

IN THE COURT OF APPEALS OF MARYLAND  
FINAL ADMINISTRATIVE ORDER ON  
THE EMERGENCY TOLLING OR SUSPENSION OF  
STATUTES OF LIMITATIONS AND STATUTORY AND RULES DEADLINES  
RELATED TO THE INITIATION OF MATTERS  
AND CERTAIN STATUTORY AND RULES DEADLINES IN PENDING MATTERS  
DURING THE COVID-19 EMERGENCY

WHEREAS, Pursuant to the Maryland Constitution, Article IV, § 18, the Chief Judge of the Court of Appeals is granted authority as the administrative head of the Judicial Branch of the State; and

WHEREAS, Chapter 1000 of Title 16 of the Maryland Rules of Practice and Procedure sets forth the emergency powers of the Chief Judge of the Court of Appeals; and

WHEREAS, Due to the outbreak of the novel coronavirus, COVID-19, and consistent with guidance issued by the Centers for Disease Control and Prevention (CDC) and the Maryland Department of Health (MDH), an emergency has existed for which measures were required to mitigate potential for exposure for individuals visiting a court or judicial facility and for judicial personnel; and

WHEREAS, The impact of the restrictions required to respond to the COVID-19 pandemic has had a widespread detrimental impact upon the administration of justice, impeding the ability of parties and potential litigants to meet with counsel, conduct research, gather evidence, and prepare complaints, pleadings, and responses, with the impact falling hardest upon those who are impoverished; and

WHEREAS, The detrimental impact of the COVID-19 pandemic was so widespread as to have created a general and pervasive practical inability for certain deadlines to be met;<sup>1</sup> and

WHEREAS, Clarification as to certain suspension end dates and their impact upon certain deadlines previously having been provided; and

WHEREAS, The *Order Lifting the COVID-19 Health Emergency as to the Maryland Judiciary*, having been filed on March 28, 2022, amendments to the extant Order are necessary,

NOW, THEREFORE, I, Joseph M. Getty, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution, do hereby order this 28th day of March 2022, effective April 4, 2022, that:

Deadlines related to the Initiation of Matters

- (a) By previous Orders and this Order, pursuant to Maryland Rule 16-1003(a)(7), all statutory and rules deadlines related to the initiation of matters required to be filed in a Maryland state trial or appellate court, including statutes of limitations, were tolled or suspended, as applicable, effective March 16, 2020 through July

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<sup>1</sup> Pursuant to the *Amended Administrative Order on the Progressive Resumption of Full Function of Judiciary Operations Previously Restricted Due to the COVID-19 Emergency*, filed June 3, 2020, offices of the clerks of court reopened to the public on July 20, 2020. The *Seventh* and *Eighth Administrative Orders Restricting Statewide Judiciary Operations Due to the COVID-19 Emergency*, filed December 22, 2020, and February 2, 2021, extended Phase II operations in light of the surge in COVID-19 infection rates throughout Maryland. The emergence of the Omicron variant of the novel coronavirus having required a return to Phase III emergency operations between December 29, 2021 and March 6, 2022, pursuant to the *Interim Administrative Order of December 27, 2021 Restricting Statewide Operations in Light of the Omicron Variant of the COVID-19 Emergency*, filed December 27, 2021 and extended on January 14, 2022.

- 20, 2020, by the number of days that the courts were closed to the public due to the COVID-19 emergency; and
- (b) Justice requires that the ordering of the suspension of such deadlines during an emergency as sweeping as a pandemic be applied consistently and equitably throughout Maryland, and no party or parties shall be compelled to prove the practical inability to comply with such a deadline if it occurred during the COVID-19 emergency to obtain the relief that this Order provides; and
  - (c) For the purposes of tolling of statutes of limitations and other deadlines related to the initiation of matters, in this Order, “tolled or suspended by the number of days that the courts were closed” means that the days that the offices of the clerks of court were closed to the public (from March 16, 2020 through July 20, 2020) do not count against the time remaining for the initiation of that matter; and
  - (d) For the purposes of tolling of statutes of limitations and other deadlines related to the initiation of matters, in this Order, “matters” are, *nunc pro tunc* to March 16, 2020, those matters for which the statute of limitations and other deadlines related to initiation would have expired between March 16, 2020, through the termination date of COVID-19 emergency operations in the Judiciary as determined by the Chief Judge of the Court of Appeals, that is, through April 3, 2022, but for the tolling or suspension described in this Order; and
  - (e) With the offices of the clerks of courts having been reopened to the public on July 20, 2020, the filing deadlines to initiate matters were extended by previous Order, by an additional 15 days;<sup>2</sup> and

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<sup>2</sup> For example, if two days remained for the filing of a new matter on March 15, 2020, then two days would have remained upon the reopening of the offices of the clerks of court to the public on July 20, 2020. With the additional fifteen days, seventeen days would have been left for a timely filing, beginning July 20, 2020.

- (f) Any such filings made within the period described in (c) and (d) shall relate back to the day before the deadline would have expired had it not been tolled or suspended; and

Deadlines to Conduct Pending Judicial Proceedings

- (g) By previous Orders and this Order, pursuant to Maryland Rule 16-1003(a)(7), all statutes and rules deadlines to conduct pending judicial proceedings shall be tolled or suspended, as applicable, effective March 16, 2020, by the number of days that the courts were closed to the public due to the COVID-19 emergency by order of the Chief Judge of the Court of Appeals; and
- (h) For the purposes of tolling of all statutes and rules deadlines to conduct pending judicial proceedings, in this Order, “tolled or suspended by the number of days that the courts were closed” means that the days that the offices of the clerks of court were closed to the public (from March 16, 2020 through July 20, 2020) do not count against the time remaining to conduct judicial proceedings; and
- (i) With the offices of the clerks of courts having reopened to the public on July 20, 2020, the deadlines to conduct proceedings pending on March 16, 2020, having been extended, by previous Order, by an additional 60 days in order for the courts to reschedule and hold the same; and
- (j) For purposes of Maryland Rules 2-507 and 3-507, extensions shall be calculated consistent with sections (h) and (i) of this Order; and
- (k) To the extent that this Administrative Order conflicts with extant Administrative Orders or local administrative orders, this Administrative Order shall prevail, except as provided in Section (e) of the *Administrative Order Lifting the COVID-19 Health Emergency as to the Maryland Judiciary*, filed March 28, 2022, and the *Final Administrative Order on Jury Trials and Grand Juries during the COVID-19 Emergency*, filed March 28, 2022; and

- (l) The *Twelfth Revised Administrative Order on the Emergency Tolling or Suspension of Statutes of Limitations and Statutory and Rules Deadlines Related to the Initiation of Matters and Certain Statutory and Rules Deadlines in Pending Matters*, filed March 1, 2022, shall be and hereby is rescinded, effective midnight, April 3, 2022; and
- (m) This Administrative Order will be revised as circumstances warrant.

/s/ Joseph M. Getty  
Joseph M. Getty  
Chief Judge  
Court of Appeals of Maryland

Filed: March 28, 2022

/s/ Suzanne C. Johnson  
Suzanne C. Johnson  
Clerk  
Court of Appeals of Maryland

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Suzanne C. Johnson, Clerk