

Superior Court of California Ventura County

VENTURA COURT UPDATE

Presiding Judge Bruce A. Young

Order 8.23.21

THIS ORDER IS EFFECTIVE MONDAY AUGUST 23, 2021, AND IS INTENDED TO REPLACE AND SUPERSEDE ADMINISTRATIVE ORDER 21.14. IT WILL REMAIN IN EFFECT UNTIL FURTHER NOTICE.

THEREFORE, THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:

1. Until further notice, all persons entering any courthouse, courtroom or other court facility - regardless of vaccination status - shall wear a mask that fits securely and snugly over his or her nose and mouth at all times within public areas of the courthouse or courtroom (this order is not intended to apply to the internal offices of the District Attorney or Public Defender) A face mask with a valve, neck gator, bandanna, or handkerchief shall not be used. A face shield shall not be used without a mask, unless required by a physician. Children under the age of two (2) are exempt from this order.
2. Individuals with a physical or mental health impairment or disability who seek an exemption from the face mask requirement must request a reasonable accommodation under the Americans with Disabilities Act or California Rules of Court, rule 1.100. Written requests can be made by use of Judicial Council form MC-410, available at ventura.courts.ca.gov/ada.htm.
3. Individuals who decline to wear a face mask without a court order exempting them from the mask requirement will be denied entry to the courthouse and/or courtroom.
4. Individuals who remove their face mask from covering their nose and mouth after entering the courthouse or courtroom will be reminded to wear them. If they refuse to do so, they may be denied services, may have their legal matters rescheduled, and/or will be asked to leave the courthouse or courtroom immediately. Individuals who refuse to leave voluntarily will be escorted out of the courthouse and/or courtroom by Ventura County Sheriff's Department personnel and/or may be punished by contempt.
5. While in the courthouse, practice good hand washing hygiene, and cover coughs and sneezes, preferably with a tissue.
6. Masks may be temporarily removed in non-public, private office or workspace, only by individuals who are vaccinated and who can maintain six (6) feet of physical distance from others.

7. Except as indicated in paragraph 6 above, all individuals are no longer required to comply with six (6) feet of physical distancing inside of any courthouse, courtroom or other court facility. In the jury assembly room and courtrooms, individuals shall be seated in every other seat only, as marked. This includes audience seating and seating in the jury box but does not apply to seating for counsel and parties at counsel tables.
8. As the Court continues to monitor the capacity and close contact of individuals in the courthouses, the Court will continue: limiting the matters to be heard on any given day; staggering the scheduling of cases; monitoring the number of summoned jurors; facilitating remote telephonic/video court proceedings; maintaining on-line services; and requiring appointments for in-person services.
9. Access to clerk's offices and self-help centers will be restricted at all times to judges, commissioners, court staff, persons seeking or participating in emergency services, and persons with a scheduled appointment for the clerk's offices or self-help centers. Documents can be submitted for filing by appointment, eDelivery, United States Mail, or drop boxes located at the entrance to the Hall of Justice and Juvenile Courthouse.
10. Access to any and all courtroom proceedings is open to summoned jurors, parties, their attorneys, witnesses subpoenaed to testify, one support person statutorily permitted to accompany a person seeking a temporary restraining order, and other authorized persons. Members of the media or public may also attend to the extent that seating is available, which will be determined by the courtroom assigned judicial officer based upon the number of required court participants and the size of the individual courtroom.
11. The court shall continue to broadcast live audio streams of public court proceedings, if courtroom audience seating is at capacity under the requirements of this order and/or a courtroom is closed to in-person appearances and subject to the following:
 - a. The public may simultaneously access, live audio streams of certain court proceedings via the links available on the court's website at ventura.courts.ca.gov.
 - b. However, each judge retains the discretion and authority to refuse, limit or terminate such broadcasts, in whole or in part, pursuant to the factors and prohibitions articulated in California Rules of court, rule 1.150, and in consideration of other statutory and constitutional provisions. Further, nothing in this order prevents a judicial officer from Livestreaming even when audience seating is available in the courtroom.
 - c. The livestreamed court proceedings may not be photographed, recorded (audio or video), or re-broadcast by anyone without prior written judicial authorization
12. This order does not restrict or otherwise abrogate the express and inherent authority of the court and its judges to provide for the orderly conduct of proceedings, including the

decision to permit a witness to remove a face mask while testifying and other safety) measures such as the use of acrylic barriers and/or appropriate physical distancing may be maintained.

VENTURA COURT UPDATE

Presiding Judge Henry Walsh

Webinar 4.15.21

- There are six civil trial judges in Ventura but only two very large courtrooms that can accommodate civil jury trials and social distancing.
- There is no entry into the courthouse unless you have a reason to be there.
- Masks are required in the courthouses.
- There is live streaming in all their courtrooms.
- Law and motion is done through Court Call which will continue until the court reopens.
- Very few civil jury trials are going forward due to issues with social distancing. There are 50 jurors available in the morning and another 50 available in the afternoon. This makes it really difficult to get a jury.
- The courtroom itself is also a problem with social distancing. The jurors have to be spread through the courtroom which makes eye contact and connections with the lawyers difficult.
- Bench trials are proceeding and some attorneys are stipulating to bench trials instead of jury trials (although most won't).
- Remote settlement conferences are done by Judge Damost with 35% settling.
- The Governor has stated that he will open the state on 6/15/21, but we are still at the direction of the Ventura County Health Department – the six-foot social distancing requirement will remain in place for some time, which will inhibit the ability of the civil jury trials to proceed.
- It is possible that the restrictions may be lessened in six-to-eight weeks if the downturn in Covid case continues.
- Many jurors are coming in but some are still using COVID as an excuse. The court has been able to meet their limited needs thus far.
