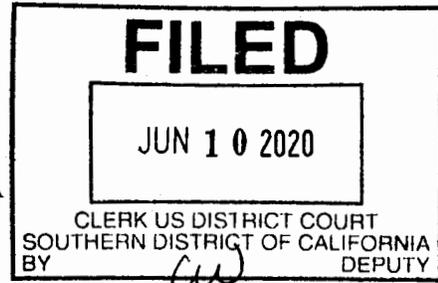


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



In the matter of)
)
INTERIM SAFETY PROTOCOLS)
FOR IN-PERSON COURT)
PROCEEDINGS)
)
)
_____)

Order of the
Chief Judge No. 29

Upon the recommendations of the Strategic Committee on Resumption of Regular Court Proceedings, the Court hereby adopts the following safety protocols for in-person court proceedings conducted in the United States District Court for the Southern District of California. These protocols will apply in the Edward J. Schwartz Courthouse, the James M. Carter and Judith N. Keep Courthouse, the Jacob Weinberger Bankruptcy Courthouse, and the El Centro United States Courthouse.

General Considerations to Ensure Safety

1. Witnesses, parties, jurors, attorneys, and the public are entitled to reasonable assurances of safety while participating in the trial process and other in-person court proceedings.
2. The Court will regularly continue to provide information to the public on its website explaining the safety protocols and practices of the district court.
3. No person will be admitted to the court without a face covering or mask, which shall always be worn in public areas of the courthouse. Visitors may bring other items of personal protective equipment (PPE) with them. Additionally, court personnel will maintain limited supplies of PPE in the courtrooms, including masks, face shields, hand sanitizers, and gloves. These

items will be distributed as necessary in compliance with health and safety laws, regulations, and Court orders.

4. Court Security Officers (CSOs) will screen all visitors entering the court as required by Order of the Chief Judge No. 17-A (Visitor Restrictions). No person who is or should be in quarantine is authorized to enter the court. No person who has a fever, cough, or other symptoms of COVID-19 may enter the court.

5. While in the courthouse, all persons will strive to maintain a distance of at least six feet between themselves and others. An exception applies for members of the same family who reside in the same household.

6. Signage will be placed in the elevator bays, limiting the number of people who may ride at the same time. Limits on elevator occupancy will be based on the respective courthouse facility. An exception applies for members of the same family who reside in the same household.

7. GSA will disinfect and clean all courtrooms after each day's court session. Additionally, surfaces will be wiped down with disinfecting wipes as needed during and after separate court proceedings. High-touch surfaces throughout the courthouses, including public counters, public door handles, and elevator call buttons will be disinfected multiple times throughout the day.

8. If the Court is notified of a positive test by a courthouse employee or visitor, it will follow the CDC Interim Recommendations for U.S. Community Facilities with Suspected/Confirmed Coronavirus Disease 2019 (COVID-19), as may be amended or supplemented.

Number and Location of People in the Courtroom

1. The number of individuals in a courtroom will be kept to a minimum, subject to the discretion of the Judge. The occupancy rate in the courtroom will adhere to physical distancing protocols.

2. Court proceedings will remain open to the public. Priority seating will be given to parties and participants in a case, victims in criminal cases, family

members and supporters of criminal defendants, the media, and to the general public as available. At the discretion of the Judge, spectators may be permitted to sit in the jury box.

3. The Judge will determine how to prioritize access to the courtroom in multi-party cases, based on the space availability of the courtroom. CSOs will assist the Judge with directing seating. If CSOs are not present, counsel will ensure that their clients wait outside the courtroom until their case is called. Counsel should check in with the courtroom deputy by email upon arrival outside the courtroom. Counsel must not approach the courtroom deputy to check-in or for any other purpose. Remote check-in by text or other means may be allowed by prior arrangement with the courtroom deputy. The Judge will make the final determination on the number of individuals who are allowed in the courtroom at the same time.

4. In consultation with counsel, the Judge will determine the number of witnesses who may be present in the courtroom at any given time.

5. Counsel and parties will comply with social distancing requirements while seated at counsel table. However, Judges will accommodate counsels' need to confer with their clients while court is in session and considering social distancing requirements by, for example, permitting counsel and clients to text, rather than verbally confer or pass notes back and forth while court is in session.

6. Questioning of witnesses will be performed from counsel table.

Safety Measures Taken During Court Proceedings

1. Courtrooms will be equipped with masks, face shields, hand sanitizer, disinfecting wipes for hard surfaces and gloves. The supply of such equipment is limited. Counsel should make every effort to ensure that their clients and witnesses bring their own mask or face coverings to court. Counsel, their clients, and witnesses are also encouraged to bring their own water in plastic bottles.

2. Masks will be required for all participants, jurors, and spectators in the courtroom. During in-court proceedings, the Judge may authorize the removal of masks or face coverings by a testifying witness or other court participants, provided that required social distancing and other protective measures are observed.
3. Disinfecting wipes will be available for headsets. Interpreters and Deputy U.S. Marshals, when present in court, will assist with distributing headsets. Headsets will be sanitized after each use.
4. The witness stand counter area and microphone will be sanitized by courtroom staff after the testimony of each witness.
5. Hand sanitizer and tissues will be available outside each courtroom. All participants must wash or sanitize hands prior to entering the courtroom.
6. In the Judge's discretion, courtroom doors may remain open during court proceedings.

Taking of Testimony and Exhibits

1. The Judge will determine if witness testimony is to be conducted in person or by Video Conferencing (VTC), after conferring with counsel.
2. In the discretion of the Judge, witnesses may be permitted to testify from suitable locations in the courtroom other than the witness stand.
3. Attorneys should not approach a witness, opposing counsel, or the bench; rather, courtroom technology should be used to display exhibits to the witness, to the Court, and to opposing counsel. Courtroom deputies will assist counsel in displaying exhibits. Counsel will wear gloves while using the Elmo and will sanitize the equipment after each use.
4. To the extent possible, paper exhibits are prohibited. Counsel should upload exhibits to a thumb drive and provide it to the Court. Likewise, exhibits should be pre-marked and transmitted electronically to opposing counsel before the court session begins.

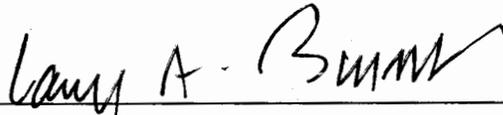
5. Counsel handling physical evidence must wear gloves.

This Order is effective immediately and remains in effect until July 10, 2020, unless extended or rescinded by the Chief Judge.

* * *

IT IS SO ORDERED.

Dated: 6-10-2020



LARRY ALAN BURNS,
Chief United States District Judge