

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

IN RE: PUBLIC ACCESS TO
COURTROOMS

GENERAL ORDER LIMITING PUBLIC
ACCESS TO COURTROOMS DUE TO
COVID-19 PANDEMIC

On March 4, 2020, the California Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19.

On March 12, 2020, the Alameda County Public Health Department issued guidance for mass gatherings that stated “non-essential gatherings of more than 250 people should be cancelled or postponed” and “Gatherings for people at high risk of complications from COVID-19 should be limited to a maximum of 10 people.”

On March 16, 2020, the CDC issued Coronavirus Guidelines that stated “AVOID SOCIAL GATHERINGS in groups of more than 10 people.”

On March 16, 2020, the Alameda County Health Officer issued an order (Order) stating at paragraph 2 that residents are to shelter at their place of residence and to “maintain social distancing of at least six feet from any other person when they are outside their residence.” The Order at paragraph 4 states, “All public and private gatherings of any number of people occurring outside a household or living unit are

prohibited.” The Order at paragraph 10 states social distancing is “maintaining at least six-foot social distancing from other individuals.”

Further, the Order at paragraph 10(d) states that “court personnel” are exempt from the shelter in place order to the extent that they are performing “Essential Government Functions,” but also states “All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.”

On March 19, 2020, the California State Public Health Officer ordered all individuals living in the State of California to stay home or at their place of residence except as needed.

See also Executive Order N-33-20, issued by Governor Newsom on March 19, 2020, the Advisory on COVID-19 and Court Operations issued by Chief Justice Tani G. Cantil-Sakauye on March 20, 2020, the March 22, 2020 Major Disaster Declaration for California by President Trump, and the Statewide Order issued by Chief Justice Cantil-Sakauye on March 23, 2020.

The protection of public health and safety in connection with the COVID-19 threat has resulted or is expected to result in significant interference with Superior Court services and proceedings.

The court FINDS:

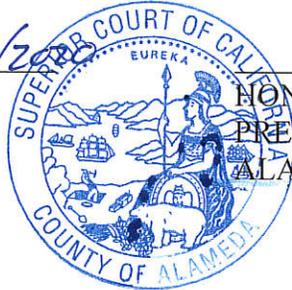
1. The COVID-19 threat prevents individual departments from holding individual hearings regarding limitations on public access to courtrooms.
2. The COVID-19 threat to public health is an overriding interest supporting limiting public access to courtrooms.

3. There is a substantial probability that public health will be prejudiced absent limiting public access to courtrooms.
4. The limits on public access to courtrooms in this order are narrowly tailored to serve the overriding interest in public health.
5. There is no less restrictive means of achieving the overriding interest.

The court ORDERS that access to any and all courthouses is restricted to those persons required to appear in person for a court hearing.

The court ORDERS that access to any and all courtrooms is restricted to personnel, Alameda County Sheriff's Office personnel, and defendants/witnesses, and limits appearing attorneys to 10 or fewer at a time in a courtroom.

DATED: 3/27/2020



HON. TARA M. DESAUTELS
PRESIDING JUDGE
ALAMEDA COUNTY SUPERIOR COURT