

FILED
Clerk of the Superior Court

MAY 12 2020

By: K. CERSOSIMO

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

**IN RE: LIVESTREAM AUDIO
BROADCASTING OF CERTAIN COURT
PROCEEDINGS**

**GENERAL ORDER OF THE
PRESIDING DEPARTMENT**

ORDER NO. 051220-50

The COVID-19 pandemic continues to cause significant health and safety concerns nationally, throughout the State of California, and in San Diego County. Due to the pandemic and the governmental recommendations in response thereto, the court has found it is unsafe to conduct in-person proceedings that would require convening large groups of people, including parties, judicial officers, court staff, attorneys, witnesses, jurors, the public, and others. Accordingly, all San Diego Superior Court courthouses and courtrooms are closed to the public with limited exceptions for those seeking or participating in certain enumerated services. (See General Order of the Presiding Department, Order No. 043020-47, ¶¶ 4, 18.)

The court is cognizant of the general presumption in favor of allowing public and media access to court proceedings; however, such access is neither absolute nor unrestricted and may be limited where there is a compelling interest that cannot be achieved through less restrictive means. The court has continued to provide media access subject to prior approval pursuant to the procedures outlined in the California Rules of Court, the San Diego Superior Court Rules, and General Order of the Presiding Department, Order No. 010120-02. (See General Order of the Presiding Department, Order No. 043020-47, ¶ 18.) However, in an effort to provide expanded

1 public access to court proceedings consistent with its Sixth Amendment responsibilities, for good
2 cause, and pursuant to the authority set forth in General Order of the Presiding Department, Order
3 No. 043020-47, the court's inherent supervisory and administrative authority, as well as the
4 Presiding Judge's duty to promote access to justice for all members of the public, taking into
5 account the needs of the public and court as they relate to the efficient and effective management
6 of the court (Cal. Rules of Court, rule 10.603), this court **HEREBY FINDS AND ORDERS AS**
7 **FOLLOWS:**

8 1. The health and safety concerns caused by the COVID-19 pandemic necessarily
9 require restricting the public's physical access to observe court proceedings, and there is no less
10 restrictive means by which to accomplish full public access and physical distancing under the
11 current recommendations of governmental health authorities.

12 2. Through May 22, 2020, the court will broadcast, and the public may simultaneously
13 access, live audio streams of certain court proceedings via the court's YouTube channel, to which
14 links will be available on the court's website on the court's COVID-19 page (www.sdcourt.ca.gov).

15 3. However, each judge retains the discretion and authority to refuse, limit, or
16 terminate such broadcasts, in whole or in part, pursuant to the factors and prohibitions articulated
17 in California Rules of Court, rule 1.150, and in consideration of other statutory and constitutional
18 provisions.

19 4. The livestreamed court proceedings may not be photographed, recorded (audio or
20 video), or re-broadcast by anyone without prior written judicial authorization consistent with
21 California Rules of Court, rule 1.150, and San Diego Superior Court General Order of the Presiding
22 Department, Order No. 010120-02.

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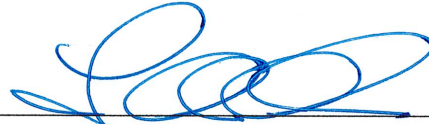
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1 5. This order does not restrict or otherwise abrogate the express and inherent authority
2 of the court and its judges to provide for the orderly conduct of proceedings.

3 **THIS ORDER IS EFFECTIVE IMMEDIATELY AND MAY BE AMENDED AS**
4 **CIRCUMSTANCES REQUIRE.**

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6
7 DATED: May 12, 2020



HON. LORNA A. ALKSNE
PRESIDING JUDGE