

1 SUPERIOR COURT
2 COUNTY OF SAN BERNARDINO
247 West Third Street, Eleventh Floor
3 San Bernardino, CA 92415
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8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**
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11 IN RE:

12 COURT ACCESS
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} GENERAL ORDER #GO22-005
} AMENDED GENERAL ORDER OF THE
} PRESIDING JUDGE

17 The purpose of this General Order is to ensure the safe and orderly use of court
18 facilities; to minimize activities that unreasonably disrupt, interrupt or interfere with the
19 orderly and peaceable conduct of court business in a neutral forum free of actual or
20 perceived partiality, bias, prejudice or favoritism; to provide for the fair and orderly
21 conduct of hearings and trials; to promote the free flow of pedestrian and vehicular
22 traffic on sidewalks and streets around court facilities; and to maintain proper judicial
23 decorum.

24 The further purpose of this General Order is to facilitate safe and orderly access
25 to the courthouses unhindered by threats, confrontation, interference, noise pollution or
26 harassment that may be directed at court users including, but not limited to, those court
27 users waiting outside a courthouse.
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1 This General Order regulates only conduct occurring in and around court
2 facilities without regard to the content of any particular message, opinion, idea or form
3 of speech. The court does not intend to ban all expressive activities from the environs
4 surrounding court facilities and intends this General Order to be construed so as to
5 provide ample alternatives channels for communication of information near but not
6 within court facilities or courthouse grounds. (See, *Comfort v. McLaughlin* (C.D. Cal.
7 2006) 473 F. Supp.2d 1026).

8 WHEREFORE, the Court hereby orders:

9 I. DEFINITIONS

10 A. The following definitions apply for the purposes of this General Order:

- 11 1. "Prohibited Activity" shall mean any and all of the acts of
12 demonstrating, picketing, parading, distributing literature or other
13 materials, soliciting sales or donations, engaging in commercial
14 activity and engaging in oral or demonstrative protest, education or
15 counseling.
- 16 2. "Walkway" shall mean (a) any corridor, sidewalk or other path of
17 pedestrian movement directly from the edge of the public sidewalk
18 nearest an entrance to any building containing a courtroom; (b) any
19 corridor, sidewalk or other path of pedestrian movement leading
20 directly from a parking lot within the curtilage to an entrance to any
21 building containing a courtroom; and (c) any corridor or
22 passageway within a multi-purpose, commercial or private building
23 that leads directly to the part of the building containing a courtroom.
- 24 3. "Curtilage" shall mean any area between any building containing a
25 courtroom and nearest edge of public sidewalk surrounding the
26 building. It shall not include the area adjacent to that portion of a
27 multi-purpose, commercial or private building that does not contain
28 a courtroom.

1 4. “Courthouse” shall mean any building containing, at least, one (1)
2 courtroom. It shall also mean that portion of a multi-purpose
3 commercial or private building that contains, at least, one (1)
4 courtroom.

5 II. PROHIBITIONS

- 6 A. No person shall engage in any prohibited activity within a courthouse.
7 B. No person shall engage in any prohibited activity within the curtilage of a
8 courthouse.
9 C. No person shall obstruct, harass, impede or interfere with any person
10 entering or leaving a courthouse or with any person waiting in line to enter
11 a courthouse.
12 D. No person shall approach another person waiting in line to enter a
13 courthouse, within eight (8) feet of the other person, for the purpose of
14 engaging in a prohibited activity unless the other person consents.
15 E. No person shall engage in any prohibited activity in or near a courthouse
16 with the intent to interfere with, obstruct or impede the administration of
17 justice or with the intent to influence any judge, juror, witness or officer of
18 the court in the discharge of their duty.
19 F. No person shall use amplification equipment to engage in any prohibited
20 activity in a manner that harasses or interferes with any person leaving or
21 entering a courthouse or with any person waiting in line to enter a
22 courthouse.

23 III. EXCLUSIONS

24 This Order shall not apply to authorized court personnel or law enforcement
25 officers in the performance of their official duties.

26 Section II, (A) and (B), shall not apply to persons engaged in the stationary
27 solicitation of sales as part of any commercial, primarily non-expressive, activity
28 including, but not limited to, the sale of food stuffs, reading materials and sundries in a

1 specific space not dedicated to court functions and expressly authorized by a written
2 lease, space permit, license or other written agreement executed by the Court, County
3 of San Bernardino or the owner of a building containing a courtroom.

4 IV. SEVERABILITY

5 Should any provision of this General Order be held invalid, the validity of the
6 other provisions of this General Order shall not be affected.

7 V. COMPLIANCE WITH LAW ENFORCEMENT

8 It is further ordered that all persons must comply with the lawful requests,
9 directions and orders made by any law enforcement officers and their agents in the
10 performance of their duties while they are on or in the premises of any courthouse.

11 VI. NOTICE

12 It is ordered that this General Order shall be posted at each public entrance to a
13 courthouse and on the Court's webpage, www.sb-court.org. The Sheriff of San
14 Bernardino County and his/her deputies are directed to serve a copy of this General
15 Order on any person or organization who appears to be in violation thereof and to
16 advise the person or organization of the apparent violation. If the apparent violation
17 continues after such notice, the Sheriff or his/her deputies are authorized to enforce this
18 General Order to ensure the orderly and peaceable conduct of court business at the
19 courthouse. The Sheriff or his/her deputies shall notify the Court's Public Safety Officer,
20 Court Counsel, and/or the Supervising Judge of that district or his/her designee of the
21 occurrence .

22 VII. PENALTIES

23 Violation of this Order may result in the imposition of sanctions in an amount up
24 to \$1,500 per violation pursuant to the Code of Civil Procedure, section 177.5., and/or
25 criminal prosecution.

1 VIII. EFFECT OF PRIOR ORDERS

2 This order is effective October 23, 2023, and supersedes all previous
3 general orders entitled *Court Access*, issued by previous Presiding Judges. This order
4 shall remain in effect until December 31, 2023.

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7 Dated this 23rd day of October, 2023.

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10 R. Glenn Yabuno
11 Presiding Judge of the Superior Court
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