

1 **SUPERIOR COURT**
2 **COUNTY OF SAN BERNARDINO**
247 West Third Street, Eleventh Floor
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**

GENERAL ORDER #GO22-005

GENERAL ORDER OF THE
PRESIDING JUDGE

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

25 The further purpose of this General Order is to facilitate safe and orderly access
26 to courthouse unhindered by threats, confrontation, interference, noise pollution or
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1 harassment that may be directed at court users including, but not limited to, those court
2 users waiting outside a courthouse.

3 This General Order regulates only conduct occurring in and around court
4 facilities without regard to the content of any particular message, opinion, idea or form
5 of speech. The court does not intend to ban all expressive activities from the environs
6 surrounding court facilities and intends this General Order to be construed so as to
7 provide ample alternatives channels for communication of information near but not
8 within court facilities or courthouse grounds. (See, *Comfort v. McLaughlin* (C.D. Cal.
9 2006) 473 F. Supp.2d 1026).

10 WHEREFORE, the Court hereby orders:

11 I. DEFINITIONS

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

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

4 4. "Courthouse" shall mean any building containing, at least, one (1)
5 courtroom. It shall also mean that portion of a multi-purpose
6 commercial or private building that contains, at least, one (1)
7 courtroom.

8 **II. PROHIBITIONS**

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

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

4 Section II, (A) and (B), shall not apply to persons engaged in the stationary
5 solicitation of sales as part of any commercial, primarily non-expressive, activity
6 including, but not limited to, the sale of food stuffs, reading materials and sundries in a
7 specific space not dedicated to court functions and expressly authorized by a written
8 lease, space permit, license or other written agreement executed by the Court, County
9 of San Bernardino or the owner of a building containing a courtroom.

10 IV. SEVERABILITY

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

13 V. COMPLIANCE WITH LAW ENFORCEMENT

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

17 VI. NOTICE

18 It is ordered that this General Order shall be posted at each public entrance to a
19 courthouse and on the Court's webpage, www.sb-court.org. The Sheriff of San
20 Bernardino County and his or her deputies are directed to serve a copy of this General
21 Order on any person who appears to be in violation thereof, to advise the person of the
22 apparent violation and to immediately notify the District Court Manager or Court District
23 Supervisor for that courthouse so the Court can determine what, if any, action should
24 be taken to address the violation.
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1 VII. PENALTIES

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

5 VIII. EFFECT OF PRIOR ORDERS

6 This order is effective January 1, 2022, and supersedes all previous
7 general orders entitled *Court Access*, issued by previous Presiding Judges. This order
8 shall remain in effect until December 31, 2023.

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11 Dated this 1st day of January, 2022.

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16 R. Glenn Yabuno
17 Presiding Judge of the Superior Court
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