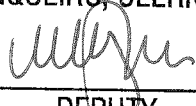


Filed OCT 12 2018,
ROSA JUNQUEIRO, CLERK
By 
DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN
STOCKTON BRANCH

EXPRESSIVE ACTIVITY) GENERAL ORDER
)
)
)
_____)

It is the purpose and intent of the Court in issuing this General Order to ensure the safe and orderly use of court facilities; to minimize activities which 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 Court further issues this General Order to facilitate safe, peaceful, and orderly public 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.

The Court intends this General Order to be enforced in a content-neutral fashion. This Order regulates only conduct occurring in and around court facilities without regard to the content of any particular message, idea or form of speech. The Court does not intend to ban all expressive activities from the environs surrounding court facilities and intends that this Order be construed so as to provide for ample alternative channels for communication of information near but not within court facilities nor on courthouse grounds. (See, *Comfort v. MacLaughlin* (C.D. Cal. 2006) 473 F.Supp.2d 1026).

1 The Court hereby orders:

2 **I Demonstrations, Distributions, Solicitations and Other Expressive Activities**

3
4 A. The following definitions apply to this section.

- 5 1. "Prohibited activity" shall mean the acts of demonstrating, picketing,
6 parading, proselytizing or preaching, distributing literature or other materials
7 to the general public, soliciting sales or donations, engaging in commercial
8 activity unless otherwise authorized by this General Order, or engaging in
9 oral or demonstrative protest, education or counseling.
- 10 2. "Walkway" shall mean (a) the area of any corridor or sidewalk or other path
11 of pedestrian movement directly from the edge of the public sidewalk nearest
12 an entrance to any building containing a courtroom to that entrance; (b) the
13 area of any corridor or sidewalk leading directly from any parking lot within
14 a curtilage to an entrance to any building containing a courtroom; or (c) a
15 corridor or passageway within a multi-purpose, commercial or private
16 building that leads directly to the part of the building containing a courtroom.
- 17 3. "Curtilage" shall mean the area between any building containing a courtroom
18 and the nearest edge of the public sidewalk surrounding the building. It shall
19 not include the area adjacent to that portion of a multi-purpose, commercial
20 or private building that does not contain a courtroom.
- 21 4. "Courthouse" shall mean any building containing at least one courtroom. It
22 shall also include that portion of a multi-purpose, commercial or private
23 building that contains at least one courtroom.

24 B. Prohibitions

- 25 1. No person shall engage in any prohibited activity in a courthouse.
- 26 2. No person shall engage in any prohibited activity within the curtilage of a
27 courthouse.
- 28 3. No person shall obstruct, harass, impede or interfere with persons entering or
leaving a courthouse, or with persons waiting to enter a courthouse.
4. No person shall approach another person waiting to enter a courthouse within
8 feet of such person, unless such other person consents, for the purpose
engaging in any prohibited activity.

1 5. No person shall engage in any prohibited activity in or near a courthouse with
2 the intent to interfere with, obstruct, or impede the administration of justice or
3 with the intent to influence any judge, juror, witness, or officer of the court in
4 the discharge of his or her duty.

5 6. No person shall use amplification equipment to engage in prohibited activity
6 in a manner that harasses or interferes with persons inside a courthouse, with
7 persons entering or leaving a courthouse, or with persons waiting to enter a
8 courthouse.

9 C. Exclusions

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

12 2. Sections I(B)(1),(2) and (3) shall not apply to persons engaged in the
13 stationary solicitation of sales as part of any commercial, primarily non-
14 expressive activity (including but not limited to the sale of newspapers,
15 reading materials, expressive activity sundries or food stuffs) expressly
16 authorized by a written use permit, license, or agreement from the
17 Court or the Judicial Council or other owner of a building containing a
18 courtroom authorizing that activity in a specific space not dedicated to
19 court functions.

20 D. Severability Clause

21 If any provision of this Order or the application thereof to any person or
22 circumstances is held invalid, the validity of the remainder of this Order and the
23 application of such provision to other persons and circumstances shall not be
24 affected thereby.

25 E. Delegation

26 To the extent the terms of this Order do not accomplish its stated purpose at a
27 courthouse, the Presiding Judge or on delegation by the Presiding Judge, the
28 Presiding Judge or designee is hereby authorized to issue an order to accomplish
the stated purpose of this Order.

II **Compliance with Law Enforcement.** While on or in the premises of any courthouse,
all persons are ordered to comply with the lawful requests, directions and orders of any
law enforcement officers and their agents in the performance of their duties

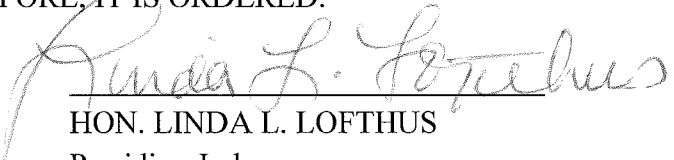
1 **III Posting and Service of Order.** This Order shall be posted at each public entrance to a
2 courthouse and at such other places that will reasonably provide notice of this Order to
3 persons entering such courthouse. The Sheriff of San Joaquin County and his or her
4 deputies and their agents are directed to serve a copy of this Order personally on any
5 person who appears to be in violation thereof, to advise such person of the apparent
6 violation, and, if the apparent violation continues after such notice, to immediately
7 notify the Presiding Judge, or designee, or Court Executive Officer, or designee, as may
8 be available, so the Court can determine what, if any, action should be taken to address
9 the violation. This Order shall not preclude any law enforcement officer from taking
10 appropriate steps.

11 **IV Penalties.** Violation of this Order may result in the imposition of sanctions in amounts
12 of up to \$1,500 per violation pursuant to Code of Civil Procedure section 177.5 and/or
13 prosecution for criminal violations.

14 Effective immediately, this General Order is to remain in effect until otherwise ordered
15 by the Presiding Judge.

16 GOOD CAUSE APPEARING THEREFORE, IT IS ORDERED.

17 DATED: October 12, 2018

18 
19 HON. LINDA L. LOFTHUS
20 Presiding Judge
21
22
23
24
25
26
27
28