

IN THE CIRCUIT COURT FOR KENT COUNTY, MARYLAND
ADMINISTRATIVE ORDER NO. _____
ORDER GOVERNING COURTHOUSE ACCESS AND RESTRICTIONS
DURING COVID-19 PHASED REOPENING
(PHASE III)

WHEREAS, a public health emergency continues to exist due to the outbreak of the “coronavirus pandemic;” and

WHEREAS, commencing on March 17, 2020, by Administrative Order of Chief Judge Mary Ellen Barbera, all courts in Maryland were restricted to emergency operations, pending further Order by the Chief Judge; and

WHEREAS, on May 22, 2020 Chief Judge Barbera issued the Administrative Order on the Progressive Resumption of Full Function of Judiciary Operations Previously Restricted Due to the COVID-19 Emergency, which outlined a phased-in approach to reopening the courts ("Reopening Plan"), to progress from emergency operations 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 court personnel; and

WHEREAS, each of the five phases of the Re-Opening Plan represents an increase in the level of operation within the courthouse; and

WHEREAS, the timing for progression in the Reopening Plan may be adjusted based upon local public health conditions, but is presumptively set as follows: Phase II commences on June 5, 2020 at 5:00 p.m.; Phase III commences on July 20, 2020; Phase IV commences on August 31, 2020; and Phase V, which is a resumption of normal court operations, commences on October 5, 2020; and

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WHEREAS, in Phase II of the Reopening Plan, the clerk's offices remained closed to the public with some exceptions, but the scope of matters that the courts can hear in-person is expanded; and

WHEREAS, in Phase III of the Reopening Plan, the courts will hold a broader range and increased number of in-person matters, and the Clerk's Offices of the Circuit and District Courts and the Register of Wills will be open to the public with restrictions to limit the number and concentration of individuals in the courthouse, and

WHEREAS, as the court enters each new phase of the Reopening Plan, the activity within the courthouse will increase; and

WHEREAS, consistent with guidance issued by the Centers for Disease Control, the Maryland Department of Health, and local health agencies, the current public health emergency will continue through this phased reopening, so measures must be taken to mitigate the potential for exposure for individuals visiting the court and for judicial personnel; and

WHEREAS, courthouse security personnel are authorized to screen those persons permitted to enter the courthouse and to refuse entry for persons in various circumstances; and

WHEREAS, courthouse security personnel have been conducting thermal temperature checks for individuals entering the courthouse; and

WHEREAS, in light of the phased Reopening Plan, expanded health and safety measures are required to limit exposure and to prevent the spread of COVID-19, in order to ensure the safety and well-being of courthouse employees, counsel, litigants and the public who enter the courthouse;

NOW THEREFORE, it is ORDERED as follows:

Courthouse Admission

During Phase III of the Court Reopening Plan, the courthouse will be open to the public with increased exceptions including in-person court proceedings and access to the clerks' offices. Courthouse entry during this Phase remains limited to courthouse employees; those with offices within the courthouse; counsel, parties and necessary witnesses appearing for a case scheduled on the court docket; members of the public with a limitation on the overall number permitted in various areas within the courthouse; credentialed members of the press appearing for a matter scheduled on the court docket; and others approved as appropriate by the Administrative Judge.

During Phases III through IV, filings that are not made electronically or left in the drop box at the entrance to the courthouse may be made in-person subject to the restrictions outlined herein.

Required Health Screening Upon Entry

Courthouse security personnel shall employ heightened courthouse entry screenings during Phases III through IV of the Reopening Plan, as follows:

- All persons entering the building are required to respond to health screening questions to determine (1) whether they are experiencing any acute respiratory illness, flu-like symptoms, fever, coughing or sneezing; and (2) whether they have been in contact within the past seven days with someone experiencing flu-like symptoms or a diagnosis of COVID-19. Any person who responds affirmatively to either of these questions shall be refused entry into the courthouse;

- All persons entering the building are subject to a touchless thermal temperature check with available equipment. Any person who has an elevated temperature of 100.3 degrees Fahrenheit or greater shall be refused entry into the courthouse;
- All persons over the age of three entering the courthouse shall wear a face mask or other covering over their nose and mouth ("face covering"). A face covering must be worn continuously by any person in a public area within the courthouse. This requirement extends to appearances in courtrooms except when speaking, at the discretion of the Judge;
- Any person who is refused entry based upon any health screening criteria, and who is scheduled to appear as counsel, a party, or a witness in a scheduled proceeding, will be provided with a notice and instructions about who to contact;
- Courthouse security personnel shall deny entry to the courthouse to any person who refuses to comply with the screening process, or who refuses to wear a face covering.

Courtrooms and Other Public Areas

- Not counting staff and attorneys, a maximum of 10 people will be permitted in the Circuit Court courtroom;
- Not counting staff and attorneys, a maximum of 8 people will be permitted in the District Court courtroom;
- Not counting staff, 1 person will be permitted in the Clerk's Office of the Circuit Court;
- Not counting staff, 1 person will be permitted in the Clerk's Office of the District Court;

- Not counting staff, 1 person will be permitted in the Register of Wills Office;
- These limits will be enforced by judicial officers or security staff;
- Social distancing markers will be placed throughout the courthouse to assist with and reinforce social distancing requirements;
- Any person who refuses to comply with social distancing requirements is subject to removal from the courthouse by courthouse security.

Inmate Transportation and Care

- An inmate may not be transported to the courthouse if the inmate: (1) is in quarantine for COVID-19 within a prison or detention facility; (2) tests positive for COVID-19; (3) exhibits signs of illness; or (4) has a temperature greater than 100.3 degrees Fahrenheit;
- All inmates transported to the courthouse are subject to temperature screening by a touchless thermometer;
- Inmates shall wear face coverings during transport and while in the courthouse;
- Inmates will be housed in lockups with proper social distancing, to the extent possible.

Courthouse Staff Obligations

- Court staff experiencing any sign or symptom of illness must stay home from work;
- Court staff must employ proper social distancing;
- Court staff must wear face coverings in a manner consistent with this Administrative Order;

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 tested positive for COVID-19, or who has been advised by medical personnel that he or she is presumptively positive, shall quarantine for 14 days or as otherwise directed by a County Health Officer.

7/15/20

Date

Administrative Judge