GENERAL ORDER NO. 20-05

FILED

MAR 25 2020

K. CAMPER

Clerk of the Court
Superior Court of California
County of Calaveras

By _____, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF CALAVERAS

GENERAL ORDER RESTRICTING COURTHOUSE ENTRY AND PERMITTING ACCESS TO ONLY THOSE PERSONS REQUIRED TO APPEAR IN PERSON AT THE CALAVERAS 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 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.

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

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

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

6. It is therefore ordered that access to the Calaveras County courthouse is restricted to those persons required to appear in person for a court hearing. This will generally include and be limited to parties, their attorneys and witnesses subpoenaed to testify. No other persons will be permitted entry without good cause.

THIS ORDER IS EFFECTIVE IMMEDIATELY.

DATED: 3-25-2020

Presiding Judge Timothy S. Healy