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**FILED / ENDORSED**  
MAR 30 2020  
By K. Swift, Deputy Clerk  
*K. Swift*

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO**

**ORDER**

**Access To Court Proceedings By General Public-Restricted**

1. On March 4, 2020, the State of California declared a State of Emergency as a result of the COVID-19 pandemic.
2. On March 19, 2020, the County of Sacramento issued an order directing all persons living in the County to shelter in place in their residences, with the exception of engaging in or receiving certain essential services and activities as a means of preventing or curtailing the spread of COVID-19.
3. On March 19, 2020, California Governor Gavin Newsom issued a similar order, directing all residents of the State to shelter-in-place, except as required to maintain and continue operations of essential services to protect and ensure the health and safety of the public.
4. On March 23, 2020, California Supreme Court Chief Justice Tani Cantil-Sakauye issued an order suspending all jury trials in the superior court of California for 60 days. As noted by the Chief Justice, courts cannot comply with the stringent health directives and restrictions established by the State “and continue to operate as they have in the past. Court proceedings require gatherings of court staff, litigants, attorneys, witnesses, and juries, well in excess of the numbers allowed for gathering under current executive and health orders.” On March 28, 2020

1 the Judicial Council of California unanimously recommended that the Chief Justice take action,  
2 pursuant Governor Newsom's Executive Order N 38-20, to permit courts to conduct judicial  
3 proceedings and court operations remotely, in order to protect the health and safety of the public,  
4 court personnel, judicial officers, litigants, and witnesses.

5 5. Due to the infectious nature of COVID-19 pandemic and the confined public area  
6 in the criminal home courts, permitting the public to enter the mail jail court corridors poses an  
7 extreme risk of exposure to the public, court personnel and members of the Sacramento County  
8 Sheriff's Department. The Sacramento County Sheriff's Department has opined that the "only  
9 effective means to ensure the safety welfare of the public, law enforcement and court employees"  
10 is to close the Lorenzo Patino Hall of Justice and the Mail Jail Courts to the public  
11 (Correspondence dated March 30, 2020 from Chief Deputy Santos Ramos).

12 6. At this time, and in recognition of the health and safety risks posed to the public by  
13 COVID-19, the essential functions of the Sacramento County Superior Court are limited to  
14 proceedings requisite to the fulfillment of the constitutional rights of criminal defendants and  
15 other emergency matters in which health and/or safety is an immediate and real concern.

16 7. As a result of the public health and safety measures the Court has implemented in  
17 response to the COVID-19 epidemic, Court services and proceedings are and will continue to be  
18 significantly impacted.

19 8. As a general principle, the Sacramento County Superior Court acknowledges and  
20 endorses the well-established presumption in favor of universal access to the courts, and the rights  
21 of the public and press to attend both civil and criminal trials. It also is recognized, however, that  
22 access is not absolute and may be limited where there is a compelling interest that cannot be  
23 achieved through less restrictive means. (See, e.g., *Globe Newspaper Co. v. Superior Court*  
24 (1982) 457 U.S. 596, 607; *NBC Subsidiary (KNBC-TV), Inc. v. Superior Court* (1999) 20 Cal.4th  
25 1178, 1181-1182.)

26 9. In the particular circumstances attendant to the COVID-19 pandemic, including  
27 but not limited to the foregoing cited orders, the Court expressly finds that matters of public  
28 health and safety and curtailing the spread of the virus compel restrictions on the public's

1 physical access to the courts to observe court proceedings and that there is no less restrictive  
2 means by which to accomplish both full public access and social distancing under the present  
3 executive orders.

4 10. Accordingly, out of concern for public health and safety due to the COVID-19  
5 pandemic, effective immediately and until further notice, only those persons with court hearings  
6 shall enter the courthouse on the day of hearing. Persons who are permitted to enter for specific  
7 proceedings shall include parties and counsel for parties, and those witnesses subject to subpoena.  
8 Witnesses shall enter the courthouse only on the day for which the witness is providing  
9 testimony. General visitors and casual observers shall remain outside the courthouse and are  
10 encouraged to practice social distancing while remaining outside. With the exception of essential  
11 court personnel, no other persons shall be permitted to enter without a showing of individual good  
12 cause.

13 11. The Court further orders that persons having any symptoms of illness of any kind  
14 SHALL NOT come to Court, even if those persons are parties, counsel or witnesses as described  
15 above. All persons are requested and strongly encouraged to attend any hearing remotely through  
16 the use of CourtCall (1-888-88-COURT) to appear telephonically whenever possible. (See  
17 California Rule of Court, Rule 3.670 [permitting telephonic appearance].)

18 12. The public may simultaneously watch court proceedings live streamed on the  
19 Sacramento Superior Court's You Tube Channel <http://www.youtubecom/user/SacCountyCourts>  
20

21 **THIS ORDER IS EFFECTIVE IMMEDIATELY. THIS ORDER MAY BE**  
22 **AMENDED AS CIRCUMSTANCES REQUIRE.**

23 DATED: March 30, 2020

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26 **RUSSELL L. HOM**  
27 **PRESIDING JUDGE OF THE SUPERIOR COURT**

