

FILED

APR 06 2020

FRESNO COUNTY SUPERIOR COURT
By _____ DEPUTY

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
CENTRAL DIVISION

ADMINISTRATIVE ORDER OF THE) ORDER RESTRICTING COURTHOUSE
PRESIDING JUDGE RE COVID-19) ENTRY AND PERMITTING ACCESS
PANDEMIC TEMPORARY CLOSURE) ONLY TO AUTHORIZED PERSONS
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THE COURT HEREBY FINDS AND ORDERS, EFFECTIVE IMMEDIATELY, AS
FOLLOWS:

1. Since March 4, 2020, the State of California has been
under a State of Emergency as a result of the threat of the novel
coronavirus and it associated disease, COVID-19.

2. On March 19, 2020, the Governor of California issued an
order directing all Californians to shelter-in-place at their
place of residence, subject to certain limited exemptions. Courts
are included among the exemptions.

3. Protection of public health and safety given the COVID-
19 threat has created significant operational obstacles to the
services available to the public through the Fresno Superior
Court.

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1 4. The operations of the Fresno Superior Court during the
2 COVID-19 pandemic have been limited to proceedings that are
3 required to comply with the constitutional rights of detained
4 criminal defendants or juveniles, to protect the health and
5 immediate safety of litigants, and to address in-custody
6 population concerns.

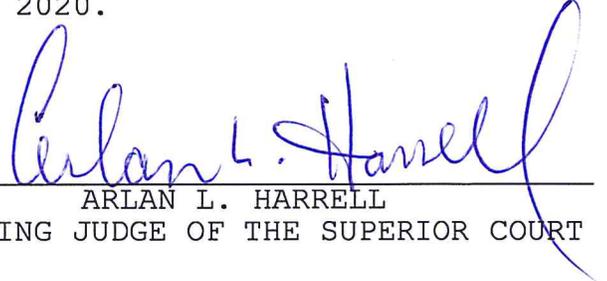
7 5. While the federal Constitution generally precludes
8 closure of substantive proceedings in criminal cases and the
9 California Code of Civil Procedure section 124 generally precludes
10 closure of substantive proceedings in civil cases, the current
11 COVID-19 pandemic, resulting in shelter-in-place orders and social
12 distancing mandates to mitigate infection, clearly demonstrates an
13 overriding interest which supports restricting courthouse entry
14 and access to only those persons who are required to be present in
15 a Fresno Superior Court courthouse.

16 6. Public health and safety will be prejudiced absent such
17 a restriction, which is nearly tailored to permit only those
18 persons required to enter any Fresno Superior Court courthouse;
19 there exists no less restrictive means of achieving this
20 overriding interest of protecting general public health while
21 respecting the constitutional rights of detained criminal
22 defendants or juveniles, protecting the health and immediate
23 safety of litigants, and addressing in-custody population
24 concerns. (*NBC Subsidiary (KNBC-TV), Inc., v. Superior Court*
25 (1999) 20 Cal.4th 1178, 1181-1182).

26 7. It is therefore ordered that access to any and all
27 Fresno County Superior Court courthouses is restricted to those
28 authorized persons required to appear in person for a court

1 hearing, including judges, court commissioners, court staff, and
2 other authorized persons such as parties, their attorneys, and
3 witnesses subpoenaed to testify, until further notice. No other
4 persons will be permitted without good cause.

5 DATED this 6th day of April, 2020.

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ARLAN L. HARRELL
PRESIDING JUDGE OF THE SUPERIOR COURT

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