

FILED
Clerk of the Superior Court

DEC 27 2021

By: A. Husted, Deputy

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CENTRAL DIVISION

IN RE: FACE-COVERING

**GENERAL ORDER OF THE PRESIDING
DEPARTMENT**

ORDER NO. 010122-41

As a result of the COVID-19 pandemic, the Governor of California declared a state of emergency in this state. The President of the United States has also declared a national emergency. The health and safety concerns associated with the pandemic, along with the State of California and County of San Diego public health orders issued in response thereto, have caused substantial operational changes for the court since March 17, 2020.

While the State of California has fully reopened its economy and allowed businesses and public entities, including the court, to generally return to usual operations, there are several risk-reduction measures that are required and/or recommended by county, state, and federal health authorities.

Most recently, on December 13, 2021, the California Department of Public Health (CDPH), issued a mask mandate, which requires that masks be worn in all indoor public settings, irrespective of vaccination status, for four consecutive weeks beginning December 15, 2021.

1 For those who enter the court's facilities, the court is complying with the CDPH mandate
2 and applicable guidance from county, state, and federal health authorities until further notice,
3 including but not limited to, requiring face coverings, prohibiting individuals from entering if they
4 are subject to an isolation or quarantine order or are experiencing symptoms of COVID-19,
5 continuing increased cleaning measures, and providing hand sanitizers in kiosks.

6 Accordingly, for good cause and pursuant to the court's inherent supervisory and
7 administrative authority, as well as the Presiding Judge's duty to promote access to justice for all
8 members of the public, taking into account the applicable laws and needs of the public and court as
9 they relate to the efficient and effective management of the court (Cal. Rules of Court, rule 10.603),
10 this court HEREBY FINDS AND ORDERS AS FOLLOWS:

11 1. Regardless of vaccination status, all persons, including court staff and judicial
12 officers, who enter any court facility must wear a face covering. Court staff and judicial officers
13 may remove their face covering when working in an office or room alone or when actively eating or
14 drinking provided they are able to maintain six feet of social distancing from persons who are not
15 members of the same household. Persons younger than two years old are exempt from wearing a
16 face covering. Other persons exempted by applicable CDPH or Cal/OSHA regulations, such as
17 those with a medical condition, mental health condition, or disability that prevents wearing a face
18 covering, will be assisted outside the courthouse, or provided with an alternative accommodation.
19 Any non-exempt person without a face covering may be denied entry to the courthouse or
20 courtroom.

21 2. All persons, including court staff and judicial officers, are required to self-evaluate for
22 symptoms and may not enter the courthouse if they are subject to an isolation or quarantine order or
23 exhibiting COVID-19 symptoms as described by the Centers for Disease Control and Prevention
24 ("CDC") (available at: [https://www.cdc.gov/coronavirus/2019-ncov/symptoms-](https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html)
25 [testing/symptoms.html](https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html)), which currently include, but are not limited to, fever or chills, cough,
26 shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of
27 taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea.


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1 3. This order does not restrict or otherwise abrogate the express and inherent authority of
2 the court and its judges to provide for the orderly conduct of proceedings, control in the furtherance
3 of justice the conduct of persons connected with judicial proceedings, or to control processes and
4 orders so as to make them conform to law and justice. Specifically, if a judicial officer determines
5 it is necessary to the furtherance of justice to remove his or her face covering when on the bench or
6 to direct an individual in that judicial officer's courtroom to remove that person's face covering, the
7 judicial officer may do so.

8 This Order shall become effective on January 1, 2022 and will remain in effect until
9 otherwise ordered by the Presiding Judge.

10 IT IS SO ORDERED.

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12 DATED: December 27, 2021


HONORABLE MICHAEL T. SMYTH
PRESIDING JUDGE

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