



Superior Court of California
County of San Diego
EXECUTIVE OFFICE
1100 UNION STREET
SAN DIEGO, CA 92101
PublicNotice@SDCourt.CA.Gov

August 10, 2022

NOTICE TO THE PUBLIC

NOTICE REGARDING VIRTUAL APPEARANCES IN INFRACTION CASES

After the expiration of Emergency Rules 3 and 5 on June 30, 2022, the court, as a general rule, will continue to allow virtual appearances in *infraction* proceedings pursuant to Penal Code section 1428.5. However, if any participant appears virtually and the defendant does not consent to virtual participation, then all participants (i.e. defendant, counsel, and witnesses, including law enforcement officers) will be required to be physically present in court, within a reasonable amount of time as determined by the judicial officer.

If a defendant and defense counsel appear from different locations, it is defendant and counsel's responsibility to set up a private line of communication during the hearing; the court will not provide one.

If a defendant and counsel will need a court interpreter or other language access services to facilitate attorney-client communications, both defendant and counsel must be physically present in court.

Even if defendant consents to virtual appearances, the court retains the authority to require the physical presence of any witness or party in court for a particular proceeding. (See Pen. Code, § 1428.5(a)(2).)

Please note Penal Code section 1428.5 and this notice are specific to *infraction proceedings only*. Other rules and requirements apply to misdemeanor and felony matters.

This Notice supersedes the Notice to the Public regarding Virtual Appearances in Infraction Cases dated July 19, 2022.

A handwritten signature in black ink, reading "Michael Roddy". The signature is fluid and cursive, with a long horizontal line extending from the end.

MICHAEL M. RODDY
Executive Officer