FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF NEVADA

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JASON B. GALKIN
EXECUTIVE OFFICER & CLERK
By: T. CLARK, Deputy Clerk

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF NEVADA

In Re: Continued Requirement of Face Covering and Revocation of Social Distancing Requirement	**EXECUTIVE ORDER NO. 199**

On June 15, 2021, the State of California removed many of the rules it had previously implemented to protect the public from the COVID-19 virus. The California Department of Public Health ("CDPH") revised its guidance regarding face coverings by stating that: Masks are not required for fully vaccinated individuals, except in the following settings where masks are required for everyone, regardless of vaccination status: public transportation; schools and childcare centers; healthcare settings; correctional facilities; and, homeless shelters. Further, the CDPH instructed that masks are required for unvaccinated individuals in indoor public settings and businesses (including state and local government offices serving the public). CDPH instructs that in settings where masks are required only for unvaccinated individuals, businesses, venue operators or hosts may choose to require all patrons to wear masks.

This Order relies, in part, on the recommendation of the Nevada County Deputy Public Health Officer that until Nevada County's vaccination rate increases and its positivity rate decreases, masks should be worn by persons in the courthouse.

Additionally, the Nevada County Superior Court bench has considered the following data in deciding to continue requiring face coverings on all persons, two years of age and older, who enter the courthouse:

As of today, California's case rate of COVID-19 per 100,000 is 1.8 whereas Nevada County's case rate per day is 3.9 cases per 100,000. California's positivity rate statewide is 1.0% whereas Nevada County's positivity rate is 3.5%.

Additionally, 57.2% of the California population is fully vaccinated. An additional 10.3% of the population has had at least one dose of the vaccine. In Nevada County, however, only 47.7% of the population is fully vaccinated. An additional 9.2% have received at least one dose. We have been advised that in order to approach herd immunity, more than 70% of the population must be fully vaccinated.

Further, the prevalence of the Delta strain of COVID-19 more than doubled over the two weeks ending June 19 to 20.6% of positive Covid-19 test samples compared with 9.9% in the week ending June 5. Public health officials say the Delta variant, which is associated with more severe disease, is particularly risky to people who are unvaccinated. Officials report that Delta is approximately 60% more transmissible than the current dominant U.S. strain, called Alpha, which itself is 50% more transmissible than the most commonly circulating strain last year.

In light of the fact that Nevada County has a lower vaccination rate and a higher positivity rate than that of the State of California, along with the threat of the Delta variant, and in order to protect the health and safety of the public, court personnel, judicial officers, litigants, attorneys, witnesses and law enforcement officers,

THE COURT HEREBY ORDERS AS FOLLOWS:

1. All persons, two years of age and older, who enter the courthouse must wear an acceptable face covering in all public areas of the court and shared workspaces. The following are examples of acceptable face coverings: multi-layer disposable surgical masks, N95/KN95 masks, multi-layer homemade masks or substantially similar face coverings. The following are examples of unacceptable face coverings: face shields, shirts raised over the nose, masks made of yarn, lace or similar fabrics, scarves and bandanas. Face coverings must cover the individual's nose and mouth and be secured under the chin at all times unless specifically directed otherwise in accordance with Section 4 of this Executive Order.
2. Any person without an acceptable face covering may be denied entry to the courthouse or a courtroom.

3. Persons who are unable or unwilling to wear a face covering within the courthouse may submit their contact information to the court's Americans with Disability Act ("ADA") Coordinator or front door security officer in order for arrangements regarding potential accommodation. Persons who believe they are unable to wear a face covering, as defined, because of a medical or other legally recognized disability under the ADA, and who wish to have an accommodation must file a written request for accommodation on form MC-410 and submit the same to the court's ADA Coordinator. Accommodations will be considered pursuant to California Rules of Court 1.100 on a case-by-case basis. Requests for accommodations should be submitted at least five court days in advance of the hearing to ensure timely consideration.
4. Judicial officers have discretion in their individual courtrooms to allow persons, including themselves, to remove their face coverings for limited periods of time, to the extent doing so is deemed necessary for the proceedings.
5. Any person who, absent an approved accommodation or authorization, refuses to wear a face covering after being directed to do so by a judicial officer, employee, security officer or deputy may be removed from the courthouse for failure to comply with this Order.

FURTHER, THE COURT HEREBY ORDERS:

The Court hereby revokes its prior policy requiring six feet of social distancing between persons in the courthouse.

Dated: June 23, 2021

LINDA J. SLOVEN
Presiding Judge of the Superior Court