

CIRCUIT COURT FOR SAINT MARY'S COUNTY
REVISED ADMINISTRATIVE ORDER 8/09/2021
AMENDING RESTRICTIONS ON ACCESSING AND WITHIN THE COURTHOUSE

WHEREAS on March 11, 2020, the World Health Organization announced that the spread of COVID-19 qualified as a pandemic;

WHEREAS Due to the outbreak of the novel coronavirus, COVID-19, and consistent with guidance issued by the Centers for Disease Control and Prevention (CDC) and the Maryland Department of Health (MDH), an emergency exists for which measures continue to be required to mitigate potential for exposure to individuals visiting a court or judicial facility and judicial personnel; and

WHEREAS, on July 31, 2020 the Chief Judge of the Court of Appeals issued an order clarifying COVID-19 Health Measures in Courthouses and Judicial Branch Facilities, effective immediately and for the duration of the COVID-19 emergency period;

WHEREAS on August 6, 2021, the Chief Judge of the Court of Appeals issued an order Expanding Statewide Judiciary Operations in Light of the COVID-19 Emergency effective August 9, 2021;

WHEREAS it is imperative to protect the health and safety of employees, judges, attorneys and litigants during emergency operations and for the foreseeable future;

NOW THEREFORE, pursuant to Rule 16-105(b), it is hereby:

ORDERED, that the following persons shall not enter the Circuit Court premises, without prior permission of the Administrative Judge:

- Persons who have been asked to self-quarantine or self-isolate by any doctor, hospital, or health agency;
- Persons who have been diagnosed with COVID-19, or have had contact with, anyone who has been diagnosed with COVID-19;
- Persons who are experiencing any symptoms of COVID-19 (i.e. cough, shortness of breath, flu-like symptoms), have a fever;
- A Person who after screening with a contactless thermometer has a temperature of 100 f or higher.
- A visitor or staff to the Court House not wearing face covering. Said face covering to remain in place during entire time in Court House, and it is further

ORDERED, that Consistent with the recommendations of the CDC, MDH, and local health departments and subject to the Ninth Administrative Order Clarifying COVID19 Health Measures in Courthouses and Judicial Branch Facilities (Ninth Administrative Order on COVID-19 Health Measures), filed on August 6, 2021, any person, including staff personnel regardless of vaccination status, who seeks entrance to courts and judicial facilities shall be:

- (1) subject to COVID-19 screening questions,
- (2) subject to non-contact temperature checks where available,
- (3) if not fully vaccinated, required to wear face masks that cover the nose, mouth, and chin completely, without vents, and
- (4) if not fully vaccinated, required to maintain social distancing; and it is further

ORDERED, Any person may be denied entrance to or required to leave a court or judicial facility as a result of the screening process or, if not fully vaccinated, as a result of refusing to comply with the requirements to wear a face mask or maintain social distancing as required:

- (1) if, as a result of the screening process, such person shall be provided information regarding alternative means to address the purpose of that person's intended visit to the court, and
- (2) if, as a result of refusing to comply with the requirements to wear a face mask, or maintain social distancing, such person shall be required to leave the courthouse or facility; and it is further

ORDERED, Effective August 9, 2021, pending further order of the Chief Judge of the Court of Appeals, during the emergency period, consistent with Section (a) of the Ninth Administrative Order on COVID-19 Health Measures, the wearing of face masks is voluntary for judges, Judiciary personnel, and any other persons who have completed the vaccination process, except that, consistent with the CDC guidelines, in the event any county or Baltimore City reaches or has reached the transmission status¹ of "substantial" or "high" on any day after Friday, August 6, 2021, all individuals entering a state courthouse or judicial facility in that jurisdiction shall wear face masks indoors regardless of vaccination status or other related health measures until such time that the county or Baltimore City has achieved a transmission status of "moderate" or "low," per the CDC transmission status map, for fourteen consecutive calendar days; and (b) During CDC "substantial" and "high" transmission status periods, as well as during any subsequent fourteen-day CDC "moderate" or "low" transmission stabilizing period, all judges, Judiciary personnel, and any other persons over the age of two (2) years shall wear masks in all courthouses and judicial facilities at all times including during in-person court

proceedings, except as noted in Sections (e), (f), and (g) of this Order, with such masks to cover the nose, mouth, and chin completely, without vents; and it is further

ORDERED, that all judges, Judiciary personnel, and any other persons over the age of two (2) years who have not completed the COVID-19 vaccination process shall wear masks in all courthouses and judicial facilities at all times including during in person court proceedings, except as noted below , with such masks to cover the nose, mouth, and chin completely, without vents and are required to practice social distancing of six feet or more; and it is further

ORDERED, that throughout courtroom proceedings, participants who have not been fully vaccinated shall wear masks as required in this Order; however, the presiding judge or magistrate may require a participant who is required to wear a mask to use a clear mask or wear a personal barrier shield in lieu of a 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, that barriers, including clear personal barrier shields, are not a substitute for and shall not fulfill the masking requirement in this Order; and it is further

ORDERED, Effective August 9, 2021, pending further order of the Chief Judge of the Court of Appeals, during the emergency period, consistent with Section (e) of the Ninth Administrative Order on COVID-19 Health Measures, unless determined by the administrative judge or the State Court Administrator to be necessary in a large congregate setting, such as a jury pool, social distancing of six feet or more shall not be required for those persons who have been fully vaccinated or those who identify as being part of a social “pod” or cohort; however, social distancing will not be a substitute for the masking requirement for those who have not been fully vaccinated; and it is further

ORDERED, that during the selection of juries that all individuals are required to wear appropriate face covering, including staff personnel, regardless of vaccination status, when in the jury assembly room, while sitting in the courtroom gallery during jury selection, while sitting in the jury box and when in the jury deliberation room as a result of the inability to social distance the large congregate jury panels; and it is further

ORDERED, that while in the jury box all jurors, regardless of vaccination status, will be issued a personal barrier shield in lieu of a mask to wear while in the jury box and in the jury deliberation room; 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 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, In instances in which members of the public or staff who have not completed the COVID-19 vaccination process arrive at a courthouse or judicial facility without such a mask, they shall be provided with a disposable mask, if available, or given alternative means for remote access, if appropriate and possible; and it is further

ORDERED, that as face coverings need to be able to prevent transmissions of COVID-19, per the recommendation of the Saint Mary's County Health Department, certain types of face coverings will not be appropriate to wear in the Court House. Bandana style, lower necks scarf type and shirts pulled up to cover an individual's mouth are not acceptable. Those with purge valves that do not have a filter are also not acceptable; and it is further

ORDERED, that if your face covering is inappropriate and you are a visitor to the court house, the screeners at the front door will give you a disposable face covering to use and keep, to allow you to enter the building; and it is further

ORDERED, that all face coverings shall be worn with both the individual's mouth and nose fully covered and may not be held to the face by said individual's hand; and it is further

ORDERED, that those who have not been fully vaccinated may, with appropriate social distancing, lower their masks to eat, drink, or take oral or nasal medications, but shall replace them upon completion; and it is further

ORDERED, that where staff are assigned to single-occupancy enclosed offices, those personnel who have not yet completed the COVID-19 vaccination process may lower their masks when alone and the door is closed; however, masks shall be worn as described in this Order when any other person enters the office or the occupant leaves the office; and it is further

ORDERED, that where staff are assigned to common area workspaces, including cubicles, masks shall be worn by those who have not been fully vaccinated as described in this Order; and it is further

ORDERED, that public areas include all hallways, court rooms, self-help center, grand jury room, jury assembly room, lobby area of the Clerk's Offices, lobby areas of justice partners located in the court house (Office of State's Attorney and Register of Wills), Law Library, public rest rooms, stairways and elevators 1 and 2; and it is further

ORDERED, that non-public areas include all back hallways, Chambers areas, jury deliberation rooms, all Clerk offices, Office of the State's Attorney, Office of the Register of Wills, stairways, elevator 3, storage areas, facility maintenance and equipment rooms; and it is further

ORDERED, that staff is defined as any employee of the Maryland Judiciary, including but not limited to Judges and Magistrates, Office of the State's Attorney, the Register of

Wills, and members of St. Mary's County government who are assigned to the Courthouse; and it is further

ORDERED, that staff of the Saint Mary's County Sheriff's Office are exempt from this Order but are to follow the policy established by their Sheriff's Office as to face coverings while operating in the Court House; and it is further

ORDERED, that the Saint Mary's County Sheriff's Office shall deny access to anyone who is not compliant with this Order; and it is further

ORDERED, that the Sheriff's Office shall post this Order on the doors or within a reasonable area of the doorways and entrances to any courthouse or building used by this Court to conduct business; and it is further

ORDERED, that if you are scheduled or required to appear in the Circuit Court for Saint Mary's County, and you are unable to appear because of the restrictions in this Order, you are directed to proceed as follows:

- If you are represented by an attorney, please contact your attorney;
- If you are an attorney or are unrepresented and you are scheduled to appear in court before a judge, please contact the Saint Mary's Circuit Court Case Management Office at 301/475-7844 ext. 74101.

and it is further

ORDERED, that the 7/28/2020 Administrative Order concerning Restrictions on Accessing Court House, shall be and hereby is rescinded; and it is further

ORDERED, to the extent that this Administrative Order conflicts with extent Administrative Orders of this Court, this Administrative Order shall prevail; and

ORDERED, that the restrictions in this order will remain in place indefinitely, pending further order of this Court.

/s/

Michael J. Stamm, Administrative Judge
Circuit Court for Saint Mary's County