

IN RE: HEALTH SAFETY MEASURES * IN THE CIRCUIT COURT
DURING COVID-19 PANDEMIC * FOR WORCESTER COUNTY
ORDER # 2020-7 * STATE OF MARYLAND
*

ADMINISTRATIVE ORDER OF COURT

WHEREAS, due to the outbreak of the novel coronavirus, COVID-19, and consistent with guidance issued by the Centers for Disease Control, an emergency exists; and

WHEREAS, the COVID-19 emergency continues to require comprehensive measures to protect the health and safety of Maryland residents and Judiciary personnel; and

WHEREAS, the efficacy of wearing face masks and social distancing together having been accepted by the medical community as the single best mitigation strategy in the suppression of the spread of the COVID-19, and full compliance being necessary for the protection of health while administering justice during the COVID-19 emergency; and

WHEREAS, the Chief Judge of the Court of Appeals, on October 2, 2020, issued an administrative order captioned "*Second Administrative Order Clarifying COVID-19 Health Measures in Courthouses and Judicial Branch Facilities*". Said order is adopted by this Court and is incorporated herein by reference.

NOW, THEREFORE, it is this 8th day of October, 2020, effective immediately, hereby ORDERED, that:

- (a) In all courthouses and judicial facilities, masks shall be worn at all times, including court proceedings except as noted in Sections (e), (f), and (g) below, by all judges, Judiciary

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SUSAN E. SHERIDAN
CLERK, CT. CT.
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Return to: Michael Howard, Court Administrator

personnel, and any other person over the age of 2 years, with masks to cover the nose, mouth, and chin completely, without vents; and

- (b) In instances in which members of the public or personnel arrive at a courthouse or judicial facility without such a mask, they shall be provided with a disposable mask, if available, or given alternative means for remote access, if appropriate and possible; and
- (c) Barriers, including clear personal barrier shields, are not a substitute for and shall not fulfill the masking requirement in Section (a); and
- (d) Social distancing of six feet or more shall be maintained throughout the courthouse and judicial facilities, including offices and courtrooms, but will not be a substitute for the masking requirement; and
- (e) With appropriate social distancing, masks may be lowered to eat, drink, or take oral or nasal medications, but shall be replaced upon completion; and
- (f) Throughout courtroom proceedings, all participants shall wear masks as required in Section (a) unless, for good cause shown, the presiding judge or magistrate may require any participant to use a disposable mask, a clear mask, or wear a personal barrier shield in lieu of a mask for a limited duration to ensure that the participant can be heard or observed, with due consideration given to social distancing and other public health guidelines; and
- (g) Where judiciary personnel are assigned to single-occupancy enclosed offices, masks may be lowered when the occupant is alone and the door is closed; however, masks shall be

worn as described in Section (a) when any other person enters the office or the occupant leaves the office; and

- (h) Where judiciary personnel are assigned to common area workspaces, including cubicles, masks shall be worn as described in Section (a); and
- (i) This order shall be enforced by the Worcester County Sheriff, his deputies, the Court's bailiffs and the Court Administrator. Any person who does not comply with this emergency order shall be subject to removal from the courthouse or judicial facility and disciplinary action as appropriate and/or contempt of court; and
- (j) This Order shall not be construed to prohibit additional health measures that have been or may be adopted in compliance with new or enhanced guidelines of the Centers for Disease Control and Prevention, the Maryland Department of Health, and local health departments; and

ORDERED, that for the purpose of this Order, "judicial facilities" includes any portion of the Snow Hill Volunteer Fire Company, located at 4718 Snow Hill Road, Snow Hill, Maryland, in relation to jury assembly and selection as covered in Administrative Order #2020-6 issued by this Court on September 25, 2020; and

ORDERED, consistent with the recommendations of the CDC, MDH, and local health departments and extant administrative court orders from the Chief Judge of the Court of Appeals, any person who seeks entrance to the courthouse and judicial facilities shall be subject to COVID-19 screening questions, non-contact temperature checks where available, required to wear face masks that cover the nose, mouth and chin completely, and required to maintain social distancing; and

ORDERED, in order to achieve the requirements of social distancing, administrative judges may limit the number of people entering the courthouse or a courtroom. As a general rule, access is limited to parties, two immediate family members for each party, subpoenaed witnesses and attorneys for the case being heard. Requests for additional access shall be made with the court no later than the day before the subject hearing. Any exceptions to the foregoing are subject to capacity/distancing requirements and must be approved by the presiding judge, the Court Administrator, or their designees. The courts shall inform individuals seeking access to the courthouse that access to courtrooms and other court spaces may be limited. Credentialed press shall be admitted to the courthouse and courtrooms (other than hearings that are closed to the public), subject to available capacity and in compliance with the guidance of the CDC and MDH; and

ORDERED, that any administrative order or provision of any such order that is inconsistent with the provisions herein is hereby rescinded.

BRIAN D. SHOCKLEY
Administrative Judge

2020 - Oct. 8 The foregoing certificate
filed and forthwith recorded in Court Proceedings
S.R.B. No. 34 Folios 117 thru 120.

Sharon Prosser Clerk