

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 IN AND FOR THE COUNTY OF MERCED

3  
4 GENERAL ORDER RE: COURTHOUSE ACCESS AND COVID-19  
5 MITIGATION  
6 #2022-05 Amended  
7

8 This Court has previously issued Standing Order #2020-04 and thirty-seven  
9 General Orders pursuant to Government Code section 68115 limiting the services  
10 provided by this court during the State of Emergency declared by the Governor in  
11 response to the COVID-19 pandemic.

12 Effective May 2, 2022, this court is modifying access to the courthouses for  
13 in person services. Accordingly, this order authorizes the nature of the services  
14 being resumed, the rules in effect for court facilities during this period of  
15 additional resumption of services and clarifies the status of the previously issued  
16 orders.

17 Remote appearances are encouraged and may be required in some  
18 proceedings. All courtrooms are open for in person courtroom observations.

19 This Court HEREBY FINDS AS FOLLOWS:

- 20 1. The remote hearings provided by the Merced Superior Court since March  
21 23, 2020, are the fully functional equivalent of live in-court hearings.  
22 While they do not proceed as quickly as live in-court hearings, the sound  
23 quality and video picture quality are as good as or better than available to  
24 a person participating in a live in-court hearing. In all hearings  
25 conducted, the judicial officer has been able to understand the testimony  
26 and fully evaluate the demeanor of each speaker, unless the speaker  
27 appears by telephone.  
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- 1           2. Just as in a live hearing, there are times where a participant fails to speak  
2           into their microphone and must be prompted to repeat what they said;  
3           there are occasions where participants forget to unmute their connection  
4           or do not speak clearly and must be prompted to repeat their statements.  
5           While a connection has occasionally failed during a hearing, such failure  
6           usually comes to the immediate attention of the courtroom clerk  
7           controlling the video conference, and the hearing is paused until a new  
8           and satisfactory connection can be made.
- 9           3. When an interpreter is required, the hearing proceeds more slowly  
10          because the interpreter must proceed with sequential rather than  
11          simultaneous interpretation, but the quality of interpretation is as good or  
12          better than the use of simultaneous interpretation during a live in-court  
13          hearing.
- 14          4. When a participant and their attorney need to conduct a private  
15          conversation, the court has developed several processes for  
16          accommodating that need.
- 17          5. Remote hearings also preserve the right of the public to observe court  
18          proceedings as certain non-confidential remote hearings are being  
19          streamed by the Merced Superior Court to the public via a livestream.
- 20          6. The remote hearings have been so successful that there have been  
21          inquiries from justice partners, including criminal defense counsel and  
22          civil counsel, requesting that the option to provide remote hearings in lieu  
23          of in-court hearings continue after the state of emergency is over.
- 24          7. This court concludes that the remote hearings conducted by the Merced  
25          Superior Court since March 23, 2020, have fully accommodated the  
26          rights of all the participating parties and constitute the fully functional  
27          equivalent of live in-court hearings.
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1 **Entrance to Courthouse Buildings:**

- 2 1. Individuals who enter the court facilities shall advise the entrance  
3 screening personnel that if at present time, or in the last 10 days, they  
4 have tested positive for COVID-19, or have been ill with flu-like  
5 symptoms or symptoms consistent with COVID-19. These individuals  
6 will not be admitted into the facility. Individuals who are denied entry  
7 and are appearing in a matter before the court, must contact their  
8 attorney, the subpoenaing party, or the clerk’s office to arrange for their  
9 matters to be continued
- 10 2. Individuals admitted to the courthouse are encouraged to wear a face  
11 covering, observe social distancing, avoid contact with other individuals,  
12 and avoid standing, walking, or sitting within six feet of another  
13 individual whenever possible.
- 14 3. Screening personnel shall have the discretion to refuse to admit any  
15 person to the courthouse if, in their judgment, the person is ill or  
16 otherwise poses a potential danger. Individuals who are denied entrance  
17 and are appearing in a matter before the court, must contact their  
18 attorney, the subpoenaing party, or the clerk’s office to arrange for their  
19 matters to be continued.
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21 **Entrance to Specific Courtrooms:**

22 **2260 “N” Street, Merced, CA Courthouse:**

23 **Courtrooms 1 - 7:**

- 24 1. Remote appearances may be permitted, requested or required in some  
25 proceedings. Social distancing is encouraged in the courtrooms.
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1 **627 West 21<sup>st</sup> Street, Merced, CA Courthouse:**

2 **Courtroom 8:**

- 3 1. Remote appearances are encouraged and may be requested or required in  
4 some proceedings. Social distancing is encouraged in the courtroom.

5 **Courtroom 9:**

- 6 1. Remote appearances may be permitted, requested or required in some  
7 proceedings. Social distancing is encouraged in the courtroom.

8 **Courtroom 10:**

- 9 1. Remote appearances are encouraged and may be requested or required in  
10 some proceedings. Social distancing is encouraged in the courtroom.

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12 **2840 West Sandy Mush Road, Merced, CA Courthouse:**

13 **Courtroom 11:**

- 14 1. Remote appearances are encouraged and may be requested or required in  
15 some proceedings. Social distancing is encouraged. Privacy requirements  
16 dictate that only individuals involved in a given case may be present when  
17 that case is proceeding.

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19 **1159 “G” Street, Los Banos, CA Courthouse:**

20 **Courtroom 12:**

- 21 1. Remote appearances are encouraged and may be required in some  
22 proceedings. Social distancing is encouraged. A limited number of  
23 individuals who appear at the courthouse may be permitted to use the  
24 courthouse terminals to appear at the hearings remotely.

25 **Courtroom 13:**

- 26 1. Remote appearances may be permitted, requested or required in some  
27 proceedings. Social distancing is encouraged in the courtroom.

