

MAY 11 2023

Jorge Navarrete Clerk

ADMINISTRATIVE ORDER 2023-05-11

Deputy

IN THE SUPREME COURT OF CALIFORNIA

EN BANC

FIFTH STANDING ORDER CONCERNING ORAL ARGUMENT

In November 2022, the court resumed in-person oral argument in its San Francisco courtroom. Beginning in June 2023, the court will resume its practice of conducting some in-person oral argument sessions in locations other than San Francisco. As with oral argument conducted in San Francisco, counsel will have the option to appear in person at these sessions, or remotely via video.

Henceforth, and subject to further order of the court, the following protocols will apply at all in-person oral arguments:

1. The courtroom where oral argument will occur will be open to the public and media. Absent prior arrangements made through the court's Clerk / Executive Officer, seating will be on a first come, first served basis. Seating may be limited in order to achieve appropriate social distancing.
2. No person shall enter the courtroom if that person (a) has tested positive for COVID-19 within the previous five days; (b) is ill and currently awaiting the results of a COVID-19 test; (c) has had a fever within the prior 24 hours; or (d) has had symptoms consistent with COVID-19 that have persisted over the previous five days.
3. The court will enforce any masking requirements as may be imposed by relevant state or local health directives in effect at the time of the oral argument session.
4. All counsel who will appear must file a form within seven calendar days after the case is set for argument ([click here for appearance form](#)). Counsel who elect to appear remotely via video must so indicate on the form, and simultaneously notify opposing counsel. Counsel who do not indicate a preference on the form will be expected to appear in person. All counsel who will appear remotely will be contacted by the court's clerk's office and technical staff for instruction and to test connections in

advance of argument. Counsel may appear in person even if other counsel in a case elect to appear remotely.

5. Any counsel who initially planned to appear in person for oral argument but who becomes unable to do so for extraordinary cause related to medical reasons (including a positive COVID-19 test in advance of oral argument) must notify opposing counsel and the clerk of the court immediately regarding, and to arrange for, remote participation via video. The court retains discretion to deny the request, grant it and allow for remote participation, postpone oral argument if necessary, or take other action as may be appropriate.

6. All individuals, including counsel and members of the public, who attend in-person oral argument shall notify the clerk's office at sc.oralargument.forms@jud.ca.gov upon exhibiting symptoms of, or testing positive for, COVID-19 within five days after the in-person session.

7. The public will continue to have access to argument via live streaming on the Judicial Branch website, <https://supreme.courts.ca.gov>. Recordings of oral arguments will continue to be archived for subsequent viewing.

This order supersedes Administrative Orders [2020-03-13 \(Mar. 16, 2020\)](#), [2020-03-27 \(Mar. 27, 2020\)](#), [2020-08-19 \(Aug. 19, 2020\)](#)., and [2022-10-05 \(October 5, 2022\)](#).

GUERRERO

Chief Justice

CORRIGAN, J.

Associate Justice

LIU, J.

Associate Justice

KRUGER, J.

Associate Justice

GROBAN, J.

Associate Justice

JENKINS, J.

Associate Justice

EVANS, J.

Associate Justice