

IN THE CIRCUIT COURT FOR SAINT MARY'S COUNTY, MARYLAND

ADMINISTRATIVE ORDER 3/2/2022

WHEREAS, Due to the outbreak of the novel coronavirus, COVID-19, an emergency exists; and

WHEREAS, The administration of justice necessarily has been affected by the pandemic and will continue to require the professionalism, courtesy, and cooperation of the members of the bench and the bar in navigating the changes to practices and procedures; and

WHEREAS, Remote hearings have proved to be useful and effective in facilitating the courts' performance of core functions during the COVID-19 emergency and may continue; and

WHEREAS, COVID-19 continues to require the Judiciary to monitor the current phase of operations in the phased approach, moving toward full operational functions, while employing safety measures and monitoring local health conditions to continue to support the health and safety of Maryland residents and Judiciary personnel; and

WHEREAS, The Court of Appeals *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; and

WHEREAS, The emergence of the highly infectious Omicron variant and in the latter part of 2021 required a return to modified Phase III operations; and

WHEREAS, Jury trials that were scheduled to commence between November 16, 2020, through April 23, 2021, and between December 29, 2021, through March 6, 2022, by previous orders that were postponed and rescheduled in accordance with the date established by the Court of Appeals *Fifth Amended Administrative Order on Lifting the Statewide Suspension of Jury Trials and Maintaining Grand Juries*, filed February 18, 2022; and

WHEREAS, Infection rates have now fallen allowing the return to operations in Phase V, and

WHEREAS, Chief Judge of the Court of Appeals, Joseph M. Getty has issued the *Fifth Amended Administrative Order Expanding Statewide Judiciary Operations in Light of the COVID-19 Emergency (dated March 1, 2022)*¹ authorizing all courts effective March 7, 2022 to require the wearing of face masks and mandated social distancing to be voluntary under certain circumstances as defined in said Order; and

WHEREAS, that after consultation with the Saint Mary's County Chief Health Officer and other local county officials in conjunction with the continued falling infection rates in Saint Mary's County this Court has determined it is no longer necessary to mandate the wearing of masks and/or social distancing subject to limitations contained in this Order, and under consideration of the above and for good cause shown,

It is this 2 day of March, 2022, hereby

ORDERED, that effective March 7, 2022, pending further order of the Chief Judge of the Court of Appeals or the Administrative Judge for the Circuit Court for Saint County, the wearing of masks is recommended, but is voluntary for all judges, magistrates, judiciary personnel and all other persons entering the courthouse except in the Jury Assembly Room during the jury selection process in both criminal and civil jury trials, and any other proceeding wherein masking or social distancing may become necessary as determined by the presiding judicial officer with approval of the Circuit Court Administrative Judge; and it is further,

ORDERED, that the Saint Mary's County Sheriff's Office at the discretion of the Administrative Judge of the Circuit Court for Saint Mary's County may restrict access to and may screen all individuals entering the Courthouse located at 41605 Court House Drive, Leonardtown, Maryland, 20650, and may **DENY** entry to any individual whose screening results require refusal of entry to the Courthouse for the health and safety of all individuals in the Courthouse; and it is further,

¹ See attached order from Chief Judge Getty.

ORDERED, when conducting the screening protocol, as established by the Administrative Judge for Saint Mary's County, upon any individual seeking entry to the Courthouse, the Saint Mary's County Sheriff's Office, may **DENY** entry to any individual with an affirmative response to said screening inquiry in consultation with the Administrative Judge and provide said individual with information regarding alternative means to address the purpose of that person's intended visit to the Court; and it is further,

ORDERED, that any person who does not comply with this emergency order or local administrative orders issued pursuant to Section (1) shall be subject to removal from the courthouse or judicial facility and disciplinary action as appropriate; and it is further,

ORDERED, that the Administrative Judge and/or presiding Judicial Officer may limit the number of people that may be present in a Courtroom at any given time; and it is further,

ORDERED, to achieve social distancing for large congregate settings, the administrative judges may limit, temporarily, the number of people entering the courthouse or a courtroom to the extent necessary to achieve the requirements of social distancing. The courts shall be open to the public, and no appointment shall be necessary (although preferred) for access; however, notices shall inform individuals seeking access to the courthouse that access to courtrooms and other court spaces may be limited on an intermittent basis; and it is further,

ORDERED, that the Saint Mary's County Sheriff's Office shall **DENY** entry to and/or remove any individual who refuses to comply with or violates this Order or whose screening results require refusal of entry for the health and safety of all individuals in the Courthouse; and it is further,

ORDERED, that any individual exhibiting physical symptoms of illness may be subject to a screening process, consisting of questions and a temperature check at the discretion of the Saint Mary's County Sheriff's Office and said individual may be denied access to the Courthouse if they have a temperature of 100 degree or above or answer any of the screening questions in the affirmative; and it is further

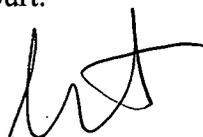
ORDERED, that the Saint Mary's County Circuit Court will continue to do uncontested matters; pre-trial conferences and legal argument only hearings remotely upon the filing of a time appropriate Motion for Remote Hearings in civil matters. No contested matter requiring testimony will be permitted to be done remotely, unless approved by the presiding Judicial Officer after the filing of a timely Motion request and consent from the other party(ies) and with at least five days' notice; and it is further,

ORDERED, that the Saint Mary's County Circuit Court will not do any criminal matter remotely, unless approved by the presiding Judicial Officer after the filing of a timely Motion request and consent from the other party(ies) and with at least five days' notice; and it is further,

ORDERED, that this Administrative Order shall be posted at the entrance of the Courthouse, on the website for the Circuit Court for Saint Mary's County, and provided to the Saint Mary's County Bar Association for distribution to its members; and, it is further,

ORDERED, that this Order supersedes this Court's Administrative Orders concerning Restrictions on Accessing Courthouse and Health Protocols previously issued during the Covid emergency; and it is further,

ORDERED, that this Order shall become effective on **March 7, 2022, at 7:00am** and shall remain in effect until further Order of this Court.



MICHAEL J. STAMM
ADMINISTRATIVE JUDGE
CIRCUIT COURT FOR SAINT MARY'S
COUNTY

Copies to:

Debra Burch, Clerk of the Court
Court Administration
Office of the State's Attorney for Saint Mary's County
Office of the Public Defender
Register of Wills
Saint Mary's County Sheriff's Office
Saint Mary's County Bar Association