

Superior Court of El Dorado County

Court Facility Equal Access Policy

Government Code section 7284.8(a)

As required by Government Code section 7284.8(a) the Superior Court of California, County of El Dorado (Court) adopts the provisions and protocols outlined in this Court Facility Equal Access Policy.

SECTION I. PROTECTING COURT FACILITY ACCESS

To protect individuals' access to justice and Court facilities:

- The Court permits wide access to justice using pseudonyms, where feasible and appropriate to protect an individual's safety, and permitted or required by applicable state law or by court order.
- Court personnel shall not disclose citizenship or immigration status information about any person, unless the requirements of Evidence Code sections 351.2, 351.3, or 351.4 are met and such disclosure is specifically required by judicial warrant or order, or by state or federal law.
- Court personnel shall not inquire about the immigration status of an individual, including a crime victim or a witness, unless such an inquiry is required for the performance of their regular duties.
- Court policies reducing the frequency with which parties need to appear in court shall be implemented, where feasible and permitted under applicable state law or court order. For example, appearances may be waived for conferences where the parties' appearances are not required to make decisions or provide testimony at the discretion of the judicial officer. Technology may be used to permit remote appearances when practicable and at the discretion of the judicial officer, as permitted under local rules, the California Rules of Court, and applicable state law or court order.
- Court personnel shall be trained on and receive a copy of these policies.

SECTION II. PROTECTIONS FOR SPECIFIC LITIGANTS

A. Children Involved in Juvenile Dependency Proceedings

Unless otherwise determined by the Court, it is presumed that immigration enforcement does not have a direct and legitimate interest in juvenile dependency proceedings nor in the work of the Court.

Unless otherwise determined by the Court, to protect the best interests of children, arrests for immigration enforcement purposes shall not occur within juvenile

courthouses or courtrooms unless there is an immediate risk to the safety and protection of the public.

B. Immigrant Crime Victims

The Court, upon request, shall have all hearing officers complete U Nonimmigrant Status Certifications (USCIS Form I-918) for immigrant crime victims of criminal activity listed in Penal Code section 679.10(c), who possess information about the qualifying criminal activity, unless the victim has refused or failed to provide information reasonably requested by law enforcement or unless otherwise ordered by the Court.

The Court shall prohibit all hearing officers who have certified victim helpfulness on the Form I-918 from disclosing the immigration status of a victim or person requesting the Form I-918 Supplement B certification, except to comply with federal law or legal process, or if authorized by the victim or person requesting the Form I-918 Supplement B certification.

SECTION III. RESPONDING TO IMMIGRATION ENFORCEMENT ACTIVITY

A. Court Personnel Responding to Immigration Enforcement Activity

To respond appropriately to immigration enforcement activity, Court personnel shall take the actions below:

1. Review the warrants, subpoenas, and court orders that may be presented to effect an arrest or to obtain records in immigration enforcement actions, attached to this policy (Appendices A-G).
2. Reference the attached warrants, subpoenas, and court orders to distinguish between the following documents:
 - Administrative and judicial warrants.
 - Administrative and judicial subpoenas.

Note: Department of Homeland Security (DHS) administrative subpoenas and federal court subpoenas do not always require immediate compliance despite the warning language that may be included on the form. Subpoenas shall be submitted for review and a decision (by the Court Executive Officer (CEO), the Presiding Judge (PJ), or designee on whether to comply with or challenge the subpoena.
3. Become familiar with the protocols for responding to immigration enforcement activities found in section B below.
4. Review the prohibited actions of law enforcement agency personnel and avoid engaging in any of the activities listed in Government Code section 7284.6, subdivision (a), unless the exceptions set forth in section 7284.6 (as applicable to law enforcement agencies) are applicable.

B. Responding to Requests for Access for Immigration Enforcement Purposes

As soon as possible, Court personnel shall notify the CEO, the PJ, or designee, of any request by officers engaged in immigration enforcement for access to nonpublic restricted areas of a courthouse or any requests for review of nonpublic court documents.

Court personnel shall take the following steps in response to the service of a subpoena or a request for access to execute an administrative arrest warrant.

- Advise the officer that before proceeding with their request Court personnel must first notify and receive directions from the CEO, the PJ, or designee. Court personnel may request the officer report directly to the CEO or PJ.
- Court personnel should ask to see, and make a copy of or note, the officer's credentials (name and badge number). Also ask for and copy or note the phone number of the officer's supervisor.
- Court personnel should ask the officer for his/her reason for being at the courthouse and note the response.
- Court personnel should ask the officer to produce any documentation that authorizes court access.
- If the officer orders immediate access to court facilities, court personnel should not refuse the officer's orders and immediately contact the CEO, the PJ, or designee.
- Court personnel may contact the Sheriff's Office for assistance dealing with requests for access.
- State that El Dorado Superior Court does not consent to entry of El Dorado Superior Court facilities or portions.
- Without expressing consent, Court personnel shall respond as follows if presented with the following documentation:
 - **An ICE administrative “warrant” (see Appendices A and B):** Immediate compliance is not required. Court personnel shall inform the officer that he or she cannot consent to any request without first consulting with the CEO, the PJ, or designee. Provide copy of the warrant to the CEO, the PJ, or designee (where possible, in consultation with legal counsel) as soon as possible.
 - **A federal judicial warrant (either search and seizure warrant or arrest warrant; see Appendices C and D):** Prompt compliance with such a warrant is usually legally required, but where feasible, consult with the CEO, the PJ or designee, before providing the officer access to the person or materials specified in the warrant. If an officer demands immediate access in these circumstances, court personnel should not refuse the officer's orders.

- **A subpoena for production of documents or other evidence (see Appendices E and F):** Immediate compliance is not required. Inform the officer that Court personnel cannot respond to the subpoena until after it has been reviewed by legal counsel for the Court. Provide a copy of the subpoena to the CEO, the PJ, or designee or legal counsel as soon as possible.
- **A notice to appear (see Appendix G):** This document is not directed at the Court. Court personnel are under no obligation to deliver or facilitate service of this document to the person named in the document. If you get a copy of the document, give it to the CEO, the PJ, or designee or legal counsel as soon as possible.

These sample documents are included for identification purposes only; they may be updated at any time.

- If the officer orders Court personnel to provide immediate access to facilities, they personnel should not refuse the officer's order and immediately contact the CEO, the PJ, or designee. Court personnel shall not attempt to physically interfere with the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters a restricted area without consent, Court personnel shall document their actions.
- Court personnel shall document the officer's actions while on Court premises in as much detail as possible, but without interfering with the officer's movements.
- Court personnel shall complete an incident report within one (1) business day that includes the information gathered as described above and the officer's statements and actions. This report shall be sent to the CEO in Court Administration.
- To the extent practicable, all Court personnel who observe any immigration enforcement action taking place in, or in the immediate vicinity of, any Court facility, shall report the incident to the CEO, the PJ, or designee.

Collection and Dissemination of Personal Information

Unless necessary to perform their official duties, or required by law, Court personnel shall not:

- Inquire into an individual's immigration status;
- Provide to an officer engaged in immigration enforcement, information regarding a person's release date unless: (1) the officer has a valid judicial warrant, subpoena, or court order; (2) the person subject to the search has a criminal history that meets the criteria of California Government Code section 7282.5, subdivisions (a) and (b); or (3) the information is available to the public; or
- Provide to an officer engaged in immigration enforcement, personal information unless: (1) the officer has a valid judicial warrant, subpoena, or court order; or (2) the information is available to the public.

- *Personal information means any information that identifies or describes an individual, including, but not limited to, his or her name, social security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history.*

All Court personnel shall not:

- Collect and maintain personal information, except as required by law or as necessary to perform their official duties.
- Ask an individual about his or her immigration status, except as required by law or as necessary to perform their official duties.

Court personnel shall not share information regarding any juvenile case file for the purposes of immigration enforcement unless specifically authorized to do so by a judicial order.

Responses to Requests for Information for Immigration Enforcement Purposes

Court personnel shall not provide personal information to any person or entity for immigration enforcement purposes, unless (1) such information is available to the public; or (2) is subject to a valid judicial warrant, subpoena, or court order.

Court personnel shall not provide information regarding a person's release date or respond to requests for notification by providing release dates or other information unless that information: (1) is available to the public; (2) is subject to a valid judicial warrant, subpoena, or court order; or (3) is in response to a notification request from immigration authorities in accordance with Government Code section 7282.5.

Court personnel shall not use immigration authorities as interpreters when an interpreter is necessary to conduct the Court's business.

The Court shall revise the terms and use policies that permit access to their case management systems or any other database that contains non-criminal history information as follows:

All users of the Court's case management systems or any other database that contains non-criminal history information shall agree, as a condition to being provided access to the systems and databases, that they shall not access or use any information contained within these databases for immigration enforcement purposes, except that users are not restricted in the use of criminal history information and are not restricted in the use of information regarding a person's immigration or citizenship status pursuant to Sections 1373 and 1644 of title 8 of the United States Code.

SECTION IV. DESIGNATION OF NON-PUBLIC SPACE

These areas are considered nonpublic and no person, other than someone authorized or approved by the Court, is permitted in the nonpublic areas. Only judicial officers, Court staff, bailiffs, security, vendors, and invited guests are allowed access to non-

public spaces. Absent judicial warrant or exigent circumstances, law enforcement personnel shall not have access to non-public restricted Court spaces for immigration law enforcement purposes. These include all areas of a Court facility:

- Accessible with a perimeter access card, a key, or cipher lock code.
- Designated “No Trespassing,” “Personnel Only,” or “Emergency Access Only”.
- Used as judicial hallways and chambers.
- With a locked swinging half door.
- Used as office space by Court contractors.
- Used for jury assembly, including areas used by Court personnel to instruct those reporting for jury duty.
- Used by the public and managed by Court personnel to view case files.
- Includes any facility or co-occupied facility wherein the Court conducts official business, such as when Court personnel are present and using the area as a courtroom, front counter, or jury assembly room, including all areas on the interior side of the Court security screening/magnetometer device.

Appendix A
Immigrations and Customs Enforcement “Arrest Warrant”
(Form I-200)

U.S. DEPARTMENT OF HOMELAND SECURITY		Warrant for Arrest of Alien
<p>File No. _____</p> <p>Date: _____</p>		
<p>To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations</p>		
<p>I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:</p>		
<p><input type="checkbox"/> the execution of a charging document to initiate removal proceedings against the subject;</p> <p><input type="checkbox"/> the pendency of ongoing removal proceedings against the subject;</p> <p><input type="checkbox"/> the failure to establish admissibility subsequent to deferred inspection;</p> <p><input type="checkbox"/> biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or</p> <p><input type="checkbox"/> statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.</p>		
<p>YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.</p>		
<p><i>(Signature of Authorized Immigration Officer)</i></p>		
<p><i>(Printed Name and Title of Authorized Immigration Officer)</i></p>		
<p>Certificate of Service</p>		
<p>I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)</p>		
<p>on _____ on _____, and the contents of this (Name of Alien) (Date of Service)</p>		
<p>notice were read to him or her in the _____ language. (Language)</p>		
<p>Name and Signature of Officer</p>		<p>Name or Number of Interpreter (if applicable)</p>
<p>Form I-200 (Rev. 09/16)</p>		

Appendix B
Immigrations and Customs Enforcement “Removal Warrant”
(Form I-205)

<p>DEPARTMENT OF HOMELAND SECURITY U.S. Immigration and Customs Enforcement WARRANT OF REMOVAL/DEPORTATION</p>	
<p>File No: _____</p>	
<p>Date: _____</p>	
<p>To any immigration officer of the United States Department of Homeland Security:</p>	
<p>_____ (Full name of alien)</p>	
who entered the United States at	_____ (Place of entry)
on	_____ (Date of entry)
<p>is subject to removal/deportation from the United States, based upon a final order by:</p>	
<p><input type="checkbox"/> an immigration judge in exclusion, deportation, or removal proceedings <input type="checkbox"/> a designated official <input type="checkbox"/> the Board of Immigration Appeals <input type="checkbox"/> a United States District or Magistrate Court Judge</p>	
<p>and pursuant to the following provisions of the Immigration and Nationality Act:</p>	
<p>I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:</p>	
<p>_____ (Signature of immigration officer)</p>	
<p>_____ (Title of immigration officer)</p>	
<p>_____ (Date and office location)</p>	

Appendix C

Federal Search and Seizure Warrant (Form AO 93)

AO 93 (Rev. 11/13) Search and Seizure Warrant

UNITED STATES DISTRICT COURT

for the

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address)) Case No.)
)
)
)
)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requesting the search of the following person or property located in the _____ District of _____
(identify the person or describe the property to be searched and give its location).

I find that the affidavit(s) ~~is~~ any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (in ~~with~~ the person or describe the property to be seized):

YOU ARE COMMANDED to execute this warrant on or before _____ (not to exceed 14 days)
 in the daytime 6:00 a.m. to 10:00 p.m. _____ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to _____.
(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorizing the Office to maintain this document to deliver notice to the person who may have

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

for _____ days (not to exceed 30) until, the facts justifying, the later specific date of _____.

Date and time issued: _____

Judge's signature

City and state: _____

Printed name and title

Appendix D
Federal Arrest Warrant
(Form AO 442)

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

United States of America

v.

)
)
)
)
)
)
Case No.

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) _____,

who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

Date: _____ *Issuing officer's signature*

City and state: _____ *Printed name and title*

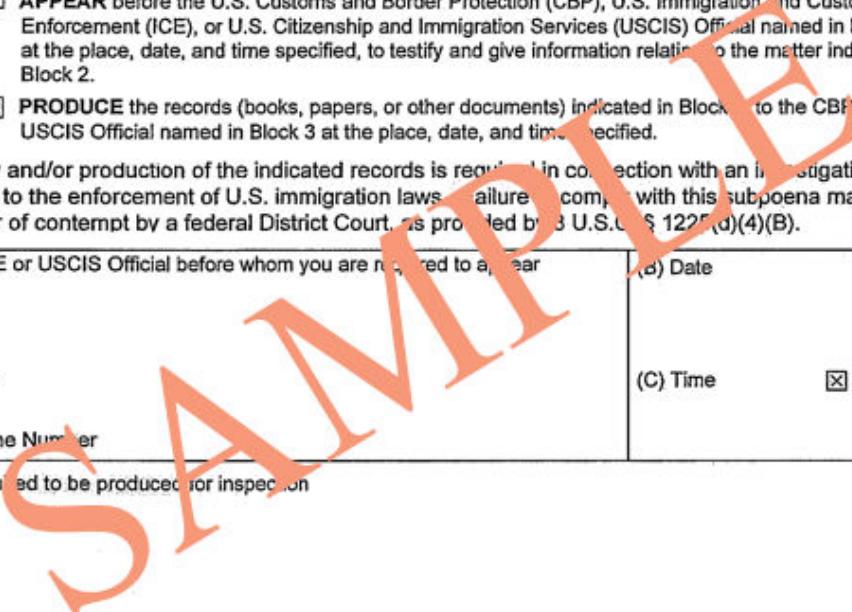
Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____ *Arresting officer's signature*

Printed name and title

Appendix E
Department of Homeland Security Immigration Enforcement Subpoena
(Form I-138)

1. To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY IMMIGRATION ENFORCEMENT SUBPOENA to Appear and/or Produce Records 8 U.S.C. § 1225(d), 8 C.F.R. § 287.4	
Subpoena Number		
2. In Reference To	<hr/> (Title of Proceeding) <hr/> (File Number, if Applicable)	
By the service of this subpoena upon you, YOU ARE HEREBY SUMMONED AND REQUIRED TO:		
(A) <input type="checkbox"/> APPEAR before the U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), or U.S. Citizenship and Immigration Services (USCIS) Official named in Block 3 at the place, date, and time specified, to testify and give information relating to the matter indicated in Block 2.		
(B) <input checked="" type="checkbox"/> PRODUCE the records (books, papers, or other documents) indicated in Block 4 to the CBP, ICE, or USCIS Official named in Block 3 at the place, date, and time specified.		
Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry relating to the enforcement of U.S. immigration laws. Failure to comply with this subpoena may subject you to an order of contempt by a federal District Court, as provided by 8 U.S.C. § 1225(d)(4)(B).		
3. (A) CBP, ICE or USCIS Official before whom you are required to appear Name Title Address Telephone Number	(B) Date (C) Time <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.	
4. Records required to be produced for inspection		
  If you have any questions regarding this subpoena, contact the CBP, ICE, or USCIS Official identified in Block 3.		5. Authorized Official <hr/> (Signature) <hr/> (Printed Name) <hr/> (Title) <hr/> (Date)
DHS Form I-138 (6/09)		

Appendix F

Federal Judicial Subpoena (Form AO 88B)

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Plaintiff _____)
v. _____)

Defendant _____)

Civil Action No. _____

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

Tg⁺

Name of person to whom this subpoena is directed:

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Place:

Date and Time

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date:

CLERK OF COURT

OR

Signature of Clark or Denison Clark

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____
who issues or requests this subpoena, are: _____

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Appendix G
Notice to Appear Form
(Form I-862)

<p>U.S. Department of Homeland Security</p>		<p>Notice to Appear</p>
<p>In removal proceedings under section 240 of the Immigration and Nationality Act</p>		
<p>File No: _____</p>		
<p>In the Matter of:</p>		
<p>Respondent: _____ currently residing at: _____</p>		
<p>(Number, street, city, state and ZIP code) (Area code and phone number)</p>		
<p><input type="checkbox"/> 1. You are an arriving alien. <input type="checkbox"/> 2. You are an alien present in the United States who has not been admitted or paroled. <input type="checkbox"/> 3. You have been admitted to the United States, but are deportable for the reasons stated below:</p>		
<p>The Department of Homeland Security alleges that you:</p>		
<p>On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:</p>		
<p><input type="checkbox"/> This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution.</p>		
<p><input type="checkbox"/> Section 235(b)(1) order was vacated pursuant to: <input type="checkbox"/> 8 CFR 208.30(f)(2) <input type="checkbox"/> 8 CFR 235.3(b)(5)(iv)</p>		
<p>YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:</p>		
<p>_____ (Complete Address of Immigration Court, Including Room Number, if any)</p>		
<p>on _____ at _____ to show why you should not be removed from the United States based on the (Date) (Time) charge(s) set forth above.</p>		
<p>_____ (Signature and Title of Issuing Officer)</p>		
<p>Date: _____ (City and State)</p>		
<p>See reverse for important information</p>		

APPROVAL

This policy will remain in place unless rescinded or modified by the PJ and CEO.



Judge Michael J. McLaughlin
Presiding Judge

Date: 12/12/2025



Shelby Wineinger
Court Executive Officer

Date: 12/12/2025