SUPERIOR COURTOF CALIFORNIA
COUNTY OF SAN BERNARDINO
303 West Third Street, Fourth Floor
San Bernardino, Ca 92415-0302

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

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)	
)	**GENERAL ORDER**
)	**COURT ACCESS**
)	(November 19, 2012)
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The purpose of this General Order is to ensure the safe and orderly use of court facilities; to minimize activities that unreasonably disrupt, interrupt or interfere with the orderly and peaceable conduct of court business in a neutral forum free of actual or perceived partiality, bias, prejudice or favoritism; to provide for the fair and orderly conduct of hearings and trials; to promote the free flow of pedestrian and vehicular traffic on sidewalks and streets around court facilities; and to maintain proper judicial decorum.

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

This General Order regulates only conduct occurring in and around court facilities without regard to the content of any particular message, opinion, idea or form of speech. The court does not intend to ban all expressive activities from the environs surrounding court facilities and intends this General Order to be construed so as to provide ample alternative channels for communication of information near but not

within court facilities or courthouse grounds. (See, Comfort v. McLaughlin (C.D. Cal 2006) 473 F. Supp.2d 1026.)

WHEREFORE, the Court hereby orders:

I. DEFINITIONS

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

1. "Prohibited Activity" shall mean any and all of the acts of demonstrating, picketing, parading, proselytizing, preaching, distributing literature or other materials, soliciting sales or donations, engaging in commercial activity and engaging in oral or demonstrative protest, education or counseling.
2. "Walkway" shall mean (a) any corridor, sidewalk or other path of pedestrian movement directly from the edge of the public sidewalk nearest an entrance to any building containing a courtroom; (b) any corridor, sidewalk or other path of pedestrian movement leading directly from parking lot within the curtilage to an entrance to any building containing a courtroom; and (c) any corridor or passageway within a multi-purpose, commercial or private building that leads directly to the part of the building containing a courtroom.
3. "Curtilage" shall mean any area between any building containing courtroom and nearest edge of public sidewalk surrounding the building. It shall not include the area adjacent to that portion of a multi-purpose, commercial or private building that does not contain a courtroom.
4. "Courthouse" shall mean any building containing, at least, one (1) courtroom. It shall also mean that portion of a multi-purpose, commercial or private building that contains, at least, one (1) courtroom.

II. PROHIBITIONS

A. No person shall engage in any prohibited activity within a courthouse.

B. No person shall engage in any prohibited activity within the curtilage of a courthouse.

C. No person shall engage in any prohibited activity within 25 feet from either side of, or in front of, the intersection of a walkway and the public sidewalk.

D. No person shall obstruct, harass, impede or interfere with any person entering or leaving a courthouse or with any person waiting in line to enter a courthouse.

E. No person shall approach another person waiting in line to enter a courthouse, within 8 feet of the other person, for the purpose of engaging in prohibited activity unless the other person consents.

F. No person shall engage in any prohibited activity in or near a courthouse with the intent to interfere with, obstruct or impede the administration of justice or with the intent to influence any judge, juror, witness or officer of court in the discharge of their duty.

G. No person shall use amplification equipment to engage in any prohibited activity in a manner that harasses or interferes with any person leaving or entering a courthouse or with any person waiting in line to enter a courthouse.

III. EXCLUSIONS

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

Section II, A, B and C shall not apply to persons engaged in the stationary solicitation of sales as part of any commercial, primarily non-expressive, activity including, but not limited to, the sale of food stuffs, reading materials and sundries in a specific space not dedicated to court functions and expressly authorized by a written

lease, space permit, license or other written agreement executed by the Court, County of San Bernardino or the owner of a building containing a courtroom.

IV. SEVERABILITY

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

V. COMPLIANCE WITH LAW ENFORCEMENT

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

VI. NOTICE

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

VII. PENALTIES

Violation of this Order may result in the imposition of sanctions in an amount up to $1500 per violation pursuant to the Code of Civil Procedure, section 177.5, and/or criminal prosecution.

Dated this 19th day of November, 2012

MARSHA G. SLOUGH
Presiding Judge
Judge of the Superior Court