

FILED

JAN 24 2022

Clerk of Superior Court of California,
County of Sonoma
By M. Bentley
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SONOMA

ORDER

Order of the Presiding Judge

Due to the recent substantial surge of COVID-19 infections and hospitalizations in the County of Sonoma, and the recent Order of the Health Officer of the County of Sonoma C19-35, further action is needed to maintain a substantial level of court services to the public, to maintain access to justice for all, and to keep all who enter a courthouse, including employees of the court and jurors, as safe as possible through February 15, 2022. The following orders are deemed necessary by the Presiding Judge of this Court to protect the health and safety of the public and court personnel:

IT IS HEREBY ORDERED:

1. All members of the public entering any Sonoma County Superior Courthouse, including a remote jury selection location, shall wear a face covering at all times compliant with all California State Health Orders and CAL/OSHA standards which must completely cover both the nose and mouth. "Face covering" means a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers (i.e., fabrics that do not let light pass through when held up to a light source) that completely covers the nose and mouth and is secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they shall have two layers of fabric or be folded to make two layers. A face covering is a solid piece of

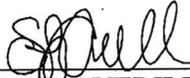
1 material without slits, visible holes, or punctures, and must fit snugly over the nose,
2 mouth, and chin with no large gaps on the outside of the face. A face covering does not
3 include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.
4 This definition includes clear face coverings or cloth face coverings with a clear plastic
5 panel that, despite the non-cloth material allowing light to pass through, otherwise meet
6 this definition and which may be used to facilitate communication with people who are
7 deaf or hard-of-hearing or others who need to see a speaker's mouth or facial expressions
8 to understand speech or sign language respectively.

- 9 2. All persons, including court employees, staff and judicial officers, shall wear a compliant
10 face covering, as defined hereinabove, which must completely cover both the nose and
11 mouth, while in all areas of the courthouses, including but not limited to, courtrooms,
12 hallways, entry locations, workstations and in all clerk's offices.
- 13 3. As an exception to item "2." hereinabove, any judicial officer may require a defendant in
14 a criminal case to briefly remove or lower their mask for purposes of in court
15 identification for the record.
- 16 4. Until February 15, 2022, only Criminal Jury Trials in which time has not been waived
17 shall proceed to jury trial. A judge in a criminal case retains discretion to find that a case
18 is serious, violent or involves a vulnerable victim and should proceed to trial as an
19 exception to this order. All Criminal Jury trials not currently in progress in which time
20 has been waived, or in which an exception has not been found, shall be continued to a
21 date after March 1, 2022.
- 22 5. All Civil Jury trials not currently in progress shall be continued to a date after March 31,
23 2022, except cases set for jury trial with a statutory preference, or cases with a trial date
24 set within 180 days of the deadline to bring the action to trial pursuant to Code of Civil
25 Procedure §583.310. Code of Civil Procedure §599 shall apply to extend any deadlines to
26 the continued date that have not already passed as of March 19, 2020. Parties shall appear
27 at the date currently set for trial to obtain a new trial date.

- 1 6. Civil matters, including guardianships and LPS calendars, will continue to provide the
2 opportunity to appear remotely via Zoom or in person in the courtroom in compliance
3 with CCP §367.75. Individuals are strongly encouraged to appear remotely via Zoom.
4 7. For all departments that conduct court by remote proceeding only all sessions shall be
5 made available in real time for public access to the proceeding via Zoom, unless the
6 session is a closed session according to law in compliance with CCP§124(b)(2).
7 8. The Sonoma County Emergency Bail schedule shall remain in effect until further order of
8 the Presiding Judge.
9 9. Any judicial officer shall have the authority to order any person removed from the
10 courthouse for failure to follow these orders, or if the judicial officer observes COVID-
11 19-like symptoms.
12 10. The Order of the Presiding Judge regarding Courtroom Proceedings via Zoom dated
13 November 12, 2020, shall remain in full force and effect and shall apply to any and all
14 remote appearances indefinitely.
15 11. This Order revokes and supersedes the Order of the Presiding Judge concerning COVID-
16 19 matters January 4, 2022.
17 12. This Order shall be effective January 24, 2022.

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19 IT IS SO ORDERED.

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21 Dated: January 24, 2022

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24 SHELLY J. AVERILL
25 PRESIDING JUDGE
26 SONOMA COUNTY SUPERIOR COURT
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