

FEB 14 2022

BRENDA L. McCORMICK
Executive Officer and Clerk
By:  Deputy

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

**ADMINISTRATIVE ORDER RE: REVISED
MASK AND SOCIAL DISTANCING
REQUIREMENTS, ETC.**

**ADMINISTRATIVE ORDER
NO. 22.06**

The Ventura Superior Court is committed to protecting the health and safety of jurors, attorneys, staff, law enforcement, other court users, judges and the general public, while continuing to perform its constitutional and statutory duties. Due to the unprecedented surge in Covid-19 cases in Ventura County and within the court, the court was required to implement a limited court closure for the period of January 11, 2022, through February 4, 2022, inclusive. ((Amended Administrative Order 22.02, January 11, 2022) and (2nd Amended Administrative Order 22.04, January 28, 2022)).

While the State and Ventura County, beginning February 16, 2022, will no longer require masks in most indoor public places for vaccinated individuals, they will continue to require masks for all individuals - regardless of vaccination status - on public transit, in schools, in healthcare settings, in state and local correctional facilities, and in other locations in which individuals congregate in large groups. The Ventura Superior Courthouses are routinely visited by numerous members of the public and court proceedings are often conducted with large groups of individuals in over 40 courtrooms, as each week on average the court hears thousands of cases and calls in approximately 900 jurors. These factors greatly increase the risk of transmission among all court users and court personnel. Additionally, despite lifting the masking requirement, Ventura County continues to recommend that all individuals wear masks indoors because the evidence reflects that masks protect both the wearers and those around them.

1 To continue to protect the health of court users and personnel, pursuant to article VI,
2 section 1 of the state Constitution; Code of Civil Procedure section 128; Government Code
3 section 68070; California Rules of Court, rule 10.603; the inherent powers of the Court (*In re*
4 *Reno* (2012) 55 Cal. 4th 428, 522), and federal, state, and local public health guidance,

5 **THEREFORE, THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:**

- 6 1. All persons entering any courthouse, courtroom or other court facility – regardless
7 of vaccination status – shall wear a mask that fits securely and snugly over his or
8 her nose and mouth at all times within public areas of the courthouse or courtroom
9 (this order is not intended to apply to the internal offices of the District Attorney or
10 Public Defender). Face masks made of cloth must not allow light to pass through
11 when held up to a light source. A face mask with a valve, neck gaiter, bandanna,
12 or handkerchief shall not be used. A face shield shall not be used without a mask,
13 unless required by a physician. Children under the age of two (2) are exempt from
14 this order.
- 15 2. Individuals with a physical or mental health impairment or disability who seek an
16 exemption from the face mask requirement must request a reasonable
17 accommodation under the Americans with Disabilities Act or California Rules of
18 Court, rule 1.100. Written requests can be made by use of the Judicial Council
19 form MC-410, available at www.ventura.courts.ca.gov/ada.html.
- 20 3. Individuals who decline to wear a face mask without a court order exempting them
21 from the mask requirement will be denied entry to the courthouse and/or
22 courtrooms.
- 23 4. Individuals who remove their face mask from covering their nose and mouth after
24 entering a courthouse or courtroom will be reminded to wear them. If they refuse
25 to do so, they may be denied services, may have their legal matters rescheduled
26 to another date, and/or will be asked to leave the courthouse or courtroom
27 immediately. Individuals who refuse to leave voluntarily will be escorted out of the
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1 courthouse and/or courtroom by Ventura County Sheriff's Department personnel
2 and/or may also be cited for contempt.

- 3 5. While in the courthouse, individuals are reminded to practice good hand washing
4 hygiene, and shall cover coughs and sneezes, preferably with a tissue.
- 5 6. Court employees and bench officers may temporarily remove their masks when
6 they are alone in a room, private office or workspace. They may also temporarily
7 remove their masks when they are eating or drinking at the workplace, provided
8 they maintain six feet of social distancing or are seated in workstations that have
9 acrylic barriers.
- 10 7. This order does not restrict or abrogate the express and inherent authority of the
11 court and its judges to provide for the orderly conduct of proceedings, including the
12 judicial officer's decision to allow a juror during voir dire or a testifying witness to
13 remove a face mask by implementing other safety measures such as acrylic
14 barriers and/or appropriate physical distancing. The mask provisions of
15 paragraphs one (1) through seven (7) herein, are effective beginning Wednesday,
16 February 16, 2022, and are intended to supersede and replace the similar
17 provisions of Administrative Order 22.01 (January 6, 2022).
- 18 8. All individuals are no longer required to comply with the six (6) feet of physical
19 distancing inside any courthouse, courtroom or other facility. In the jury assembly
20 room and in courtrooms, individuals shall be seated in every other seat only, as
21 designated. This includes audience seating and seating in the jury box but does
22 not apply to seating for counsel and parties at counsel tables. This provision is
23 intended to supersede and replace paragraph two (2) of Amended Administrative
24 Order 21.25 (January 4, 2022).
- 25 9. Consistent with the provisions of 2nd Amended Administrative Order 22.04
26 (January 28, 2022), the court will continue to offer CourtCall and/or Zoom for
27 participation in most court proceedings. (See "Remote Appearances" box on the
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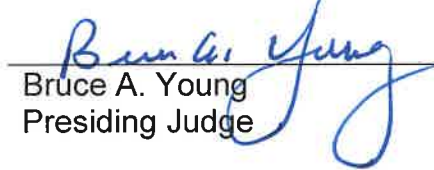
1 court's website at www.ventura.courts.ca.gov.) If personal appearance is
2 necessary, the matter will be continued until such time that the court is able to
3 determine that hearings with personal appearances can be safely conducted.

4 10. Attorneys may continue to appear pursuant to Penal Code §977 for out-of-custody
5 clients if the Penal Code §977 waiver is in substantial compliance in the form
6 required by California Rules of Court, Emergency Rule 5. Defendants who have
7 recently been ordered by the court to personally appear due to a failure to appear
8 may not utilize this Penal Code §977 authority.

9 THIS ORDER IS EFFECTIVE WEDNESDAY, FEBRUARY 16, 2022, WILL REMAIN IN
10 EFFECT UNTIL FURTHER NOTICE AND MAY BE AMENDED OR REVOKED, AS
11 CIRCUMSTANCES REQUIRE.

12 **IT IS SO ORDERED.**

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14 DATED: February 14, 2022

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17 Bruce A. Young
18 Presiding Judge
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