



CIRCUIT COURT FOR WICOMICO COUNTY



START-UP PLAN FOLLOWING COVID-19 EMERGENCY RESTRICTIONS

The primary concern in re-opening the court to the public is to ensure the safety and well-being of our employees, counsel, litigants, and those who enter the courthouse. Due to the length of the emergency restrictions a substantial case backlog exists. As we work to address this backlog, we must manage the workflow within the courthouse in a manner consistent with any existing Administrative Orders, with public health recommendations from the Centers for Disease Control and State agencies, and with any restrictions or recommendations by local officials in light of health advisories in this area.

The courthouse re-opening will be accomplished in phases, consistent with the directives set forth in Chief Judge Mary Ellen Barbera's [Amended Administrative Order on the Progressive Resumption of Full Function of Judiciary Operations Previously Restricted Due to the COVID-19 Emergency](#), issued on June 3, 2020, and other relevant Administrative Orders. Current public health recommendations recognize the continued health risks posed by COVID-19 and the need for ongoing vigilance to reduce the risk of infection and further spread of the disease. The use of face coverings and social distancing measures must be enforced within the courthouse to minimize exposure risks. For these reasons, this Start-Up Plan will address basic safety and security measures within the courthouse. It will follow the phased approach in Chief Judge Barbera's Administrative Order to increase gradually the flow of individuals entering the courthouse and the complexity of matters heard. The Court thanks everyone for their patience as we work through the case backlog in this difficult time.

Honorable S. James Sarbanes
Administrative Judge

General Safety and Security Measures

In order to promote safety and security within the building, the following protocols will be in effect:

Courthouse Entry and Public Areas

- The Administrative Order issued on April 20, 2020 (2020-07) requiring face coverings in public areas within the courthouse, or in private office spaces within six-feet of another, remains in effect. As stated in the Administrative Order, any person may be denied entrance or required to leave the courthouse for refusing to wear a face covering;
- Health screenings upon entry remain in effect, to include temperature checks, and persons showing any sign or symptom of illness shall be prohibited from entering. Any person refusing to comply with health screening to include questions and a temperature check may be denied entrance or required to leave the courthouse;
- Social distancing measures remain in effect, requiring individuals not of the same household to maintain a separation of six (6) feet or more from one another while in the courthouse. Any person may be required to leave the courthouse for refusing to maintain appropriate social distance;
- All persons entering the building, to include judges, magistrates and court personnel, either through a public or a secure entrance, will be subject to health screening measures in effect;
- Any person appearing for a scheduled matter who is refused entry based upon health screening shall complete an information form which will then be forwarded to the assigned judicial officer to determine whether the matter will be postponed, or arrangements made for the individual to participate remotely;
- Upon arrival, please check in at the courthouse entrance no more than 15 minutes before the time on your assignment notice. You will not be permitted to enter the building more than 15 minutes before your matter is scheduled to be heard and may be required to remain outside longer if matters take longer than scheduled or if the building reaches capacity;
- Custodial and court staff will sanitize public areas, to include restrooms, elevator spaces and “high touch” areas daily;
- Social distancing markers will be placed in areas where lines may occur;
- Elevators will be restricted to two riders at a time, with the exception of family groups that may ride together;

Minimizing Census Within the Courthouse

- The continued use of remote platforms is allowed, if permissible under the rules and administrative orders and approved by the Administrative Judge and presiding judicial officer;
- Dockets will have staggered start times throughout the day, with matters typically scheduled at intervals appropriate to case type;
- During Phases I and II, and at times when restrictions on public activities remain in effect in the State and/or Wicomico County, public access to the courthouse will be restricted to counsel, parties and necessary witnesses for cases scheduled on the daily docket, unless otherwise approved by the Administrative Judge. Entry will be permitted no more than 15 minutes prior to the scheduled time;

- Once your matter has been heard parties and their attorneys, if represented, will leave the Courthouse to allow others to enter;
- During Phases I, II, and III, and at times when restrictions on public activities remain in effect in the State or Wicomico County limiting such services, services offered within the building, including but not limited to mediation, family service screenings, self-help consultations, parenting classes, and guardianship orientations, will continue to be conducted remotely;

Clerk's Office Access

- During Phases I and II, and at times when restrictions on public activities remain in effect in the State and/or Wicomico County, the Clerk's Office will remain closed to the public, except by appointment pursuant to policies established by the Clerk of the Court;
- While the Clerk's Office is closed to the public, the office shall still be available to the public to conduct business by telephone or other remote platforms as appropriate;
- Commonly used forms and contact information will be located in the Atrium entrance during times when the Clerk's Office remains closed to the public;
- During Phases I through IV, filings that are not made electronically may be left in a drop box in the Atrium entrance to the courthouse;

Courtrooms and Secure Areas

- Each courtroom will have signs posted to limit capacity based upon current social distancing recommendations, which limits will be enforced by judicial officers, sheriff's deputies, or court administration;
- Social distancing markers will be placed in the gallery areas of courtrooms to reinforce social distancing requirements;
- Each courtroom will be equipped with hand sanitizer for use throughout the day to maintain hygienic conditions;
- Overflow from any courtroom will be asked to wait with appropriate social distancing in the hallway adjacent to the courtroom;
- Pursuant to Administrative Order 2020-07, face coverings are required within courtrooms except when speaking, at the discretion of the presiding judicial officer;
- Access to secure hallways and chambers is restricted to staff unless otherwise authorized by a judicial officer;

Court Staff Obligations

- Court staff experiencing any sign or symptom of illness must stay home from work;
- Court staff should keep personal work space clean and sanitized;
- Court staff should perform frequent handwashing;
- Court staff must employ proper social distancing;
- Court staff must wear face coverings in a manner consistent with the Administrative Order;

COVID-19 Positive Testing Reporting Requirements

- Any employee who tests positive for COVID-19, or who has been advised by medical personnel that he or she is presumptively positive, shall self-report immediately to his or her Administrative Head, self-quarantine, and not return to the courthouse until cleared by his or her Administrative Head;
- Any employee who has been in contact with an individual who tests positive for COVID-19, or who has been advised by medical personnel that he or she is presumptively positive, shall quarantine for 14 days or as otherwise directed by a County Health Officer;

Inmate Transportation and Care

- Inmates transported from the Detention Center to the courthouse will be subjected to health screening questions and a temperature check, and will be returned to the Detention Center if the inmate: (1) exhibits any sign or symptom of illness consistent with COVID-19 or (2) has a temperature greater than 100.3 degrees;
- Inmates will be required to wear face coverings in compliance with the Administrative Order;
- Inmates will be held in separate lockups, to the extent possible, to allow for proper social distancing;

Scheduling

- Scheduling has begun with hearings/trials scheduled pursuant to the phases in Chief Judge Barbera's Administrative Order;
- Cases will be rescheduled by the Assignment Office without clearing dates with counsel;
- Jury trials will be set after October 4, 2020, with priority given to incarcerated defendants by their *Hicks* date;
- Dockets will be scheduled with staggered start times depending upon the type and complexity of the matter. Please note your assigned docket time as you will not be permitted to enter the building more than 15 minutes prior to that time;
- Motions not requiring witness testimony may be scheduled in Phase II if counsel contacts the Assignment Office to arrange an acceptable date and docket time is available;
- If matters become uncontested or an agreement is reached please contact the Assignment Office to request an earlier hearing date pending docket availability;
- Individuals who are over age 65 and individuals with serious underlying health conditions are considered to be vulnerable populations. Upon receiving notification, the Court will make efforts to provide reasonable accommodations to vulnerable individuals who are required to appear in court.

Phases Governing Resumption of Court Matters

The Circuit Court will employ a five-phase approach to address the case backlog. The phases are governed by and will follow the phases in Chief Judge Barbera's [Amended Administrative Order on the Progressive Resumption of Full Function of Judiciary Operations Previously Restricted Due to the COVID-19 Emergency issued on June 3, 2020](#). The phases are structured based upon consideration of a variety of factors, to include: (1) the urgency of the matter; (2) the complexity of the proceeding, particularly the need for witnesses and exhibits; (3) the length of the matter; and (4) the need for jurors. The phases are designed to assist in scheduling matters to enable social distancing and to protect the health and welfare of judicial employees, attorneys, parties and members of the public. Please refer to the Administrative Order for details.

June 5, 2020 _____
Date

_____/S. James Sarbanes/
Honorable S. James Sarbanes
Administrative Judge
Circuit Court for Wicomico County