



CIRCUIT COURT FOR WORCESTER 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 all those who enter the courthouse. A case backlog exists, given the length of the court closure, but it is manageable. As we work to address this backlog and resume more normal operations, we must manage the workflow within the courthouse in a manner consistent with any existing Executive and 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 virus. Health safety measures, including social distancing, face coverings, and appropriate hygiene and screenings, 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 also establish a phased approach to increase gradually the flow of individuals entering the courthouse.

Honorable Brian D. Shockley
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 of this court dated May 26, 2020 requiring face coverings in public areas and in work spaces that do not allow distancing of six feet, remains in effect;
- The Market Street entrance to the courthouse shall remain closed until further notice;
- All persons entering the building, to include judges, magistrates and court personnel, either through a public or a secure entrance, are subject to health screening measures in effect, including temperature checks;
- 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 entrance no more than 15 minutes before the time on your assignment notice. Persons will not be permitted to enter the building more than 15 minutes before a scheduled matter and may be required to remain outside longer if other 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;
- Stairways may be used to divert people from elevators;

Minimizing Census Within the Courthouse

- Telework is encouraged, if approved by a manager and appropriate in light of the job responsibilities of the employee;
- Flexible work schedules are encouraged, if approved by a manager and appropriate in light of the job responsibilities of the employee;
- While at work, staff shall remain in their respective work spaces unless necessary to complete a work-related task;
- The continued use of remote platforms is allowed and encouraged, if permissible under the rules and administrative orders;
- To the extent necessary and possible, dockets will have staggered start times throughout the day, with matters typically scheduled at intervals appropriate to case type;
- During Phases I, II, III, and IV (unless earlier rescinded) and at times when restrictions on public activities remain in effect in the State and/or Worcester County, public access to the courthouse will be restricted to counsel, parties, necessary witnesses, and the press for cases scheduled on the daily docket, unless otherwise approved by the Administrative Judge. Requests for additional admittees must be made in writing to the presiding Judge at least 24 hours in advance of the scheduled hearing. Entry will be permitted no more than 15 minutes prior to the scheduled time,

subject to further control by court staff. Even after the completion of Phase I, II, III and IV, access may be limited and controlled to effectuate the purposes of this plan;

- Once a matter has been heard parties and their attorneys, if represented, shall promptly leave the Courthouse to allow others to enter;
- During Phases I, II, III, and IV (unless earlier rescinded) and at times when restrictions on public activities remain in effect in the State or Worcester County, services offered within the building, including but not limited to mediation, family service screenings, self-help consultations, drug court evaluations, and guardianship orientations, will be conducted remotely unless authorized by the Administrative Judge;

Clerk's Office Access

Access to Clerk's Office- Phase III effective July 20th, 2020 through August 31st, 2020:

- Emergency Filings:
 - a. Emergency Custody, Protective Order, Child Support Bonds (410-632-5501 Civil)
 - b. Criminal Bonds, payment of fines: (410-632-5502 Criminal)
 - c. All access limited to individual party in the individual department.
 - d. Visits limited to time to complete filing.
- Oaths of Office:
 - a. By Appointment and may be conducted through Clerk's Window.
 - b. 410-632-5500 Land Records/Main Line
- Record Searches:
 - a. By appointment.
 - b. Two-hour daily limit.
 - c. 410-632-5500 Land Records/Main Line

Filing Documents: Public encouraged to use drop box.

- Land Record Recordings – use SimpliFile, mail, other carriers or drop-box (arrangements for pick-up at entrance by other agencies or filer if incorrect)
- Marriage Licenses, Business Licenses, Copy Requests – use mail, carriers or drop-box (arrangements for pick-up at entrance if incorrect or urgent)
- Civil & Criminal Pleadings – use MDEC file & Serve if required, mail, other carriers or drop-box
- Drop-Box will be processed throughout the day, approximately every hour. If emergency filing, call the clerk's office to arrange expedited retrieval.

For Public Entrance to CIVIL, CRIMINAL AND LAND RECORDS Counters: after screening into court house

- CIVIL: entrance access is limited to one person at a time to maintain 6 feet distance on entrance and exit as well as use of index and books
- CRIMINAL: entrance/access is limited to one person at a time Counter area is 6 feet distance from hallway entrance
- LAND RECORDS: entrance/access is limited to one person at a time at Counter area which is 6 feet from hallway entrance
- For Record Search Appointments: public/person will be escorted to the search area with a 2-hour limit. Upon their departure, the area will be wiped down with sanitizer.
- After each in person visit to the counter, it will be wiped down with sanitizer.

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 bailiffs;
- Social distancing markers will be placed in and around the 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 or outside of the courthouse;
- Face coverings are required within courtrooms except as authorized by the presiding judge after taking into account distancing, the need to effectively communicate and establish a record, and other relevant factors;
- 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;
- Court staff should be respectful and sensitive to the sensibilities of others;
- Court staff should be responsible outside of work so as not to jeopardize the safety of the workplace;

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 has had contact with someone suspected of having COVID-19 or who has been advised by medical personnel that he or she is presumptively positive, shall self-report and quarantine for 14 days or as otherwise directed by a County Health Officer;

Inmate Transportation and Care

- Inmates transported from the Detention Center or DOC to the courthouse will be subjected to health screening questions and 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 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

- Hearings/trials will be scheduled pursuant to the phase in which they may be heard; (See attached exhibits)
- Cases may 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. This may be done informally so attorneys and parties should check with the Judges' Chamber the afternoon before any hearing to confirm hearing start time. Please note your assigned docket time as you will not be permitted to enter the building more than 15 minutes prior to that time;
- If matters become uncontested or an agreement is reached, please contact the Assignment Office to request an earlier hearing date pending docket availability.

Phases Governing Resumption of Court Matters

The Circuit Court will employ a five-phase approach to address the case backlog as the court restores normal court operations. 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. The phases are governed by and will follow 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](#), which is incorporated herein by reference. It is important to note that the controlling order provides the Administrative Judge some discretion to hear certain matters, regardless of phase, provided the court has the capacity to do so in a safe manner. This discretion may be exercised on a limited, case-by-case basis, and will be reflected in the way cases are scheduled.

Irrespective of phase, all parties, attorneys and witnesses are obligated to appear in person unless directed to appear remotely or otherwise excused. Even though public access may be limited, the court is operational and accessible by telephone during normal business hours. Any questions should be directed to Chambers at 410-632-0600. Attorneys are encouraged to directly contact the court with reasonable proposals to expedite the disposition of cases in a safe manner consistent with the terms and spirit of this plan.

