




**SUPERIOR COURT OF CALIFORNIA
COUNTY OF EL DORADO**

1354 Johnson Boulevard
South Lake Tahoe, CA 96150

FILED

JUL 01 2020

EL DORADO CO. SUPERIOR COURT
BY 
(DEPUTY CLERK)

DATE: July 1, 2020
JUDGE: Suzanne N. Kingsbury, Presiding Judge
CLERK: Derinda Lambie

**ADMINISTRATIVE ORDER RE:
ACCESS TO COURT PROCEEDINGS
BY GENERAL PUBLIC**

In response to health and safety concerns caused by the COVID-19 pandemic, states of emergency were declared at the state and national level in March 2020. Subsequently, Governor Newsom, as well as the El Dorado County Public Health Officer, issued stay-at-home orders with limited exceptions, including those employed in a job deemed to be essential.

In response to the stay-at-home order, Chief Justice Tana Cantil-Sakauye and the Judicial Council issued multiple orders, emergency rules, and directives which resulted in, inter alia, the temporary suspension or restriction of court services, and the expanded ability to conduct judicial proceedings and court operations remotely in order to protect the health and safety of the public, court employees, judicial officers, attorneys, law enforcement, and litigants.

On May 8, 2020, California moved into the early part of Stage 2 of its phased reopening roadmap. Since then, the Judicial Council has started to rescind the statewide emergency orders enacted as a result of the COVID-19 pandemic.

While the El Dorado County Superior Court is beginning to restore services and public access impacted as a result of the COVID-19 pandemic, the restoration of operations which existed prior to the declaration of the state of emergency will continue to be significantly reduced as a result of the health and safety measures the court has implemented.

In order to maintain the physical distancing requirements mandated by state and local public health officers, the court has taken extensive measures to reduce the number of persons coming to its courthouses, including: facilitating remote telephonic/video court proceedings; suspending civil jury trials until 2021; limiting the matters to be heard on any given day; summoning criminal trial jurors in small and staggered panels; and spreading the schedule of cases. Additionally, the court has ordered the use of face coverings in every courthouse and has restricted seating in order to maintain physical distancing.

The court acknowledges and endorses the well-established presumption in favor of universal access to the courts, and the rights of the public and press to attend both civil and criminal proceedings and trials. It is also recognized, however, that access is not absolute and may be limited where there is a compelling interest that cannot be achieved through less restrictive means. (*See, e.g., Globe Newspaper Co. v. Superior Court* (1982) 457 U.S. 596, 607; *NBC Subsidiary (KNBC-TV), Inc. v. Superior Court* (1999) 20 Cal.4th 1178, 1181-1182.) Furthermore, it is also well established “that courts have fundamental inherent equity, supervisory, and administrative powers, as well as inherent power to control litigation before them.” (*In re Reno* (2012) 55 Cal.4th 428, 522.)

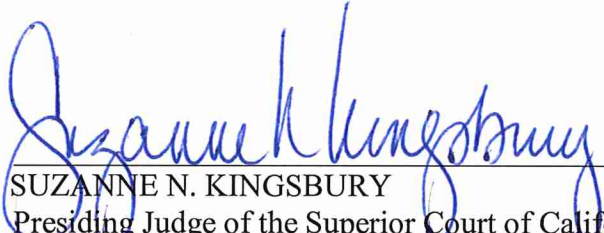
In recognition of the ongoing health emergency caused by COVID-19, the court finds that the interest of promoting public health and safety and curtailing the spread of the virus compel restrictions on the public’s physical access to the courts in order to observe court proceedings, and that there is no less restrictive means by which to accomplish both full public access and physical distancing under the present executive orders.

As such, the court has instituted space limitations on courtroom seating necessitated by physical distancing requirements. Victims of crime and statutory support persons are to be afforded priority seating when they are present to observe proceedings which invoke Marsy’s Law protection, subject to any exclusion order issued by the judge hearing the matter. General spectators are to be admitted first come, first served for the remaining available seats. All persons entering our courthouses shall wear a mask or face covering while in any court facility, unless an exception applies per California Department of Public Health Guidance (e.g., a medical condition, mental health condition, or disability that prevents wearing a mask). The court will not provide masks or face coverings.

The court has established remote video streaming and teleconferencing in multiple courtrooms to maximize the ability of litigants to adjudicate their matters in a safe manner and to permit simultaneous live public access to certain court proceedings. Each judicial officer, however, retains the discretion and authority to refuse, limit, or terminate such broadcasts, in whole or part, pursuant to the provisions of rule 1.150 of the California Rules of Court, and in consideration of other statutory and constitutional provisions. The livestreamed court proceedings may not be photographed, recorded (audio or video), or re-broadcast by anyone without prior written judicial authorization.

IT IS SO ORDERED.

Dated: July 1, 2020



SUZANNE N. KINGSBURY
Presiding Judge of the Superior Court of California