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FILED
KERN COUNTY SUPERIOR COURT
1/31/2022
BY Hinojosa, Ana
DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF KERN

**IN RE: CHANGES TO COURT
PROCESSES AND PROCEDURES
DURING COVID-19 PANDEMIC
(AMENDED)**

MISCELLANEOUS NO.: STO-22-0003

THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:

On March 4, 2020, the State of California entered a State of Emergency as a result of the threat of COVID-19. On March 19, 2020, the Governor of California issued an order directing all Californians to shelter in place at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors to protect public health and ensure the healthcare delivery system is capable of serving all and prioritizing those at the highest risk and vulnerability.

On June 15, 2021, the Governor announced that restrictions that had been in place for the last year were eliminated, including physical distancing, capacity limits, county tier systems, and face masks in most settings for fully vaccinated individuals.

1 See Executive Orders [N-07-21](#) and [N-08-21](#).

2 On January 5, 2022 the California Department of Public Health (CDPH)
3 extended the requirement for universal masking indoors statewide, regardless of
4 vaccination status, due to the emergence of the more contagious Omicron variant.
5 See [CDPH's Guidance for Use of Face Coverings](#), issued on January 5, 2022.

6 [Emergency Local Rule No. 2](#) was amended effective January 14, 2022 to
7 require face masks for all individuals, regardless of vaccination status. Individual
8 judicial officers reserve the authority to modify any part of this rule inside their
9 individual courtroom.

10 Kern County Public Health Services Department reported on January 25, 2022
11 that the 7-day case rate is 175.3 per 100,000 (two weeks ago it was 58.6). Public
12 Health Director Brynn Carrigan reported that based upon the state's coronavirus
13 model, Kern County's peak of COVID-19 patient census in hospitals occurred on
14 January 26, 2022. State-staffed expansion of hospital capacity is expected to be
15 operational by the end of January and will be in place through March 31, 2022. See
16 [News release from Kern County Public Health Services Department](#).

17 Based upon the Court's strong desire to remain open for court proceedings and
18 to protect litigants, attorneys, justice partners, its staff and the public,

19 THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:

- 20 A. In-person access to all Kern County Superior Courthouses will only be
21 permitted for: parties, attorneys, legal staff members, an objecting party or
22 relative of a minor, conservatee or decedent in a probate case, summoned
23 jurors, subpoenaed witnesses, employees and other courthouse occupants, law
24 enforcement, individuals seeking assistance from the District Attorney's Office,
25 one (1) support person pursuant to Family Code § 6303, approved vendors,

1 contractors and deliveries, media, and individuals who have been permitted by
2 Court order. Access to all courthouse facilities will also be permitted for
3 members/employees/associates/volunteers of the American Civil Liberties
4 Union of Southern California's Courtwatch Kern program. Entrance to a
5 particular courthouse facility by the aforementioned should be limited to one (1)
6 or two (2) individuals at a time for the purpose of monitoring courtroom activity.

7 B. To ensure that members of the public may still observe proceedings in this
8 facility, and to encourage members of the public to shelter in place away from
9 public spaces like courthouses, all non-confidential proceedings in all Kern
10 County Superior Courthouses will be made available via audio live streaming.
11 Consult the Court's website for live streaming links to the various courtrooms.

12 C. However, each judge retains the discretion and authority to refuse, limit or
13 terminate audio live streaming, for portions of proceedings, pursuant to the
14 factors and prohibitions articulated in California Rules of Court, rule 1.150 and in
15 consideration of other statutory and constitutional provisions.

16 D. The livestreamed court proceedings may not be photographed, recorded (audio
17 or video), or re-broadcast by anyone without prior written judicial authorization
18 consistent with California Rules of Court, rule 1.150, and Kern County Superior
19 Court Standing Order 19-0005.

20 E. This order does not restrict or otherwise abrogate the express and inherent
21 authority of the court and its judges to provide for the orderly conduct of
22 proceedings.

23 F. With the exception of civil jury trials, appearing remotely in all Limited and
24 Unlimited Civil proceedings via CourtCall or Zoom is highly encouraged, unless
25 the judge exercises his/her discretion under Code Civil Proc. § 367.75(b) to

1 require an in-person appearance. CourtCall can be reached at 1-888-882-
2 6878. Instructions for accessing each Courtroom's Zoom account can be found
3 on the Court's website.

4 G. Appearing remotely in all Family Law (Non-DCSS) and Probate Division
5 proceedings via remote technology is highly encouraged, unless the judge
6 exercises his/her discretion under Code Civil Proc. § 367.75(b) to require an in-
7 person appearance, or for a trial or evidentiary hearing, a showing is made as
8 to why the remote testimony or appearance should not be allowed under Code
9 Civ. Proc. § 367.75(d).

10 H. Telephonic appearances for all Department of Child Support Services (DCSS)
11 matters are highly encouraged using the procedures set forth in Standing Order
12 [Remote Hearings for Department of Child Support Services Matters, Misc. No.](#)
13 [STO-21-0007](#), issued June 24, 2021.

14 I. For all other matters, the Court highly encourages attorneys to use our current
15 remote appearance options during this time.

16 J. All of the Court's criminal calendars may be viewed at:
17 [https://itsapps.kerncounty.com/iframe/nonCMS/crimindex/crim_index_case_inf](https://itsapps.kerncounty.com/iframe/nonCMS/crimindex/crim_index_case_info_cal.asp)
18 [o_cal.asp](https://itsapps.kerncounty.com/iframe/nonCMS/crimindex/crim_index_case_info_cal.asp). All of the Court's civil calendars may be viewed at:
19 <https://odyprodportal.kern.courts.ca.gov/portalprod>

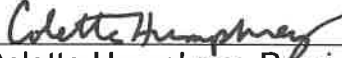
20 This order supersedes the Court's prior standing order, *Changes to Court*
21 *Processes and Procedures During COVID-19 Pandemic*, Misc. No. STO-22-0001,
22 issued on January 6, 2022 and partially supersedes *Remote Hearings for Department*
23 *of Child Support Services Matters*, Misc. No. STO-21-0007, issued on June 24, 2021.

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1 THIS ORDER IS EFFECTIVE FEBRUARY 1, 2022 AND MAY BE AMENDED
2 AS CIRCUMSTANCES REQUIRE.

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4 Dated: January 31, 2022.

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7 _____
8 Colette Humphrey, Presiding Judge
9 Kern County Superior Court
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