

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY, MARYLAND

ADMINISTRATIVE ORDER NO. 2020-132

ORDER GOVERNING COURTHOUSE ACCESS AND RESTRICTIONS

DURING COVID-19 PHASED RE-OPENING

WHEREAS, a public health emergency exists based upon the outbreak of the coronavirus, COVID-19; and

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

WHEREAS, on May 22, 2020 Chief Judge Mary Ellen Barbera issued the Administrative Order on the Progressive Resumption of Full Function of Judiciary Operations Previously Restricted Due to the COVID-19 Emergency, which delineated a five phase approach to re-opening Maryland courts (the “Court Re-Opening 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 Judiciary personnel; and

WHEREAS, each of the five phases of the Court Re-Opening Plan represents an increase in the level of operation within the courthouse, with Phase I designated as the present state where the courthouse is closed to the public, with limited exceptions; and

WHEREAS, the timing for progression between Phases in the Court Re-Opening Plan may be adjusted based upon current 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

WHEREAS, in Phase II of the Court Re-Opening Plan, the courthouse continues to remain closed to the public with limited exceptions, but the scope of matters that can be heard on-site is expanded; and

WHEREAS, as the court enters each new Phase of the Court Re-Opening 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 re-opening, so measure must be taken to mitigate the potential for exposure for individuals visiting the court and for judicial personnel; and

WHEREAS, pursuant to Administrative Order 2020-3 issued on March 20, 2020, public entry into the Baltimore County Circuit Court was restricted and the Baltimore County Sheriff's Office was authorized to screen those persons permitted to enter the courthouse and to refuse entry for persons in various circumstances; and

WHEREAS, pursuant to Administrative Order 2020-41 issued on April 17, 2020, the Baltimore County Sheriff's Office was authorized to conduct thermal temperature checks for individuals entering the courthouse, and all persons in the courthouse were required to wear face coverings within public areas in the building; and

WHEREAS, in light of the phased Court Re-Opening 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:

I: Courthouse Admission

During Phase I and Phase II of the Court Re-Opening Plan, the courthouse remains generally closed to the public. Courthouse entry during these Phases is limited to courthouse employees or others with offices within the courthouse; counsel, parties and necessary witnesses appearing for a case scheduled on the court docket; 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 I and II, the Clerk's Office will remain closed to the public, except by appointment pursuant to policies established by the Clerk of the Court;

Public kiosks will be located on the First Floor and the Second Floor during times when the Clerk's Office and the Courthouse Library remain closed to the public;

During Phases I through IV, filings that are not made electronically may be left in a drop box at the Plaza entrance to the courthouse, to be docketed in the manner outlined in Administrative Orders issued by Chief Judge Barbera;

II. Required Health Screening Upon Entry

The Baltimore County Sheriff's Office (the "Sheriff's Office") shall employ heightened courthouse entry screenings during Phases I through IV of the Court Re-Opening 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 without wearing personal protective equipment. These health screening questions can be completed in advance through a URL: <https://BACOsafe.org> with the results displayed to the Sheriff on a smart phone in order to expedite the entry process. 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 ° or greater shall be refused entry into the courthouse;
- All persons over the age of two 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, or in an office or workspace within a six foot distance of another person. This requirement extends to appearances in courtrooms except when speaking, at the discretion of the speaker.
- 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, shall provide contact information that will be forwarded to the presiding judicial officer. The presiding judicial officer shall then determine whether the scheduled matter will be postponed, or whether arrangements can be made for remote participation by the person who was refused entry. The presiding judicial officer will communicate with the Sheriff’s Office to provide further direction to the person who was refused entry.

- The Sheriff's Office 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 Secure Areas

- Each courtroom, hearing room, and waiting area in the courthouse will have signage posted to limit capacity based upon current social distancing recommendations, which limits will be enforced by judicial officers or security staff;
- Social distancing markers will be placed in the gallery areas in courtrooms and in waiting rooms to reinforce social distancing requirements;
- Overflow from any courtroom will be asked to wait with appropriate social distancing in a hallway or in the jury assembly room on the mezzanine level;
- Access to secure hallways and chambers is restricted to staff unless otherwise authorized by a judicial officer;
- Any person who refuses to comply with social distancing requirements is subject to removal from the courthouse by the Sheriff's Office.

Inmate Transportation and Care

- An inmate may not be transported to the courthouse if the inmate: (1) is in quarantine 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 °;
- All inmates transported to the courthouse are subject to temperature screening by a touchless thermometer prior to transport;
- 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;

It is further ORDERED that Administrative Orders 2020-3 and 2020-41 are hereby RESCINDED, as they are superseded by this Order.

Date

6/2/20


Kathleen Gallogly Cox
Administrative Judge