

MAR 27 2020

ADMIN. 2020-03-27

Jorge Navarrete Clerk

IN THE SUPREME COURT OF CALIFORNIA

Deputy

EN BANC

SECOND STANDING ORDER CONCERNING ORAL ARGUMENT

In response to the threat to public health and safety posed by COVID-19, on March 13, 2020, this court issued a standing order suspending in-person oral argument until further notice. Under this court's March 13 order, counsel will deliver oral argument remotely through video conference, telephone conference, or other electronic means.

Subsequently, on March 19, 2020, the Governor issued a stay at home order to mitigate the spread of COVID-19. (Governor's Exec. Order No. N-33-20 (Mar. 19, 2020).) The Governor's executive order, which came into immediate effect, instructs Californians to heed directives developed by the California Department of Public Health to slow the spread of COVID-19. One such directive provides that Californians maintain social distancing of at least six feet between individuals and, subject to limited exceptions, to stay at home or at their place of residence. It remains in effect until further notice.

Based on the available public seating in the courtroom, the court has determined that it can accommodate no more than 15 visitors who can be seated in an arrangement that maintains social distancing of at least six feet between individuals.

In light of the foregoing, to facilitate the presentation of oral argument through remote methods, and to protect public health and safety by maintaining appropriate social distancing in conformity with the Department of Public Health directive, the court adopts the following additional procedures for future oral arguments;

1. The courtroom will be open to the press, on a first come, first served basis, but seating will be strictly limited to no more than 15 persons from the media in order to achieve appropriate social distancing;

2. The public will continue to have access to argument via live-streaming on the Judicial Branch website. (<https://www.courts.ca.gov/supremecourt.htm>) Because of space limitations, no public seating will be available. In addition, arguments will be archived so that they can be accessed later as well;

3. Due to the requirement of appropriate social distancing, no more than five justices will be seated on the bench for any argument session, with the two remaining justices participating remotely; and

4. At argument, each side will be allowed up to five minutes to give an uninterrupted opening argument.

These adjustments will remain in place until, by further order, the court determines it is prudent to resume normal procedures.

It is so ordered.

Cantil-Sakauye

Chief Justice

Chin

Associate Justice

Corrigan

Associate Justice

Liu

Associate Justice

Cuéllar

Associate Justice

Kruger

Associate Justice

Groban

Associate Justice