

## BALTIMORE CITY DISTRICT COURT COVID PROTOCOLS 4-20-20

This letter seeks the assistance and cooperation of our many colleagues in the bar and in the community. As you are all aware, District Court clerk's offices are closed to the public through June 5, 2020 pursuant to the April 14, 2020 Order of Chief Judge Barbera. I ask your help in filing ONLY emergency matters and prominently identifying them as emergent.

Many questions understandably arise about the processes ongoing and the processes upon re-opening. Those who practice throughout the State have experienced the difference in capabilities between MDEC jurisdictions and the 3 remaining, non-MDEC jurisdictions (Baltimore City, Prince George's County & Montgomery County).

Respectfully, we seek your assistance.

All pleadings in the District must be filed on paper. All paper pleadings must be individually processed by the clerk's office. Paper filings pass through many hands and pose risk to others. Our processes pose different safety risks that those available in MDEC Districts. Our manual procedures also preclude the few, essential staff present from processing, filing, and managing non-essential paper filings as well as updating case-search entries therefor.

We are only able to do this for emergency matters as defined in the March 25, 2020 order. We have a locked drop box in each courthouse lobby along with an electronic date stamp for this purpose. Please limit filings to emergency matters. We cannot process other matters at present.

I understand concerns that counsel may have regarding civil deadlines. The clerk's office is closed to the public. The Maryland Rules address filing deadlines when the clerk's office is closed. As a consideration for the clerk's office, only emergency pleadings should be filed. Criminal deadlines are addressed in section (l) of Chief Judge Barbera's order.

The purpose of Chief Judge Barbera's order is to facilitate essential functions with essential employees. It is neither safe nor reasonable to ask court staff to touch and process non-emergency documents. The minimal staff present is not able to do this.

Sections (a) and (c) of Judge Barbera's order limit the clerk's offices to emergency operations. Only essential personnel are permitted to report for work. There is sufficient court staff to conduct the emergency business, and to answer telephone calls during business hours as required by section (n) of the order. There are no other clerks.

The emergency matters listed in section (f)(4) of the order include:

- bail reviews/bench warrants;
- emergency evaluations petitions:

- quarantine and isolation violations and;
- body attachments.

In addition to the 4 proceedings above, and pursuant to section (4)(g) of the Order, I may authorize limited court actions (with/without a hearing) in the following matters:

- Domestic violence protective orders involving custody, weapons, vacating premises
- Criminal competency matters
- Mental Health Court matters
- Other emergency matters – in the discretion of the Administrative Judge/designee.

Emergency matters do not include second/follow-up criminal bond reviews (unless a change in circumstance), modification of sentence (unless incarcerated), expungements, civil new suits and motions, landlord-tenant matters, certificates of discovery, summons renewals, post-judgment proceedings, etc. Please consider holding such filings until normal operations (in some fashion) resume.

Please file only emergency matters – clearly marked as such. ***If possible***, use the lobby-box (8:30am-4:30pm and emptied hourly). Communicate by phone with the opposing counsel for any emergency matter filed.

Please follow the CDC guidelines for distance and safety. We are respectful of the rights and needs of you and your clients. We are equally respectful of the safety and welfare of court staff and all court customers. We are committed to balancing due process, community safety, and the extraordinary health danger presented by this pandemic.

## **BAIL REVIEWS**

They are held at the Wabash Court building. I strongly encourage not appearing in person but joining the business skype remote bail review. If you insist on appearing, you must wear a mask and answer health questions at the front door. You could be refused admittance.

Call Karen 410-878-8011 or email her at [Karen.Lester@mdcourts.gov](mailto:Karen.Lester@mdcourts.gov) between 8AM and 9AM. Please no later!!

Give your name, phone number, email address, name of your client and case number.

You will receive by email an invite to join the call.

Thank you very much for your consideration.

Barbara Baer Waxman, Administrative Judge