

JAN 15 2014

*J. Magaña*

1  
2 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
3 COUNTY OF RIVERSIDE

4 ORDER NO. 01.15.14

5 GENERAL ORDER RE: EXPRESSIVE  
6 ACTIVITY  
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9 **NOTICE TO ALL PERSONS ENTERING COURTHOUSES IN RIVERSIDE COUNTY**

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11 It is the purpose and intent of the Court in issuing this General Order to ensure the  
12 safe and orderly use of court facilities; to minimize activities which unreasonably disrupt,  
13 interrupt, or interfere with the orderly and peaceable conduct of court business in a neutral  
14 forum free of actual or perceived partiality, bias, prejudice, or favoritism; to provide for the  
15 fair and orderly conduct of hearings and trials; to promote the free flow of pedestrian and  
16 vehicular traffic on sidewalks and streets around court facilities; and to maintain proper  
17 judicial decorum.

18 The Court further issues this General Order to facilitate safe, peaceful, and orderly  
19 public access to courthouses unhindered by threats, confrontation, interference, noise  
20 pollution or harassment that may be directed at court users including but not limited to those  
21 court users waiting in line outside a courthouse.

22 The Court intends this General Order to be enforced in a content-neutral fashion.  
23 The Order regulates only conduct occurring in and around court facilities without regard to  
24 the content of any particular message, idea or form of speech. The Court does not intend to  
25 ban all expressive activities from the environs surrounding court facilities and intends that

1 this Order be construed so as to provide for ample alternative channels for communication  
2 of information near but not within court facilities nor on courthouse grounds. (*See Comfort v.*  
3 *McLaughlin* (C.D. Cal. 2006) 473 F.Supp.2d 1026.)

4 **The Court hereby orders:**

5 I. Demonstrations, Distributions, Solicitation and Other Expressive Activity

6 A. The following definitions apply to this Section.

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8 1. "Prohibited Activity" shall mean the acts of demonstrating, picketing,  
9 parading, proselytizing or preaching, distributing literature or other materials to the general  
10 public, soliciting sales or donations, conducting sales, including trustee foreclosure sales,  
11 engaging in commercial activity unless otherwise authorized by this Order or the Court, or  
12 engaging in oral or demonstrative protest, education or counseling.

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

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

1           4.    “Courthouse” shall mean any building containing at least one  
2 courtroom. It shall also include that portion of a multi-purpose, commercial or private  
3 building that contains at least one courtroom.

4           B.    Prohibitions

5           1.    No person shall engage in any prohibited activity within a courthouse.

6           2.    No person shall engage in any prohibited activity within the curtilage of  
7 a courthouse.

8           3.    No person shall engage in any prohibited activity within 25 feet from  
9 either side of, or in front of, the intersection of a walkway and the public sidewalk; or within  
10 25 feet from either side of, or in front of, a doorway to a courthouse.

11           4.    No person shall obstruct, harass, impede or interfere with persons  
12 entering or leaving a courthouse, or with persons waiting in line to enter a courthouse.

13           5.    No person shall approach another person waiting in line to enter a  
14 courthouse, within 8 feet of such person, unless such other person consents, for the  
15 purpose of engaging in any prohibited activity.

16           6.    No person shall engage in any prohibited activity in or near a  
17 courthouse with the intent to interfere with, obstruct, or impede the administration of justice  
18 or with the intent to influence any judge, juror, witness, or officer of the court in the  
19 discharge of his or her duty.

20           7.    No person shall use amplification equipment to engage in prohibited  
21 activity in a manner that harasses or interferes with persons entering or leaving a  
22 courthouse, or with persons waiting in line to enter a courthouse.

23           C.    Exclusions  
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1           1.     This Order shall not apply to authorized court personnel or law  
2 enforcement officers in the performance of their official duties.

3           2.     Sections I(B)(1), (2), and (3) shall not apply to individuals engaged in  
4 the stationary solicitation of sales as part of any commercial, primarily non-expressive  
5 activity (including but not limited to the sale of newspapers, reading materials, sundries or  
6 food stuffs) that is expressly authorized by a written space permit, license, agreement, or  
7 lease from the County or the Court or the California Administrative Office of the Courts or  
8 other owner of a building containing a courtroom authorizing that activity in a specific space  
9 not dedicated to court functions.

10           D.     Severability Clause

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

14           E.     Delegation

15                     The purpose of this Order is stated in its preamble: to ensure the safe and  
16 orderly use of court facilities; to minimize activities which unreasonably disrupt, interrupt, or  
17 interfere with the orderly and peaceable conduct of court business in a neutral forum free of  
18 actual or perceived partiality, bias, prejudice, or favoritism; to provide for the fair and orderly  
19 conduct of hearings and trials; to promote the free flow of pedestrian and vehicular traffic on  
20 sidewalks and streets around court facilities; to maintain proper judicial decorum; and to  
21 facilitate safe, peaceful, and orderly public access to courthouses unhindered by threats,  
22 confrontations, noise pollution or harassment directed at court users. To the extent the  
23 terms of this Order do not accomplish this stated purpose at a courthouse, on written  
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1 delegation by the Presiding Judge, the Supervising Judge responsible for that courthouse is  
2 hereby authorized to issue an Order to accomplish the stated purpose of this Order.

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

6 III. Posting and Service of Order. This Order shall be posted on the court's website at  
7 [www.riverside.courts.ca.gov](http://www.riverside.courts.ca.gov). The Sheriff of Riverside County and his or her deputies and  
8 their agents are directed to serve a copy of this Order personally on any person who  
9 appears to be in violation thereof, to advise such person of the apparent violation, and, if the  
10 apparent violation continues after such notice, to immediately notify the Presiding Judge or  
11 Supervising Judge responsible for that courthouse so that the Court can determine whether  
12 proceedings should be initiated to insure compliance with this Order. This Order shall not  
13 preclude any law enforcement officer from taking appropriate steps to ensure the orderly  
14 and peaceable conduct of court business at a courthouse.

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

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19 IT IS SO ORDERED, on January 15, 2014.

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21 MARK A. COPE,  
22 Presiding Judge  
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