

IN THE CIRCUIT COURT FOR HOWARD COUNTY

ADMINISTRATIVE ORDER NO. 2020-09

ADMINISTRATIVE ORDER REGARDING COURTHOUSE ACCESS AND RESTRICTIONS

WHEREAS, a public health emergency exists based on the outbreak of the coronavirus, COVID-19; and

WHEREAS, on November 12, 2020, Chief Judge Mary Ellen Barbera issued the Fifth Administrative Order Restricting Statewide Judiciary Operations Due to the COVID-19 Emergency. 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, provided for five phases of a progressive return to operations, allowing the Judiciary to change level of operations if necessary, while employing safety measures and monitoring local health conditions to continue to support the health and safety of Maryland residents and Judiciary; and

WHEREAS, each of the five phases of the Court Re-opening Plan represents an increase in the level of operation within the courthouse. The rapid increase of COVID-19 infection rates throughout Maryland requires a realignment of the phase of operations consistent with the worsening health conditions and concomitant risk to individuals visiting a court or judicial facility and to judicial personnel. Therefore, beginning November 16, 2020, the Circuit Court shall operate under Phase III, in which the Circuit Court will be open to the public, schedule and hold certain non-jury trials, and with limited in-person services to be offered as determined by the Administrative Judge. Additionally, through December 31, 2020, pending further order of the Chief Judge of the Court of Appeals, the courts are authorized to conduct remote proceedings using communication platforms, consistent with the Administrative Orders on the Implementation of Remote Electronic Participation in Judicial Proceedings and the relevant Maryland Rules; and

WHEREAS, recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, magistrates and other individuals entering the courthouse buildings, the Circuit Court for Howard County will continue the following procedural and protective measures;

NOW THEREFORE, it is ORDERED while operating under Phase III, beginning November 16, 2020, the courthouse regular business hours remain 8:30 a.m. to 4:30 p.m. The Courthouse and the Offices of the Clerks of the Circuit Courts will remain open to the public, with continued restrictions to limit the concentration of individuals and allow social distancing, consistent with the guidance of the CDC and/or MDH. Entry may be restricted or delayed ensuring courthouse employees, jurors, counsel, parties and necessary witnesses appearing for a case scheduled on the court docket, credentialed members of the press, and others approved as appropriate by the Administrative Judge, are permitted entry before capacity levels are reached, and in accordance with Circuit Court administrative policies. The Register of Wills is open to the public; however, capacity limits encourage appointments; and it is further

ORDERED the Court shall continue to accept filings, and shall be available to answer telephone calls, emails, and other communications. Individuals who do not have access to MDEC e-filing may file documents in person or by mail. If a person wishes to file a document and is unsure of the filing method, the individual should contact the Clerk's office by telephone to get instructions for filing; and it is further

ORDERED all judges and magistrates will comply with the COVID-19 Emergency Orders issued by the Court of Appeals of Maryland, including conducting in-person proceedings according to the guidance issued by the Court of Appeals, Administrative Office of the Courts, and the Governor of Maryland regarding social distancing, maximum group size, and other restrictions and precautions; and it is further

ORDERED all judges and magistrates will use all reasonable efforts to conduct proceedings remotely. Remote criminal proceedings must occur by video participation, both the defendant and counsel must appear on camera for the entire proceeding; and it is further

ORDERED the Howard County Sheriff's Office is authorized to screen all persons permitted to enter the courthouse and to refuse entry for persons in circumstances stated below. **Courthouse COVID-19 Health Measures and entry screening** is as follows:

1. In all courthouses and judicial facilities, face masks shall be worn at all times, including court proceedings, except as excused by the Administrative Judge, or by a presiding judge or magistrate during a court proceeding, by all judges, judiciary personnel, and any other person over the age of 2 years, with face masks to cover the nose, mouth, and chin completely, without vents. In instances in which members of the public or personnel arrive at a courthouse or judicial facility without such a face mask, they shall be provided with a disposal face mask, if available.
2. All persons entering the building are required to respond to health screening questions to determine if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing; have been asked to self-quarantine by any doctor, hospital, or health agency; have been diagnosed with, or have been in close contact with a person who is confirmed to have COVID-19. Individuals who indicate yes to any of these questions will be refused admittance to the courthouse.
3. All persons entering the building are subject to a non-contact temperature scan with available equipment. Any person who has an elevated temperature of 100 degrees or greater shall be refused entry into the courthouse.
4. Visitors to the courthouse are encouraged not to bring children under the age of 16 into the courthouse.
5. The Sheriff's Office shall deny entry to any person who refuses to comply with the screening process, or who refuses to wear a face mask.
6. Any person who is refused entry based on health screening, and who is scheduled to appear as counsel, a party, or a witness in a scheduled proceeding, shall provide contact information that will be forwarded to the presiding judicial officer. The presiding judicial officer will determine whether the scheduled matter will be postponed, or whether arrangements can be made for remote participation by the person who was refused entry.
7. Throughout courtroom proceedings, all participants shall wear masks as required in Section (1) unless, for good cause shown, the presiding judge or magistrate may require any participant to use a disposable face mask, a clear face mask, or wear a personal barrier shield in lieu of a face 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 it is further

ORDERED Courthouse Capacity and Social Distancing Policies are as follows:

1. Courtrooms and waiting areas in the courthouse will have signage posted to identify the maximum capacity and social distancing recommendations pursuant to the Center for Disease Control (CDC) guidelines.
2. No more than one person or members of one household are to be permitted in the public elevator.
3. No more than one person or members of one household are to be permitted in the public bathrooms.
4. Access to secure hallways and chambers is restricted to staff unless otherwise authorized by a judicial officer.
5. These guidelines will be monitored and enforced by the Sheriff's Office and any person who refuses to comply with these requirements is subject to removal from the courthouse; and it is further

ORDERED that Court Staff Policies are as follows:

1. Staff experiencing any sign or symptom of illness must stay home from work.
2. Face masks shall be worn at all times by all judges, judiciary personnel, and any other person over the age of 2 years, with face masks to cover the nose, mouth, and chin completely, without vents.
 - a. Where judiciary personnel are assigned to common area workspaces, including cubicles, face masks shall always be worn.
 - b. Where judiciary personnel are assigned to single-occupancy enclosed offices, face masks may be lowered when the occupant is alone and the door is closed; however, face masks shall be worn as described above when any other person enters the office, or the occupant leaves the office.
3. Any employee who tests positive for COVID-19 or has been advised by medical personnel that he or she is presumptively positive, shall self-report immediately to his or her supervisor, self-quarantine and not return to the courthouse until cleared by his or her supervisor.
4. Any employee who has been in contact with a person who tests positive for COVID-19 or has been advised by medical personnel that he or she is presumptively positive, shall self-report immediately to his or her supervisor, self-quarantine and not return to the courthouse until cleared by his or her supervisor; and it is further

ORDERED the above policies and restrictions will remain in effect until further order of this court.

ENTERED

NOV 13 2020

**CLERK OF THE CIRCUIT COURT
HOWARD COUNTY**

William V. Tucker
County Administrative Judge