



Circuit Court of St. Mary's County, Maryland

JOHN HANSON BRISCOE CIRCUIT COURTHOUSE

41605 COURT HOUSE DRIVE

POST OFFICE BOX 859

LEONARDTOWN, MARYLAND 20650

MICHAEL J. STAMM

ADMINISTRATIVE JUDGE

301-475-4200 EXT. *4140

COVID-19 Operating Plan After June 5, 2020

Courts have a responsibility not only to take steps to ensure the health and safety of those entering a court building for court proceedings, but also to reassure visitors that the courts are working to ensure visitors' health and safety so that they feel safe returning to the courthouse. Because of the courts' unique ability to compel participants to attend versus other entities who may open for individuals to voluntarily visit, this responsibility is even more important.

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 Saint Mary's County will implement the following protective measures effective as of June 8, 2020:

General

1. The Circuit Court for Saint Mary's will be operating pursuant to the "In the Court of Appeals of Maryland Administrative Order on the Progressive Resumption of Full Function of Judiciary Operations Previously Restricted Due to COVID-19 Emergency" dated May 22, 2020. Said Order consisting of five (5) Phases.
2. Subject to the limitations set forth below, the Courthouse shall remain open to the public during regular business hours (8:30 a.m. to 4:30 p.m.) in a manner

necessary to effectuate the mission of the Court, which may include being electronically or telephonically accessible.

3. Individuals who show symptoms of COVID-19 or who have been exposed to someone with the symptoms of COVID-19 may not enter the Courthouse Buildings.
4. 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, by mail or the use of the Courthouse drop box, located on the front portico. 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.
5. 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.
6. The Court will not permit any in-person proceeding contrary to 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.
7. All judges and magistrates will use all reasonable efforts to conduct proceedings remotely. Proceedings will occur in-person only if holding the proceeding remotely is not possible or feasible. Determination of any in-person hearing during Phase 1 and 2 will be on a case by case basis with said determination made by the Administrative Judge pursuant to the Court of Appeals Administrative Order of May 22, 2020
8. Jury trials will not resume until Phase five (5) after October 4, 2020.
9. The Administrative Judge of this Court, or his designee will maintain regular communication with the local health authority and other state and local agencies and adjust this operating plan as necessary with conditions in St. Mary's County.

Judges, Magistrates, Court Staff, and Other Courthouse Occupants' Health

1. Judges, magistrates and court staff who can perform the essential functions of their job remotely will telework when possible, as permitted by their supervisor or the Administrative Judge.
2. Judges, magistrates, court staff, and other occupants of the Courthouse who feel feverish or have measured temperatures equal to or greater than 100°F, or with new or worsening signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, loss of taste or smell, diarrhea, or having known close contact with a person who is confirmed to have COVID-19 will not be permitted to enter the building and should seek medical advice.
3. Judges, magistrates, court staff, and other occupants of the Courthouse will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all time in public areas of the Courthouse.
4. Judges, magistrates, court staff, and other occupants of the Courthouse while in non-public areas of the Courthouse may not be required to wear face covering, subject to their Judge, magistrate and/or supervisor's permission, but are required to practice social distancing, and practice appropriate hygiene recommendations at all time in their work areas in the non-public areas of the Courthouse.

Judges, magistrates, court staff, litigants and other visitors of the Courthouse will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all time in each courtroom, unless excused by the presiding judge or magistrate during a court proceeding. proceeding and even if excused, only if the individual feels safe and comfortable with the below exception.
5. Witnesses while testifying shall not wear face covering unless excused of removal by the presiding judge or magistrate and all other parties in the case.
6. Protective Measures. The following additional protective measures will be taken:
 - a. Temperature scan devices will be placed at the entrance to the Courthouse to scan entrants' body temperatures.
 - b. No one will be allowed entrance in the Courthouse without face coverings.
 - c. Security will offer and provide disposable masks for anyone entering the Courthouse who does not have face coverings.

Court Dockets and Scheduling

1. Court dockets and schedules as set forth on **Attachment A** (In the Court of Appeals Maryland Administrative Order on the Progressive Resumption of Full Function of Judiciary Operations dated May 22, 2020 abridged to only reflect Phase descriptions and Circuit Court activities) and **Attachment B** (Saint Mary's Circuit Court scheduling procedures) and made a part hereof are established to reduce occupancy in the court building.
2. The number of individuals in each of the courtrooms used will be kept to the minimum level necessary to maintain court operations.
3. The Court and court staff will use good-faith efforts to ensure that:
 - a. No more than 10 persons are gathered in the courtroom or in areas around the courtroom (see exception below);
 - b. Participants wear face coverings; and
 - c. Participants in the courtroom are separated consistent with social distancing and other precautions.
4. **EXCEPTION:** Court proceedings may occur in person in excess of the 10-person maximum if the law requires more than 10 persons for the proceedings, such as petit jury trials and grand jury deliberations subject to the Court of Appeals Order of May 22, 2020. Every effort will be made to ensure that participants will be separated consistent with social distancing and should wear face coverings where possible.

Vulnerable Populations

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations.
2. Each judge or magistrate will include information on orders setting hearings, dockets notices, and in other communications notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as

a vulnerable individual and receive accommodations. A notice with this information will be posted on the courts' websites and in conspicuous locations around the court building (a copy of which is attached).

3. The Court will make efforts to provide reasonable accommodations to vulnerable populations who are required to come to court.

Children

1. Visitors to the courthouse are encouraged not to bring children under the age of 16 into the courthouse. As with adults, children with COVID-19 may only have mild symptoms, but they can still pass this virus onto others who may be at higher risk. If a visitor must bring children to the courthouse, children 2 years and older should wear a cloth face covering their nose and mouth.

Social Distancing

1. All persons not from the same household who are permitted in the Courthouse will be required to maintain adequate social distancing of at least 6 feet.
2. No more than two individuals not from the same household will be permitted in an elevator. If more than one individual from the same household is in an elevator, no other individuals will be permitted in the elevator.
3. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted on each restroom door.
4. Public common areas, including lobbies, hallways, vestibules, the jury assembly room and grand jury room have been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted.
5. No one without the permission of the Court Administrator or Security are to use or move chairs, sections of benches outside or inside the court rooms with signage prohibiting their use or to move the signage prohibiting use.

Courtroom Gallery

6. The maximum number of persons permitted in the gallery of each courtroom has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by court bailiffs.

7. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

Courtroom Well

8. In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, court reporter, and bailiff seating have been arranged in such a way so that to the extent possible, there is social distancing of at least 6 feet between each space and with each witness box provided a plastic shield.
9. In each courtroom, clerk's desk areas have been marked for appropriate social distancing and each courtroom clerk issued a plastic face shield and two (2) reusables keyboard protector for their use. Each courtroom clerk will be responsible for the maintenance, sanitizing and placement/removal of their assigned keyboard protector for their MDEC and Courtsmart computers in their assigned courtroom.
10. The court will provide small disposable water bottles to attorneys, litigants and witnesses upon request. Individuals may request a water bottle from a bailiff and are to take the bottle with them when they leave the courtroom.
11. Bailiffs will wear face coverings in the gallery when providing water or accepting exhibits from litigants, unless excused by the presiding judge or magistrate. Bailiffs have been provided protective gloves for use when taking exhibits from litigants.
12. In each courtroom, plastic page protectors/sleeves have been provided for exhibits. Bailiffs will open the protector/sleeve and have the party presenting the exhibit place the document inside without touching the outside of the protector/sleeve, with one (1) page per sleeve. The Bailiff prior to presentation to a witness or the court will wipe the protector/sleeve with sanitizer.

Hygiene

1. Hand sanitizer dispensers have been placed at the entrance to the building, outside of elevators on each floor, outside of each courtroom, and near the bathrooms.
2. Bathrooms will be checked regularly to ensure that adequate soap is on hand to facilitate frequent hand washing.
3. All public water fountains will not be available for use until further notice.

4. Tissues have been placed in the courtrooms at counsel tables, at the witness stand, on the judges' benches, and where possible in the hallways.
5. The Maryland Department of Health's "Covid-19 Prevention Tips" Notice has been posted in multiple locations on each floor of the Courthouse Buildings.

Screening

1. When individuals attempt to enter the Courthouse Buildings, security will ask the individuals 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 court building.
2. When individuals attempt to enter the court building, security will use a non-touch infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the court building.
3. If an individual is denied admittance they will be given a form with the date, time and signed by the screener of the denial, included with the form will be phone numbers of the different Court Offices and Agencies located inside the Courthouse. The Screener will request the individual's name for the form, however, the giving of an individual's name is optional.
 - a) If they have a scheduled hearing they are to call the Case Management Office, advise them of the denial and provide the case manager with a onetime use code on their form as proof of the denial.
 - b) If they were going to the Clerk of the Court and feel that they cannot use the Courthouse dropbox they should call the appropriate number for the different Clerk Departments.
 - c) If they were going to the Register of Wills for either an appointment or for the Orphans' Court they should call their number.
 - d) If they were going to the State's Attorney's Office, they should call that number.
4. Inmates being transported from the Saint Mary's Detention Center to the Courthouse Buildings will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms or a

temperature equal to or above 100.0°F will not be transported to the court building.

5. Courthouse security who are screening individuals entering the court building will be provided personal protective equipment, including face shields and/or masks and gloves.

Face Coverings

1. All individuals entering the court building will be required to wear face coverings at all times, unless excused by the Administrative Judge, or by a presiding judge or magistrate in their assigned courtroom during a court proceeding.
2. Individuals will be encouraged to bring cloth face coverings with them, but if the individual does not have a cloth face covering, a disposable face mask will be provided by the court by Security as supplies allow.

Cleaning

1. Court staff and County building services will clean the common areas of the court building so that common spaces, particularly door handles, knobs stair rails and other surfaces commonly handled several times during the day are cleaned at regular intervals throughout the day.
2. County building services will clean the courtrooms at the beginning of each day before the courtroom is used.
3. Saint Mary's County Building Services have provided assurance that the cleaning supplies are shown to be effective with this coronavirus.
4. Saint Mary's County Building Services have provided assurance that its employees have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

Other

Library

1. Social distancing will be enforced by security in the courthouse library and self-help center, to include limiting to 10 the number of people permitted in the library

at one time, cordoning off certain areas and limitations on access to the copier and computers.

2. Each computer is to be equipped with a onetime use disposable keyboard cover. Anyone using the computer terminal is to place a cover on the computer keyboard and when done they are to remove it and dispose the cover in the provided waste can by each terminal. If the individual does not see any covers they are to tell Security who will notify the Court Administrator for a new supply.
3. Failure to use the keyboard covers by a user will result in the denial of further use of the library and self-help computer terminals for 14 days. No warning will be given.
4. Masks will be required in the bar library as in other areas of the Courthouse Building.
5. The library will be sanitized regularly, and every effort will be made to ensure frequent cleaning of high-touch areas and devices.

Inmates transported from the Saint Mary's County Detention Center

1. The Saint Mary's County Sheriff's Office has advised that it plans on implementing enhanced standard operating procedures specific to court transportations that will include:
 - a. temperature checks/wellness screening of the detainees/inmates and staff;
 - b. protective gear for inmates and staff;
 - c. inmates will be grouped to support social distancing; and,
 - d. inmates and staff will be provided hand soap and sanitizer.
2. Some of the challenges identified that could impact timeliness and may cause delays in presentation of the inmate to court include:
 - a. a reduction of the number of detainees/inmates on buses and vans to support social distancing;
 - b. additional number of court trips needed to ensure all on the court list are transported; and,
 - c. the ability to social distance in holding cells with the court houses.

Inmates Transported From DOC

3. The Department of Public Safety and Corrections has advised that it plans on implementing enhanced standard operating procedures specific to court transportations that will include:
 - a. temperature checks/wellness screening of the inmates and staff;
 - b. protective gear for inmates and staff;
 - c. inmates will be grouped to support social distancing; and,
 - d. inmates and staff will be provided hand soap and sanitizer.

4. Some of the challenges identified by DPSC that could impact timeliness and may cause delays in presentation of the inmate to court include:
 - a. a reduction of the number of inmates on buses and vans to support social distancing;
 - b. additional number of court trips needed to ensure all on the court list are transported; and,
 - c. the ability to social distance in bullpens with the court houses.

June 8, 2020

/s/

DATE

Michael J. Stamm
Administrative Judge

St. Mary's Circuit Court Attachment B Scheduling Procedures

SCHEDULING OF CASES

The Circuit Court schedule will consist of three possible dockets. Each docket will have staggered hearing times divided into 15-minute segments to limit the number of people in each courtroom. (for example, there could be scheduled 1 case every 15 minutes, 1 every 30 minutes, 1 every hour and 15 minutes, 1 case for a whole docket and additional time in pm docket, etc.)

At scheduling of criminal, civil, including family cases, Case Management in consultation with the scheduling judge, the attorneys and the parties will establish the amount of time that the parties believe is necessary to complete the hearing.

Case Management will forward the case through MDEC and will e-mail the assigned hearing judge or magistrate the estimated time given at scheduling. The judge or magistrate should review the case and if disagrees with the time estimate will advise Case Management as to the time requirements they believe the hearing should be assigned. If case management does not receive a response within 5 days from the date of their e-mail as to the judge or magistrate's discussion concerning the provided time estimate they will assume the judge or magistrate agrees and schedule it for the amount of time given by the parties.

The decision as to time requirements to complete the hearing will determine how many 15- minute segments will be used and whether more than one case

can be scheduled in each time segment. Two cases can be scheduled in the same time segment if the judge or magistrate believe the matter will take less time than the estimate and/or to allow parties to complete settlement with out wasting limited court time.

Besides the determination of time segments, the judge or magistrate assigned will advise case management whether the hearing is to be done remotely or in person subject to the Court of Appeals Administrative Order of May 22, 2020

Exceptions:

Criminal status hearings which will be set in 15-minute segments by Case Management and will be done remotely in Phase 2.

Juvenile Court, ig. CINA, TPR and Delinquent will be scheduled by the assigned juvenile judge or magistrate with the juvenile clerk and will be done remotely in Phase 2.

Prior to Phase 5 commencement of civil and criminal jury trials a docket call for plea/trial status will be set by case management in 15-minute segments.

Jury trials when they commence in phase 5 will be assigned multiple full dockets as decided by the scheduling judge and assigned Judge approval.

DOCKET DAY/TIMES

Monday through Friday;

9:00am -12:00pm: Any and all matters as listed in the Court of Appeals Administrative Order of May 22, 2020 described in each Phase. Other matters as authorized by the Administrative Judge.

11:00am-12:00pm: Bond and detention reviews

1:30pm to 4:15pm: Any and all matters as listed in the Court of Appeals Administrative Order of May 22, 2020 described in each Phase. Other matters as authorized by the Administrative Judge

Per the Court of Appeals Administrative Order of May 22, 2020, the court will attempt to do as many hearings remotely on platforms approved by the Administrative Offices of the Court. Hearing notices will advise parties of whether the hearing will be done remotely or in person.

If remote, the assigned Chambers will be responsible to send the invitation for the type of platform being utilized to the parties. The parties are obligated at the scheduling conference to give case management their contact information for remote scheduling. Failure to keep this information current may result in not receiving their invitation to the hearing platform.

If in the courtroom, parties will be will subjected to the policy in the Saint Mary's Circuit Court COVID-19 plan.

JURY TRIAL SCHEDULE

All criminal and civil jury trials that were scheduled to begin on or after March 16, 2020 until October 4, 2020 have or will be postponed and rescheduled on or after October 5, 2020. All of these cases over the next 30 days will have a new scheduling conference to establish new dates. Scheduling hearings will be done remotely.

All juries scheduled on or after October 2020 will remain on the date already scheduled on the court calendar. There will not be a new scheduling conference unless requested by the parties.

Priority will be given to felony criminal jury trials.

NON-JURY TRIAL SCHEDULE

All civil non-jury trials that were scheduled on or after March 16, 202 until August 30, 2020 have or will be postponed and rescheduled on or after August 31, 2020. All of these cases over the next 30 days will have a new scheduling conference to establish new dates and time. Scheduling hearings will be done remotely.

All criminal non-jury jury trials that were scheduled to begin on or after March 16, 2020 until July 19, 2020 have or will be postponed and rescheduled on or after July 20, 2020. All of these cases over the next 30 days will have a new scheduling conference to establish new dates. Scheduling hearings will be done remotely.

CIVIL MATTERS (MOTIONS SETTLEMENT HEARINGS)

All Civil law cases that were scheduled to begin on or after March 16, 2020 until July 20, 2020 have or will be postponed and rescheduled on or after July 20, 2020 if they cannot be done remotely, require testimony, unless they qualify as one of the type of cases that may be done in either phase1 or 2. All of these cases over the next 30 days will have a new scheduling conference to establish new dates. Scheduling hearings will be done remotely.

CRIMINAL MATTERS (MOTIONS, VOP, JTP STATUS, SENTENCING, POST CONVICTIONS, 3 JUDGE PANEL)

All criminal cases and matters not including jury or non-jury dates that were scheduled to begin on or after March 16, 2020 until July 20, 2020 have or will be postponed and rescheduled on or after July 20, 2020 if they cannot be done remotely, require testimony, unless they qualify as one of the type of cases that may be done in either phase1, or 2. Some criminal matters per the Court of Appeals Order will be postponed if scheduled prior to August 31, 2020 and will not be rescheduled until after that date. All of these cases over the next 30 days will have a new scheduling conference to establish new dates. Scheduling hearings will be done remotely.

FAMILY LAW (DIVORCE MATTERS, CUSTODY, CHILD SUPPORT CONTEMPT)

All Family law cases that were scheduled to begin on or after March 16, 2020 until August 30, 2020 have or will be postponed and rescheduled on or after August 31, 2020 if they cannot be done remotely, require testimony, unless they qualify as one of the type of cases that may be done in either phase 1, 2 or 3. All of these cases over the next 30 days will have a new scheduling conference to establish new dates. Scheduling hearings will be done remotely.

JUVENILE (CINA AND DELINQUENCY)

All juvenile matters that were scheduled to begin on or after March 16, 2020 until July 19, 2020 have or will be postponed and rescheduled on or after July 20, 2020 if they cannot be done remotely, require testimony, unless they qualify as one of the type of cases that may be done in either phase 1, 2 or 3. All of these cases over the next 30 days will have a new scheduling conference to establish new dates. Scheduling hearings will be done remotely.

PROBLEM SOLVING COURTS (ADULT AND FAMILY RECOVERY)

These court will continue operation as they have in Phase 1 and will continue being done remotely until phase 5

REMOTE HEARINGS

Pursuant to the Court of Appeals Order of May 22, 2020, this court is authorized to conduct remote proceedings using communication platforms, consistent with the May 1, 2020 Court of Appeals Administrative Order concerning remote electronic participation until the end of Phase 4.

All court notices will designate whether a hearing is to be done remotely or in the courtroom.

SCHEDULING OF A BROADER RANGE OF MATTERS NOT DESIGNATED OR NOT INCLUDED IN A PHASE

Pursuant to the Court of Appeals Order of May 22, 2020, during phases 1, 2 and 3 matters not included in each of the first 3 phases may be scheduled after the review of the case and a determination by the Administrative Judge or designee whether the it can be scheduled, whether it would be done remotely or in person. Upon receipt of a line filed in the case by a requesting party with an explanation why it is necessary, case management will forward it to the Administrative Judge or designee for a determination.

RESCHEDULING IF THERE IS DENIED ACCESS INTO THE COURTHOUSE DUE TO SCREENING

If a litigant and/or attorney is denied access, they are to contact case management and the case will be postponed for cause if the individual provides the code given by the screener. Not providing the code will not postpone the case with cause and it will be the judge or magistrate assigned to the case to decide as to the appropriateness of proceeding without the missing party.

Upon notice from an individual denied access, Case Management will notify the appropriate court and if provided the code will reschedule the case after a date after the persons quarantine period (normally 14 days is complete or upon receipt of a COVID-19 negative test done after the denial of access into the courthouse. If all parties agree the case and the hearing can be done remotely it may be rescheduled earlier than 14 days.

If no code is provided to Case Management, they will notify the appropriate court of their contact with a person claiming that they were denied access.

If a witness is denied access they are to contact the summoning party. It will be the judge or magistrates assigned to the case to make the decision as to whether to proceed without the witness.

As in the past, if a party fails to appear not based on denial of access into the courthouse, it will be the assigned judge or magistrate's decision as to what should be the appropriate response.