

SEP 28 2018

J. Magaña

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
JUVENILE DIVISION

) **BLANKET ORDER NO. 30**
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) **ORDER CONCERNING CONTACT VISITS**
) **BETWEEN COUNSEL AND DETAINED**
) **MINORS AT THE SOUTHWEST JUVENILE**
) **COURT AND THE RIVERSIDE JUVENILE**
) **COURT**
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Juvenile detainees have a constitutional right to meaningful access to the court, which includes the right to confidentially consult with an attorney. (*County of Nevada v. Superior Court* (2015) 236 Cal.App.4th 1001.) The right of access to the courts includes the right to contact visitation with an attorney. (*Ching v. Lewis* (9th Cir. 1990) 895 F.2d 608, 610.) The right to contact visits, however, is not absolute. (*Barnett v. Centoni* (9th Cir. 1994) 31 F.3d 813, 816; *Small v. Superior Court* (2000) 79 Cal.App.4th 1000, 1013.) "Contact visits may be restricted if there is a legitimate penal justification." (*County of Nevada, supra*, 236 Cal.App.4th at p. 1009.) The court has an interest in and retains broad power to maintain courtroom security and orderly proceedings. (*People v. Delgado* (2017) 2 Cal.5th 544.) The purpose of this order, therefore, is to ensure that juvenile detainees have meaningful access to the courts while the court maintains the security and safety of all court users.

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1 This order has been drafted following consultation between the court, the Riverside County Public
2 Defender's Office, the Riverside County Probation Office, the Juvenile Defense Panel, and the Judicial
3 Council of California.

4 Attorneys representing juvenile detainees are expected to prepare their cases prior to the day of a
5 scheduled hearing. The Riverside County Probation Department (Probation Department) provides ample
6 opportunity for contact visits between attorneys and juvenile detainees at Juvenile Hall. An attorney may
7 arrange for a contact visit with his or her client at Juvenile Hall in accordance with the Juvenile Probation
8 Facilities Handbook. This order is not intended to restrict or otherwise regulate contact visits occurring at
9 any Riverside County Juvenile Hall.

10 The court has a significant interest in maintaining the safety and security of judicial officers, court
11 staff, attorneys, juvenile detainees, and the public within the courthouse. In furtherance of this interest, the
12 court recognizes that preliminary determinations as to whether a minor charged with a serious felony
13 should be in adult court are now heard in juvenile court. Contact visits at the courthouse may, under certain
14 circumstances, make it necessary to secure all other minors who are awaiting their court appearances in
15 holding cells. Securing minors in cells for excessive periods is not in the best interest of the minors. The
16 court expects, therefore, that contact visits between attorneys and juvenile detainees shall occur at Juvenile
17 Hall prior to the day of a scheduled hearing if possible.

18 If, on the day of a scheduled hearing an attorney wishes to meet privately with his or her client at
19 the courthouse, the attorney and minor may utilize the attorney interview room, which is available at the
20 juvenile courthouse for non-contact consultations. At the Southwest Juvenile Court, in the absence of a
21 particularized security concern, probation will remove any restraint from one hand of the minor to allow for
22 the minor to comfortably converse with counsel over the phone system.

23 Notwithstanding the above, if on the day of the court hearing, counsel requests a contact visit with
24 their minor client, the court shall accommodate that visit. The court shall have discretion to determine if
25 that visit will take place at the Courthouse or at Juvenile Hall. In making this determination, the judicial
26 officer may consider factors such as the anticipated length of the visit, any security concerns presented by
27 the particular cases on the court's calendar and court congestion. No contact visits will occur at the
28 Southwest Juvenile Courthouse while the court is in session. If a contact visit is permitted at the

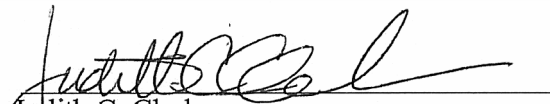
1 Courthouse, it will occur at the place designated by the judicial officer, supervised by a probation officer.
2 The probation officer will ensure that the attorney and his or her client are able to speak confidentially.

3 If during the contact visit the attorney wishes to exchange documents or other materials with the
4 minor, for safety reasons the documents or other materials must first be checked for contraband by the
5 probation officer. The probation officer will then facilitate delivery of the documents and materials
6 between the attorney and the minor.

7 The judicial officer may also determine that the attorney-client contact visit will occur at Juvenile
8 Hall. In that instance the minor will be transported back to juvenile hall, the attorney excused from court to
9 go and meet with the minor, and the matter will be placed on further call.

10 This order is applicable to the Southwest Juvenile Court and the Riverside Juvenile Court.

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13 Dated: Sept. 28, 2018


14 Judith C. Clark
15 Presiding Judge of the Juvenile Court
16 Riverside Superior Court
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