

**Superior Court of California
County of Solano**

Rule 17 – Miscellaneous

17.1 PHOTOGRAPHY, VIDEOTAPING, AND ELECTRONIC RECORDINGS

a. PHOTOGRAPHY, VIDEOTAPING, AND ELECTRONIC RECORDINGS IN THE COURTHOUSE

- (1) There is no constitutional right to photograph or otherwise electronically record open judicial proceedings. (*Marin Independent Journal v. Municipal Court* (1993) 12 Cal.App.4th 1712, 1718 ["Electronic recording of judicial proceedings is subject to the discretion of the court"], citing *Nixon v. Warner Communications, Inc.* (1978) 435 U.S. 589, 610.) A courthouse facility qualifies as a nonpublic forum. (*United States v. Grace* (1983) 461 U.S. 171, 178)
- (2) Consistent with case law and California Rules of Court, rule 1.150, photography, filming, videotaping, or electronic recording by the media and general public is not permitted in any part of any courthouse, including but not limited to, entrances, exits, stairways, hallways, elevators, offices, or any other public area within the courthouse, unless by written order of the Presiding Judge.
- (3) Videotaping, photographing, or electronic recording devices may be brought into the courthouse by the media or members of the public, but must be turned off while being transported in any area of the courthouse. Devices that include videotaping, photographing, digital image capture, or electronic recording capabilities—such as cell phones, personal digital assistants (PDAs), or watches—may be brought into the courthouse, provided that the image capturing and recording features are not used.
- (4) Any photography, videotaping, or electronic recording of a courtroom or courtroom proceeding through the courtroom's windows or doors is prohibited.

(Subd. (a) adopted effective January 1, 2020.)

b. PHOTOGRAPHY, VIDEOTAPING, AND ELECTRONIC RECORDINGS IN COURTROOMS

Photography, filming, videotaping, or electronic recording within a courtroom is governed by California Rules of Court, rule 1.150. All requests for any type of video, still photography or audio coverage, including pool cameras, must be made in compliance with California Rules of Court, rule 1.150, and submitted to the judicial officer assigned to hear the case on the designated Judicial Council forms.

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(Subd. (b) adopted effective January 1, 2012.)

c. VIOLATIONS

Any violation of this rule or an order made under this rule is an unlawful interference with the proceedings of the court, and may be the basis for an order terminating media coverage, a citation for contempt of court, or an order imposing monetary or other sanctions as provided by law.

(Subd. (c) adopted effective January 1, 2012.)

(Rule 17.1 adopted effective January 1, 2012.)

17.2 EXPRESSIVE ACTIVITY

a. PURPOSE AND INTENT

It is the purpose and intent of the Court in adopting this local rule 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 adopts this local rule 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 in line outside a courthouse.

The Court intends this local rule to be enforced in a content-neutral fashion. The rule 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 local rule 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).*

(Subd. (a) adopted effective January 1, 2018.)

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b. DEMONSTRATIONS, DISTRIBUTIONS, SOLICITATION, AND OTHER EXPRESSIVE ACTIVITY

(1) Definitions

- (a) "Prohibited Activity" shall mean the acts of demonstrating, picketing, parading, proselytizing or preaching, posting written materials, distributing literature or other materials to the general public, soliciting sales or donations, engaging in commercial activity, or engaging in oral or demonstrative protest, education, or counseling, unless otherwise authorized by this local rule or the Court.
- (b) "Walkway" shall mean (a) the area of any corridor or sidewalk, or other path of pedestrian movement, directly from the edge of the public sidewalk nearest an entrance to any building containing a courtroom to that entrance; (b) the area of any corridor or sidewalk leading directly from any parking lot within a curtilage to an entrance to any building containing a courtroom; or (c) a corridor or passageway within a multi-purpose, commercial, or private building that leads directly to the part of the building containing a courtroom.
- (c) "Curtilage" shall mean the area between any building containing a courtroom and the nearest edge of the public sidewalk surrounding the building. It shall not include the area adjacent to that portion of a multi-purpose, commercial or private building that does not contain a courtroom.
- (d) "Courthouse" shall mean any building containing at least one courtroom. It shall also include that portion of a multi-purpose, commercial or private building that contains at least one courtroom.
- (e) "Courtroom" includes any space designated for judicial proceedings, whether permanently or temporarily.

(2) Prohibitions

- (a) No person shall engage in any prohibited activity within a courthouse.

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- (b) No person shall engage in any prohibited activity within the curtilage of a courthouse.
- (c) No person shall obstruct, harass, impede, or interfere with persons entering or leaving a courthouse, persons waiting in line to enter a courthouse, or persons inside a courthouse.
- (d) No person shall approach persons entering or leaving a courthouse, persons waiting in line to enter a courthouse, or persons inside a courthouse, for the purpose of engaging in any prohibited activity.
- (e) No person shall engage in any prohibited activity in or near a courthouse with the intent to interfere with, obstruct, or impede the administration of justice or with the intent to influence any judge, juror, witness, officer of the court, or court personnel in the discharge of his or her duty.
- (f) No person shall use amplification equipment to engage in prohibited activity in a manner that harasses or interferes with persons inside a courthouse, with persons entering or leaving a courthouse, or with persons waiting in line to enter a courthouse.
- (g) No person shall publish, post, or distribute any written material other than written material relating to official Court business published, posted or distributed by duly authorized Court personnel, inside any Court facility of this County, without the prior written approval of this Court.

(3) Exclusions

- (a) This local rule shall not apply to authorized court personnel or law enforcement officers in the performance of their official duties.
- (b) Subdivisions (a), (b), and (g) of Section (b)(2) above shall not apply to persons engaged in the stationary solicitation of sales as part of any commercial, primarily non-expressive activity

(including but not limited to the sale of newspapers, reading materials, sundries, or food stuffs) expressly authorized by a

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written use permit, license, or agreement from the County or the Court or the Judicial Council or other owner of a building containing a courtroom authorizing that activity in a specific space not dedicated to court functions.

(4) Severability Clause

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

(5) Delegation

To the extent the terms of this local rule do not accomplish its stated purpose at a courthouse, on delegation by the Presiding Judge, the Supervising Judge responsible for that courthouse or his or her designee is hereby authorized to issue an order to accomplish the stated purpose of this local rule.

(Subd. (b) adopted effective January 1, 2018.)

c. COMPLIANCE WITH LAW ENFORCEMENT

While on or in the premises of any courthouse, all persons shall comply with the lawful requests, directions, and orders of any law enforcement officers and their agents in the performance of their duties.

(Subd. (c) adopted effective January 1, 2018.)

d. POSTING AND SERVICE OF LOCAL RULE

This local rule shall be posted at each public entrance to a courthouse and at such other places that will reasonably provide notice of this local rule to persons entering such courthouse. The Sheriff of Solano County and his deputies and their agents are directed to serve a copy of this local rule personally on any person who appears to be in violation thereof, to advise such person of the apparent violation, and, if the apparent violation continues after such notice, to immediately notify the Court's Executive Officer, Presiding Judge, or Supervising Judge responsible for that courthouse, as may be available in that order, so that the Court can determine whether proceedings should be initiated to ensure compliance with the local rule.

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This local rule shall not preclude any law enforcement officer from taking appropriate steps to ensure the orderly and peaceable conduct of court business at a courthouse.

(Subd. (d) adopted effective January 1, 2018.)

e. PENALTIES

Violation of this local rule may result in the imposition of sanctions as permitted by law and/or prosecution for criminal violations.

(Subd. (e) adopted effective January 1, 2018.)

(Rule 17.3 adopted effective January 1, 2018.)

17.3 LODGING OF DOCUMENTS

a. PROPOSED ORDERS

(1) Receipt of Proposed Orders

For cases that are not kept in electronic form, proposed orders for a motion, application, or petition may be lodged with the court concurrently with the motion, application, or petition, or at any time thereafter.

For cases that are kept in electronic form, proposed orders for a motion, application, or petition may be lodged with the court up to a week prior to the scheduled hearing on the motion, application, or petition.

(2) Destruction of Proposed Orders

If a judicial officer adjudicates a motion, application, or petition at a hearing, a proposed order submitted in connection with that motion, application, or petition may be destroyed if it is not signed and filed within 30 days of the date of the hearing.

If a judicial officer takes a motion, application, or petition under submission, a proposed order submitted in connection with that motion, application, or petition may be removed and destroyed if the proposed

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order is not signed and filed within 30 days of the date the judicial officer files a ruling or decision on the submitted matter.

If a litigant or attorney submits a proposed order that is clearly intended to replace an existing lodged proposed order, the existing lodged proposed order may be immediately removed and destroyed.

(Subd. (a) adopted eff. July 1, 2019.)

(Rule 17.4 adopted effective July 1, 2019.)

17.4 LODGING, STORAGE, AND RETURN OF TRIAL EXHIBITS [RESERVED]

17.5 PAYMENT WITH COIN

The court is not required to accept coins as payment for fees or costs. (Gov. Code, § 68083.) However, the court may in its discretion elect to accept payment in coin in an amount up to \$10.00 (ten dollars). Coin equal to or in excess of the following amounts shall be wrapped in standard coin wrappers:

- (1) Fifty cents (\$0.50) in pennies.
- (2) Two dollars (\$2.00) in nickels.
- (3) Five dollars (\$5.00) in dimes.
- (4) Ten dollars (\$10.00) in quarters.

The person presenting wrapped coins for payment shall have their name and case number written on the wrapped coins. In the event the actual wrapped amount of coin is less than the amount stated on the wrapper, the person who tendered the coins for payment shall be liable to the court for the difference.

(Rule 17.6 adopted effective July 1, 2019.)

17.6 APPOINTMENT OF ELISOR

Where one party fails to execute a document necessary to carry out a court order, the Clerk of the Superior Court, or the Clerk's authorized representative or designee, may be appointed as elisor to sign the document.

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a. REQUEST FOR APPOINTMENT OF ELISOR

The motion or request for order must expressly identify the document(s) to be signed by the elisor. It must also include all the following information:

- (1) The title, filing date, form number if applicable, and page(s) and line(s) of the court order upon which the request to appoint an elisor is based.
- (2) A description of the good faith efforts to meet and confer to resolve the issue informally prior to filing the motion or request for order.
- (3) Specific facts establishing the necessity of the appointment of an elisor, including the reason, by a person with personal knowledge, why each document requires the elisor's signature.

b. PROPOSED ORDER REQUIREMENTS

- (1) The order shall designate "The Clerk of the Court or Clerk's Designee" as the elisor. The order shall not state a name or title of a specific court employee.
- (2) The order shall state the party's name for whom the elisor is being appointed.
- (3) The order shall state the capacity of the elisor who will be signing each document.
- (4) The order shall clearly identify each document to be signed. In the case of deeds, the type of deed shall be identified (e.g. grant deed, interspousal deed, et cetera.) In the case of escrow documents, each escrow document must be listed separately (e.g. Escrow Instruction Dated, Disclosure Regarding Real Estate Agency Relationship, Hazard report, et cetera).
- (5) Copies of all documents to be signed shall be attached to the proposed order. The original documents presented to the elisor for signing must be identical to the copies of the documents attached to the proposed order.

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c. PROCEDURE UPON APPOINTMENT OF ELISOR

- (1) If the Court grants the order, the party who sought the elisor's appointment must lodge the documents to be signed with the clerk's office, along with any applicable fees. The clerk's office will review the documents to be signed and will then route the documents to the Court Executive Office for signature and notarization, if appropriate. The appointed elisor has five (5) court days from the date they receive the documents from the clerk's office to complete the actual signing of the documents. Any exceptions to the five-day period shall be addressed on a case-by-case basis by the Court.
- (2) If a Court notary is not available to notarize the documents, the party must arrange for a notary public to be present when the elisor signs the documents, and must coordinate the notarization with executive office staff. The cost for the notary public furnished by the party shall be paid by the party.

(Rule 17.6 adopted effective January 1, 2020; amended effective January 1, 2024.)

17.7 ELIMINATION OF BIAS COMMITTEE

Pursuant to California Rules of Court, rule 10.20, a committee shall be established for the purpose of addressing and remedying actual or perceived bias in connection with judicial proceedings or court operations to ensure access to justice in a manner that is fair and impartial to all participants. Bias includes, but is not limited to: discrimination or harassment based upon race, gender, disability, national origin, religion, sexual orientation and any other protected class identified by state or federal law.

The purpose of the committee is to advance Standard of Judicial Administration 10.20 and to promote inclusion and equity in the justice system through education and activities designed to address explicit and implicit bias.

The Presiding Judge shall appoint the members of the Committee who shall serve for a 2 year term coterminous with the term of the Presiding Judge. Membership of the Committee should include a minimum of two (2) judicial officers, two (2) court employees, two (2) members of a local bar association and two (2) community representatives.

(Rule 17.7 adopted effective July 1, 2022.)

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APPENDIX

MAY 16 2016

IN THE SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF SOLANO

By M. Belmont
DEPUTY CLERK

Standing Order No. M-1-2016

WEAPONS IN THE COURTHOUSE

This standing order amends and supersedes Standing Order 8771, filed January 28, 2008, effective upon the date of filing.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED:

1. All persons entering a building or location designated as a courthouse or a location for judicial proceedings, whether temporary or on-going, are prohibited from carrying or possessing the following items while in the building or designated location:

a. Firearms, including but not limited to cane guns, firearms not immediately recognizable as a firearm, undetectable firearms, and wallet guns (Pen. C. §§ 24410, 24510, 24610, and 24710);

b. Knives, including but not limited to sheathed knives, air gauge knives, belt buckle knives, cane swords, lipstick case knives, shobi-zues, undetectable knives, writing pen knives, ballistic knives, and dirks or daggers (Pen. C. §§ 20200, 20310, 20410, 20510, 20610, 20710, 20810, 20910, 21110, 21310, and 21510);

c. Knuckles, including but not limited to composite knuckles, hard wooden knuckles, and metal knuckles (Pen. C. §§ 21710 and 21810);

d. Nunchaku (Pen. C. § 22010);

e. Leaded canes, saps, and other similar weapons (Pen. C. § 22210); and,

Standing Order

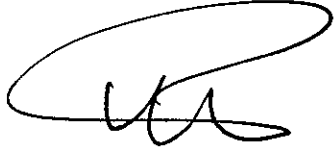
1 f. Shuriken (Pen. C. § 22410.)

2 2. Active on-duty law enforcement officers not appearing as a party or an off-duty
3 witness in an action or proceeding shall be exempt from the provisions of Paragraph 1.

4 3. The issuance of a concealed carry weapons permit or license shall not exempt any
5 person from the provisions of Paragraph 1.

6 It is so ordered.

7 Date: May 13, 2014



Robert C. Fracchia
Presiding Judge

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Standing Order

NOV 15 2017

By M. B. B. B. B.
DEPUTY CLERK

IN THE SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF SOLANO

STANDING ORDER NO. MISC-8-2017

STANDING ORDER RE: EXPRESSIVE
ACTIVITY

TO ALL PERSONS ENTERING COURTHOUSES IN SOLANO COUNTY:

It is the purpose and intent of the Court in issuing this Standing 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 Standing 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 in line outside a courthouse.

The Court intends this Standing Order to be enforced in a content-neutral fashion. The 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

1 nor on courthouse grounds. (*See Comfort v. MacLaughlin* (C.D. Cal. 2006) 473
2 F.Supp.2d 1026).

3 **THE COURT HEREBY ORDERS:**

4 **1. Demonstrations, Distributions, Solicitation, and Other Expressive Activity**

5 **a. Definitions :**

6 i. "Prohibited Activity" shall mean the acts of demonstrating,
7 picketing, parading, proselytizing or preaching, posting written materials, distributing
8 literature or other materials to the general public, soliciting sales or donations, engaging
9 in commercial activity, or engaging in oral or demonstrative protest, education, or
10 counseling, unless otherwise authorized by this Order or the Court.

11 ii. "Walkway" shall mean (a) the area of any corridor or sidewalk, or
12 other path of pedestrian movement, directly from the edge of the public sidewalk nearest
13 an entrance to any building containing a courtroom to that entrance; (b) the area of any
14 corridor or sidewalk leading directly from any parking lot within a curtilage to an entrance
15 to any building containing a courtroom; or (c) a corridor or passageway within a multi-
16 purpose, commercial, or private building that leads directly to the part of the building
17 containing a courtroom.

18 iii. "Curtilage" shall mean the area between any building containing a
19 courtroom and the nearest edge of the public sidewalk surrounding the building. It shall
20 not include the area adjacent to that portion of a multi-purpose, commercial or private
21 building that does not contain a courtroom.

22 iv. "Courthouse" shall mean any building containing at least one
23 courtroom. It shall also include that portion of a multi-purpose, commercial or private
24 building that contains at least one courtroom.

25 v. "Courtroom" includes any space designated for judicial
26 proceedings, whether permanently or temporarily.

1 **b. Prohibitions**

2 i. No person shall engage in any prohibited activity within a
3 courthouse.

4 ii. No person shall engage in any prohibited activity within the
5 curtilage of a courthouse.

6 iii. No person shall obstruct, harass, impede, or interfere with persons
7 entering or leaving a courthouse, persons waiting in line to enter a courthouse, or
8 persons inside a courthouse.

9 iv. No person shall approach persons entering or leaving a
10 courthouse, persons waiting in line to enter a courthouse, or persons inside a
11 courthouse, for the purpose of engaging in any prohibited activity.

12 v. No person shall engage in any prohibited activity in or near a
13 courthouse with the intent to interfere with, obstruct, or impede the administration of
14 justice or with the intent to influence any judge, juror, witness, officer of the court, or
15 court personnel in the discharge of his or her duty.

16 vi. No person shall use amplification equipment to engage in
17 prohibited activity in a manner that harasses or interferes with persons inside a
18 courthouse, with persons entering or leaving a courthouse, or with persons waiting in
19 line to enter a courthouse.

20 vii. No person shall publish, post, or distribute any written material
21 other than written material relating to official Court business published, posted or
22 distributed by duly authorized Court personnel, inside any Court facility of this County,
23 without the prior written approval of this Court.

24 **c. Exclusions**

25 i. This Order shall not apply to authorized court personnel or law
26 enforcement officers in the performance of their official duties.

1 ii. Sections 1(b)(i), (ii), and (vii) above shall not apply to persons
2 engaged in the stationary solicitation of sales as part of any commercial, primarily non-
3 expressive activity (including but not limited to the sale of newspapers, reading
4 materials, sundries, or food stuffs) expressly authorized by a written use permit, license,
5 or agreement from the County or the Court or the Judicial Council or other owner of a
6 building containing a courtroom authorizing that activity in a specific space not dedicated
7 to court functions.

8 **d. Severability Clause**

9 i. If any provision of this Order or the application thereof to any
10 person or circumstances is held invalid, the validity of the remainder of the Order and
11 the application of such provision to other persons and circumstances shall not be
12 affected thereby.

13 **e. Delegation**

14 i. To the extent the terms of this Order do not accomplish its stated
15 purpose at a courthouse, on delegation by the Presiding Judge, the Supervising Judge
16 responsible for that courthouse or his or her designee is hereby authorized to issue an
17 order to accomplish the stated purpose of this Order.

18 **2. Compliance with Law Enforcement**

19 While on or in the premises of any courthouse, all persons are ordered to comply
20 with the lawful requests, directions, and orders of any law enforcement officers and their
21 agents in the performance of their duties.

22 **3. Posting and Service of Order**

23 This Order shall be posted at each public entrance to a courthouse and at such
24 other places that will reasonably provide notice of this Order to persons entering such
25 courthouse. The Sheriff of Solano County and his deputies and their agents are directed
26 to serve a copy of this Order personally on any person who appears to be in violation
27 thereof, to advise such person of the apparent violation, and, if the apparent violation

continues after such notice, to immediately notify the Court's Executive Officer, Presiding Judge, or Supervising Judge responsible for that courthouse, as may be available in that order, so that the Court can determine whether proceedings should be initiated to ensure compliance with this Order. This Order shall not preclude any law enforcement officer from taking appropriate steps to ensure the orderly and peaceable conduct of court business at a courthouse.

4. Penalties

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

5. Effective Date

This order shall be effective January 1, 2018.

GOOD CAUSE APPEARING, IT IS SO ORDERED.

11/15/17

Date



Robert C. Fracchia
Presiding Judge