

JUL 14 2022

BRENDA L. McCORMICK
Executive Officer and Clerk
By: *Victoria [Signature]* Deputy

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

**ADMINISTRATIVE ORDER RE:
MANDATORY FACE MASKS**

**ADMINISTRATIVE ORDER
NO. 22.15**

The Ventura Superior Court is committed to protecting the health and safety of jurors, attorneys, staff, judges, law enforcement, other court users, and the general public, while continuing to perform its constitutional and statutory duties. Based upon the recent increase in new COVID-19 infections and hospitalizations, Ventura County is currently in the highest COVID-19 risk tier as ranked by the U.S. Centers for Disease Control and Prevention. The worsening pandemic data appears to be the result of the virus subvariants, which according to experts is more contagious than previous variants and also more resistant to immunity from previous exposures and from vaccines. As with prior COVID-19 surges, the court's situation mirrors the county at large. Since June 20, 2022, 38 court personnel and courthouse visitors (i.e., jurors, parties, attorneys) have tested positive for the virus. Three court departments are in "outbreak status", according to California Department of Public Health and Cal/OSHA guidelines, resulting in mandatory tracing, contacting, testing, and isolation obligations. Two other departments are one positive case away from reaching outbreak status. Eighteen courtrooms have had a COVID-19 exposure since June 20th.

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. In response to the deteriorating COVID-19 situation and to continue to protect the health and safety of court users and personnel, pursuant to article VI, section 1 of the state Constitution; Code of Civil

1 Procedure section 128; Government Code section 68070; California Rules of Court, rule 10.603;
2 the inherent powers of the Court (*In re Reno* (2012) 55 Cal. 4th 428, 522); state and federal health
3 guidance and with the endorsement of Ventura County Public Health:

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

- 5 1. Beginning Monday July 18, 2022, all persons entering any courthouse, courtroom or
6 other court facility – regardless of vaccination status – shall wear a mask that fits
7 securely and snugly over his or her nose and mouth at all times within public areas
8 of the courthouse or courtroom (this order is not intended to apply to the internal
9 offices of the District Attorney or Public Defender). Face masks made of cloth must
10 not allow light to pass through when held up to a light source. A face mask with a
11 valve, neck gaiter, bandanna, or handkerchief shall not be used. A face shield shall
12 not be used without a mask, unless required by a physician. Children under the age
13 of two (2) are exempt from this order.
- 14 2. Individuals with a physical or mental health impairment or disability who seek an
15 exemption from the face mask requirement must request a reasonable
16 accommodation under the Americans with Disabilities Act or California Rules of Court,
17 rule 1.100. Written requests can be made by use of Judicial Council form MC-410,
18 available at www.ventura.courts.ca.gov/ada.html.
- 19 3. Individuals who decline to wear a face mask without a court order exempting them
20 from the mask requirement will be denied entry to the courthouse and/or courtroom.
- 21 4. Individuals who remove their face mask from covering their nose and mouth after
22 entering the courthouse or courtroom will be reminded to wear them. If they refuse
23 to do so, they may be denied services, may have their legal matters rescheduled,
24 and/or will be asked to leave the courthouse or courtroom immediately. Individuals
25 who refuse to leave voluntarily will be escorted out of the courthouse and/or courtroom
26 by Ventura County Sheriff's Department personnel and/or may be punished by
27 contempt.
- 28 5. While in the courthouse, individuals are reminded to practice good hand washing

1 hygiene, and shall cover coughs and sneezes, preferably with a tissue.

- 2 6. Court employees and bench officers may temporarily remove their masks when they
3 are alone in a room, private office or workspace. They may also temporarily remove
4 their masks when they are eating or drinking at the workplace, provided they maintain
5 six feet of social distancing or are seated in workstations that have acrylic barriers.
- 6 7. This order does not restrict or otherwise abrogate the express and inherent authority
7 of the court and its judges to provide for the orderly conduct of proceedings, including
8 the decision to allow a testifying witness to remove a face mask by implementing other
9 safety measures such as acrylic barriers and/or appropriate physical distancing.
- 10 8. In the jury assembly room and in courtrooms, individuals shall be seated in every other
11 seat only, or as designated by that courtroom's judicial officer in each individual
12 courtroom. This includes audience seating and seating in the jury box but does not
13 apply to seating for counsel and parties at counsel tables.
- 14 9. Administrative Order 22.10 (March 14, 2022) is hereby superseded and replaced.

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16 THIS ORDER IS EFFECTIVE MONDAY JULY 18, 2022, AND MAY BE AMENDED OR REVOKED,
17 AS CIRCUMSTANCES REQUIRE.

18 **IT IS SO ORDERED.**

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20 DATED: July 14, 2022

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23 Bruce A. Young
24 Presiding Judge