

JAN 04 2022

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

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

ADMINISTRATIVE ORDER RE:
COURT PROCESSES AND PROCEDURES
DURING COVID-19

AMENDED
ADMINISTRATIVE ORDER
NO. 21.25

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. Beginning on March 14, 2020, the Presiding Judge issued several Emergency Orders closing the court for non-essential services to protect the health and safety of the public and court personnel. Over the past twenty-one months the court has implemented various protocols designed to protect the health and safety of all court users and personnel in response to the Covid-19 pandemic.

In response to the current surge in the number of Ventura County Covid cases due to the Omicron variant and to continue to protect the health and safety of court users pursuant to article VI, section 1 of the state Constitution; Code of Civil Procedure section 128; Government Code section 68070; California Rules of Court, rule 10.603; the inherent powers of the Court (*In re Reno* (2012) 55 Cal. 4th 428, 522); and federal, state and local public health guidance:

THEREFORE, THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:

1. Until further notice, access to any and all courthouses, courtrooms, clerk's offices, self-help centers and public areas shall be restricted at all times to judges, commissioners, court staff, persons seeking or participating in emergency services, persons required or permitted to appear for scheduled hearings or trials, persons with a scheduled appointment (see paragraph 5 below) and other authorized persons. Until further notice,

1 unless otherwise ordered by a judicial officer in the exercise of their discretion in their
2 individual courtroom, access to any and all court proceedings shall be limited to
3 summoned jurors, parties, their attorneys, witnesses subpoenaed to testify, one support
4 person statutorily permitted to accompany a person seeking a temporary restraining
5 order and other authorized persons. The term "other authorized persons" includes, but
6 is not limited to, news reporters, and news media representatives subject to prior
7 approval under the procedures outlined in California Rules of Court, and Ventura County
8 Superior Court rule 26, or any other applicable rule, order or policy. This order does not
9 restrict or otherwise abrogate the express and inherent authority of the court and its
10 judges to provide for the orderly conduct of proceedings, including the decision to permit
11 or deny access to any courtroom or hallways adjacent to courtrooms.

- 12 2. Until further notice, the court reinstates the requirement that all individuals within the
13 courthouse maintain at least six (6) feet of physical distance from all persons (except
14 those within a household) at all times. All individuals must comply with social distance
15 signage throughout the courthouse.
- 16 3. Until further notice, the court will broadcast live audio streams of certain court
17 proceedings as follows:
 - 18 a. The health and safety concerns caused by the COVID-19 pandemic necessarily
19 require restricting the public's physical access to observe court proceedings and
20 there is no less restrictive means by which to accomplish full public access and
21 social distancing under the current recommendations of governmental health
22 authorities.
 - 23 b. The court will broadcast, and the public may simultaneously access, live audio
24 streams of certain court proceedings via the links available on the court's website
25 at ventura.courts.ca.gov.
 - 26 c. However, each judge retains the discretion and authority to refuse, limit or
27 terminate such broadcasts, in whole or in part, pursuant to the factors and
28 prohibitions articulated in California Rules of Court, rule 1.150, and in

1 consideration of other statutory and constitutional provisions.

2 d. The livestreamed court proceedings may not be photographed, recorded (audio
3 or video), or re-broadcast by anyone without prior written judicial authorization.

4 e. This order does not restrict or otherwise abrogate the express and inherent
5 authority of the court and its judges to provide for the orderly conduct of
6 proceedings.

7 4. Appointments must be made for Civil, Family, Small Claims, Appeals, Mental Health,
8 Juvenile and Probate clerk's offices; Records & Exhibits; Self-Help Center; Collections;
9 and Family Law mediation. See the court's website (www.ventura.courts.ca.gov) for
10 details.

11 5. Documents may be submitted through eDelivery, United States mail, or drop boxes
12 located at the entrance to the Hall of Justice and the Juvenile Justice Center. Documents
13 received by 4 p.m. and accepted for filing, will be filed that same business day: Monday
14 through Friday, except holidays. Documents received after 4 p.m. will be processed and
15 filed the following business day.

16 6. Until further notice, Family Law status conferences and mandatory settlement
17 conferences are suspended and will not take place.

18 7. The Courtroom 22B Case Management Calendar (CMC) is currently in session Fridays
19 only at 8:15 a.m., hearing cases in which a CMC did not occur due to the suspension of
20 the Courtroom 22B calendar and for which the court determines a CMC is still necessary.
21 Parties will receive written notice of the rescheduled CMC hearings. Appearance by
22 CourtCall is highly recommended and preferred due to health and safety concerns
23 regarding the ongoing pandemic.

24 8. Any judge of the court may continue to extend by not more than 90 days the duration of
25 any temporary restraining order that would otherwise expire, because the emergency
26 condition described herein prevented the court from conducting proceedings to
27 determine whether a permanent order should be entered, as set forth in California Rules
28 of Court, Emergency Rule 8.

1 9. The court continues to extend the time period provided in Penal Code section 859,
2 subdivision (b), for the holding of a preliminary examination and the defendant's right to
3 release from 10 court days to not more than 30 court days. (See the Chief Justice's
4 Statewide March 30, 2020, Order, which remains in full force and effect.)

5 10. Attorneys may continue to appear pursuant to Penal Code §977 for out-of-custody
6 clients, if the Penal Code §977 waiver is in substantial compliance in the form required
7 by California Rules of Court, Emergency Rule 5.

8 11. All "child custody recommending counseling" sessions (also referred to as "mediations")
9 are conducted in person unless the parties obtain pre-approval to appear by Zoom from
10 the assigned judicial officer, the Family Court Services Manager or the Family Court
11 Services Supervisor, except as follows:

- 12 o Pre-approval to appear by Zoom is unnecessary for any party who is
13 located out of state or 120 miles or more from the courthouse or for any
14 party who has an unexpected illness or unanticipated emergency. In
15 either situation, the party is to notify Family Court Services before the
16 mediation by calling 805-289-8735.

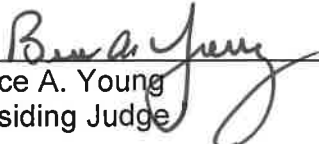
17 12. Due to the Covid-19 pandemic, the children's waiting room at the court remains closed.
18 Parties who bring their child (or children) to court must arrange for an adult to watch the
19 child (or children) during the mediation.

20 13. As a result of the adoption of Code of Civil Procedure section 367.75 and California Rules
21 of Court rule 3.672, the following administrative orders are no longer in effect: 21.10
22 (June 28, 2021); and Amended 21.18 (September 14, 2021).

23 THIS ORDER IS EFFECTIVE UNTIL FURTHER NOTICE AND MAY BE AMENDED
24 OR REVOKED, AS CIRCUMSTANCES REQUIRE.

25 **IT IS SO ORDERED.**

26
27 DATED: January 4, 2022

28


Bruce A. Young
Presiding Judge