

SUPERIOR COURT OF CALIFORNIA
County of Mendocino



POLICY
PUBLIC ACCESS TO NON-CONFIDENTIAL
PROCEEDINGS AND PUBLIC RECORDS
DURING PUBLIC HEALTH RESTRICTIONS
DUE TO COVID-19 PANDEMIC

Ensuring the public's health and safety are the Court's paramount concerns during the Covid-19 pandemic. The Court recognizes that these concerns must be weighed against each court visitor's Constitutional rights to attend non-confidential proceedings and to view non-confidential court records.

The following policy describes the Court's requirements for members of the public and justice partners to visit the courthouses. This policy also describes the Court's procedures to: 1) determine whether visitors who request to attend a court proceeding will be admitted to the courtroom and 2) assist the public in viewing public court records.

REQUIREMENTS TO VISIT THE COURTHOUSES

All visitors, parties to cases, attorneys, members of the media, and justice partners shall:

1. Wear a facial covering upon entering the facilities and at all times while in the courthouses, unless instructed to remove the covering by a judge. For members of the public who have medical exemptions from wearing facial coverings, visitors must bring a note from a health care provider verifying this exemption.
2. Submit to screening at the entrances to the facilities. If a person seeking entry to the courthouses is visibly ill (coughing, sneezing, feverish, etc.), the Court will deny entry into the courthouse. If the visitor is a party to a case that is on calendar, screening personnel will notify a bailiff to alert the courtroom that the party will be absent.
3. Comply with all social distancing guidelines by minimizing interactions with others and maintaining six feet of distance between the visitor and others. In the event

that a personal interaction must occur, refrain from touching the other person and keep the interaction as brief as possible.

4. Use hand sanitizer, located in stations throughout the courthouse in all public spaces.

PROCEDURES FOR VISITORS TO VIEW COURTROOM PROCEEDINGS

For jury trials, the court has set up live streaming for members of the public who wish to view the trial through the Court's YouTube channel. The public may access this YouTube channel from the home page of the Court's website.

For other non-jury trial proceedings, in most instances, the Court is able to accommodate a small number of public visitors who are not parties to a case in a courtroom. If the number of visitors who would like to view proceedings appears to exceed the capacity of the courtroom to ensure public health and safety, visitors may be directed to request that they be allowed to observe proceedings by completing a Courtroom Observation Request Form (Form no. MMC-280) and submitting it to the Clerk's Office.¹

Once the request has been submitted to the hearing judge, the judge shall:

1. Review the request and determine whether there is sufficient space to safely social distance in the courtroom once all essential parties, witnesses, victims, jurors, court staff, justice partner staff and law enforcement are present.
 - a. If the judge determines that there is space, the visitor(s) will be allowed to enter the courtroom and will be directed to seating that meets social distancing requirements. Visitors may not remove their facial coverings.
 - b. If the judge determines that there is not sufficient space in the courtroom, the judge may deny the request, but only for that proceeding. The visitor(s) may make subsequent requests and the judge will review and evaluate the conditions in the courtroom each time such requests are made.
 - c. In the event that there is high interest in a particular proceeding, the judge may direct court staff to enable live streaming over the Court's YouTube channel to allow those who are unable to attend in person to view proceedings remotely.

¹ Members of the media who wish to attend court proceedings for the purpose of filming, photographing or recording court proceedings shall comply with California Rules of Court rule 1.150 and Mendocino Superior Court Local Rules 1.30-1.36

- d. In each instance in which a member of the public requests to attend a court proceeding, the hearing judge will make all reasonable efforts to permit such access.

PROCEDURES FOR VISITORS WHO REQUEST ACCESS TO NON-CONFIDENTIAL COURT FILES

Members of the public who wish to view non-confidential court records shall complete and submit a Request to View Non-Confidential Court Records form (Form No. MMC-270) and submit it to the Clerk's Office.

Once the request has been submitted, court staff shall review the request, determine whether the Court has any responsive records and determine whether they are maintained as paper or electronic records. The Court shall make this determination within ten business days of the date of the request.

Once the Court locates the requested records:

1. If the records are in paper form, the Court shall contact the requestor and arrange a date and time to view the record(s) on the Court's premises and in a space that complies with social distancing requirements. At no time will the visitor be permitted to remove his or her facial covering while viewing these records.
2. If the records are in electronic form (microfilm or other image), the Court will offer to place them on a flash drive, provided by the requestor and mail them to the requestor. If the requestor does not provide a flash drive, the Court will arrange a date and time for the requestor to view the records on the Court's premises. . At no time will the visitor be permitted to remove his or her facial covering while viewing these records.

If the Court cannot locate the records or needs additional information to locate them, the Court will notify the requestor within ten business days.