtroom or other court facility. Prior to entering, fully vaccinated individuals that choose to not wear a mask will be required to self-attest that they are in compliance with the CDC and CDPH vaccination requirements.

2. All individuals entering any courthouse, courtroom or other court facility that are not fully vaccinated, are required to wear a mask that fits securely and snugly over the nose and mouth at all times, within public areas of the courthouse or courtrooms, (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, bandana or handkerchief shall not be used. A face shield shall not be used without a mask, unless required by a physician.

3. Children under the age of two (2) are exempt from the order.

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

12 5. Non-exempt unvaccinated individuals who decline or refuse to wear a face mask
13 will be denied entry to the courthouse and/or courtroom.

14 6. Non-vaccinated individuals who remove their face mask from covering the nose
15 and mouth after entering the courthouse or courtroom will be reminded to wear them. If they
16 refuse to do so, they may be denied services, may have their legal matters rescheduled, and/or
17 will be asked to leave the courthouse or courtroom immediately. Individuals who refuse to leave
18 voluntarily will be escorted out of the courthouse and/or courtroom by Ventura County Sheriff's
19 Department personnel and/or may be punished by contempt.

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

25 8. As the Court transitions to increasing in-person services under the new public
26 health guidelines, while continuing to monitor the capacity and close contact of individuals in
27 the courthouses, the Court will continue: limiting the matters to be heard on any given day;
28 staggering the scheduling of cases; monitoring the number of summoned jurors; facilitating
remote telephonic/video court proceedings; maintaining on-line services; requiring

1 appointments for in-person services, and conducting courtroom check-in prior to entering a
2 courthouse

3 9. Access to clerk's offices, self-help centers and public areas will be restricted at all
4 times to judges, commissioners, court staff, persons seeking or participating in emergency
5 services, persons with a scheduled appointment for the clerk's offices or self-help centers,
6 persons required or permitted to appear for scheduled hearings or trials and other authorized
7 persons. Documents can be submitted for filing by appointment, eDelivery, United States Mail,
8 or drop boxes located at the entrance to the Hall of Justice and Juvenile Courthouse.

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

15 11. The court shall continue to broadcast live audio streams of public court
16 proceedings as follows:

17 a. The court shall broadcast, and the public may simultaneously access, live
18 audio streams of certain court proceedings via the links available on the court's
19 website at ventura.courts.ca.gov.

20 b. However, each judge retains the discretion and authority to refuse, limit or
21 terminate such broadcasts, in whole or in part, pursuant to the factors and
22 prohibitions articulated in *California Rules of court*, rule 1.150, and in
23 consideration of other statutory and constitutional provisions.

24 c. The livestreamed court proceedings may not be photographed, recorded
25 (audio or video), or re-broadcast by anyone without prior written judicial
26 authorization.

27 12. This order does not restrict or otherwise abrogate the express and inherent
28 authority of the court and its judges to provide for the orderly conduct of proceedings, including

1 the decision to permit a witness to remove a face mask while testifying and other safety
2 measures such as the use of acrylic barriers and/or appropriate physical distancing may be
3 maintained.

4 THIS ORDER IS EFFECTIVE, MONDAY JUNE 28, 2021 AND REPLACES AND
5 SUPERSEDES ADMINISTRATIVE ORDERS NO. 20.20 AND 20.38 AND WILL REMAIN IN
6 EFFECT UNTIL FURTHER NOTICE.

7 **IT IS SO ORDERED.**

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9 DATED: June 25, 2021

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12 Bruce A. Young
13 Presiding Judge
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