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**F I L E D**  
Clerk of the Superior Court

**MAR 07 2022**

By: T. SUITTS, Deputy

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

**CENTRAL DIVISION**

**IN RE: FACE-COVERING AND SELF-  
SCREENING PROTOCOLS**

) **GENERAL ORDER OF THE PRESIDING  
DEPARTMENT**

) **ORDER NO. 030722-55**

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, several risk-reduction measures continue to be required or recommended by county, state, and federal public health authorities and workplace safety regulations.

Effective March 1, 2022, the California Department of Public Health (“CDPH”) updated its guidance so that, in most indoor public settings, face coverings are optional, but recommended, for all persons, including individuals who are not fully vaccinated. Also, the Governor of California

1 issued Executive Order N-5-22, which suspended the provision of the Cal/OSHA Emergency  
2 Temporary Standards requiring employers to ensure face coverings are worn by employees who are  
3 not fully vaccinated when indoors.

4 Accordingly, effective March 8, 2022, in all of the court's facilities, face coverings will be  
5 optional, but recommended, for all individuals; however, some court employees and court users  
6 may be required to wear face coverings, regardless of vaccination status, in certain situations or  
7 locations. In addition, the court will continue to follow applicable guidance from county, state, and  
8 federal public health authorities, including, but not limited to, prohibiting individuals from entering  
9 if they are subject to an isolation or quarantine order or are experiencing symptoms of COVID-19,  
10 continuing increased cleaning measures, and providing hand sanitizer kiosks.

11 For good cause and pursuant to the court's inherent supervisory and administrative  
12 authority, as well as the Presiding Judge's duty to promote access to justice for all members of the  
13 public, taking into account the needs of the public and court as they relate to the efficient and  
14 effective management of the court (Cal. Rules of Court, rule 10.603), this court HEREBY FINDS  
15 AND ORDERS AS FOLLOWS:

16 Effective March 8, 2022, at 7:00 a.m., and until further notice, the court will follow  
17 applicable guidance from county, state, and federal public health authorities and impose the  
18 following COVID-19 risk-reduction measures:

19 1. ~~Face coverings are optional, but recommended, for all individuals in all court facilities.~~  
20 However, court employees may be required to wear face coverings, regardless of vaccination status,  
21 in certain situations or locations pursuant to Cal/OSHA regulations, including, but not limited to,  
22 employees who qualified for shortened isolation or quarantine periods or employees who have  
23 received a notice of multiple COVID-19-positive results in a work area.

24 2. Notwithstanding the above, the court may designate certain areas within its facilities  
25 where all persons, including court employees, will be required to wear face coverings, regardless of  
26 vaccination status. The court will post signs in these areas indicating face coverings are required,  
27 regardless of vaccination status. As of the date of this general order, such areas include the Family  
28 Court Counselor Offices; however, the court may subsequently modify the areas requiring universal

1 face coverings as determined by the Executive Officer. In such areas, persons younger than two  
2 years old are exempt from wearing a face covering, and persons exempted by the CDPH Guidance,  
3 such as those with a medical condition, mental health condition, or disability that prevents wearing  
4 a face covering, will be assisted outside the applicable court area or provided with an alternative  
5 accommodation. Any non-exempt person without a face covering may be denied entry to, or  
6 removed from, such designated areas.


7 3. All persons, including court employees and judicial officers, are required to self-evaluate  
8 for symptoms and may not enter the courthouse if they are subject to an isolation or quarantine  
9 order or exhibiting COVID-19 symptoms as described by the Centers for Disease Control and  
10 Prevention (“CDC”) (available at: [https://www.cdc.gov/coronavirus/2019-ncov/symptoms-](https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html)  
11 [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,  
12 shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of  
13 taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea.

14 4. This order does not restrict or otherwise abrogate the express and inherent authority of  
15 the court and its judges to provide for the orderly conduct of proceedings, control in the furtherance  
16 of justice the conduct of persons connected with judicial proceedings, or to control processes and  
17 orders so as to make them conform to law and justice. Specifically, if a judicial officer determines  
18 it is necessary to the furtherance of justice to wear or remove their face covering when on the bench  
19 or to direct an individual in their courtroom to wear or remove their face covering, they may do so.

20 5. Effective March 8, 2022, at 7:00 a.m., General Order of the Presiding Department of the  
21 San Diego Superior Court, In Re: Face-Covering and Self-Screening Requirements, Order No.  
22 020922-50, is rescinded as moot.

23 IT IS SO ORDERED.

24  
25 DATED: March 7, 2022



26 **HONORABLE MICHAEL T. SMYTH**  
27 **PRESIDING JUDGE**  
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