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2
3 SUPERIOR COURT OF THE STATE OF CALIFORNIA
4 COUNTY OF LAKE
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6
7 RE: TEMPORARY ORDER RESTRICTING ENTRY TO THE SUPERIOR COURT
8 AND PERMITTING ACCESS TO ONLY THOSE PERSONS REQUIRED TO
9 APPEAR IN PERSON AT THE SUPERIOR COURT, FOURTH FLOOR,
10 LAKE COUNTY COURTHOUSE, LAKEPORT
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12 The Court hereby finds and concludes as follows:
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14 1. Since January 30, 2020, there have been a number of
15 significant executive actions taken to warn of and to mitigate the
16 spread of the COVID-19 coronavirus. On March 4, a state of
17 emergency was declared in the State of California to combat COVID-
18 19. On March 19, the Governor issued an executive order directing
19 all people in California to shelter in their place of residence
20 except as needed to maintain continuity of operations of federal
21 infrastructure and work for essential government services and
22 businesses to mitigate the spread of COVID-19.
23

24 2. On March 10, the Lake County Public Health Officer declared
25 and the Board of Supervisors ratified a declaration of a local
26 health emergency for Lake County in response to the imminent and
27 proximate threat to the public health from the introduction of
28 COVID-19 in Lake County. On March 16, the Public Health Officer
29 issued an order to Lake County Schools to dismiss students from
30 attendance from March 16 to April 10. On March 16, the Public

1 Health Officer issued an order for the period of March 16 to April
2 10, of a moratorium on gatherings of more than 100 people and a
3 conditional moratorium on gatherings of between 25 and 100 people
4 requiring certain protective conditions including social distancing
5 of 6 feet. On March 18, the Public Health Officer issued an order
6 directing the public to shelter at their place of residence leaving
7 only to access or provide designated essential services and
8 prohibiting non-essential gatherings and travel. The Public Health
9 Officer has statutory and regulatory authority to issue orders to
10 prevent the transmission of disease including the authority to
11 quarantine and isolate persons and close public and private
12 buildings. Health & Safety Code, 120175.

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14 3. As of this time on March 26, 2020, although there are no
15 reported cases in Lake County, it is reported that there are 2,617
16 confirmed cases and 55 deaths from the COVID-19 virus in the State
17 of California and that the numbers are increasing. On March 23, the
18 Chief Justice of the State of California issued a directive
19 suspending all jury trials until May 22, 2020. Based on the
20 information from credible public health sources regarding the
21 attributes of the manner that the virus is spread, the Court must
22 take measures to protect the court system and the public health
23 from COVID-19.

24
25 4. The essential functions of the Superior Court are at this
26 time limited to proceedings that are constitutionally mandated
27 criminal and juvenile proceedings and the issuance of civil and
28 family law forms of temporary restraining orders and such other
29 actions as may necessary to protect the public health and safety.

1 5. The public health emergency and protective measures that have
2 been implemented will result in significant interference with
3 access to the court and the scope of operations of the court. The
4 court is mindful of the essential and necessary functions of our
5 local court system. The court is acting to balance the same against
6 the obligation to effect compliance with the Executive Orders of
7 the Governor and the orders of the Public Health Officer under the
8 emergency declarations and to reasonably act to protect the public
9 from the contagion presented by COVID-19.

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11 6. The court has broad powers to provide for the orderly conduct
12 of court proceedings and to control, in the furtherance of justice,
13 the conduct of all persons before the court in any manner
14 pertaining to the proceeding. CCP, 128(a)(3):(5); People v. Wallace
15 (2008)44 Cal.4th 1032, 1057 [trial courts have broad power to
16 control courtrooms and maintain order and security]; Rutherford v.
17 Owens-Illinois, Inc. (1997) 16 Cal.4th 953, 967 [a court has
18 inherent equitable, supervisory and administrative power to
19 exercise reasonable control over court proceedings and adopt
20 methods to insure the orderly administration of justice].

21
22 7. The law generally precludes the closing of courtroom
23 proceedings to the public in criminal and civil cases absent there
24 being present an interest that over-rides the right of the public
25 to attend and observe the court. In this regard, the threat to the
26 health and safety of the general public and specifically, the
27 litigants, counsel, court staff and witnesses to a particular case,
28 from the COVID-19 virus clearly demonstrates such an overriding
29 interest to be now present. This interest requires the court to

1 permit attendance on the Fourth Floor of the Courthouse and the
2 courtrooms only as to those persons required to be present.

3
4 8. The health and safety of the public would be substantially
5 prejudiced absent this restriction. The restriction to be imposed
6 is narrowly tailored to permit only those persons required to be
7 present to enter the Fourth Floor and courtrooms and there is no
8 less restrictive means of achieving this overriding interest. (NBC
9 Subsidiary (KNBC-TV), Inc. v. Superior Court (1999) 20 Cal.4th
10 1178, 1181-1182).

11
12 The court orders as follows:

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14 1. Any and all access to the Superior Court, Lake County
15 Courthouse, Fourth Floor, in Lakeport, and the courtrooms located
16 on the Fourth Floor of the Courthouse, is restricted to those
17 persons required to appear in person for a court proceeding.

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19 2. The parties, attorneys and witnesses subpoenaed to testify
20 are permitted to attend. No other persons shall be permitted absent
21 an order of the court on good cause shown to be present.

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23 3. This order is effective immediately and shall remain in
24 effect until terminated or modified by further order of the court.

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27 DATED: MARCH 30, 2020



MICHAEL S. LUNAS
PRESIDING JUDGE