

IN THE COURT OF APPEALS OF MARYLAND
ADMINISTRATIVE ORDER ON THE STATEWIDE SUSPENSION OF NON-ESSENTIAL
JUDICIAL ACTIVITIES DUE TO EMERGENCY

WHEREAS, Pursuant to the Maryland Constitution, Article IV § 18, the Chief Judge of the Court of Appeals is granted authority as the administrative head of the Judicial Branch of the State;

WHEREAS, In instances of emergency conditions, whether natural or otherwise, that significantly disrupt access to or the operations of one or more courts or other judicial facilities of the State or the ability of the Judiciary to operate effectively, the Chief Judge of the Court of Appeals may be required to determine the extent to which court operations or judicial functions shall continue; and

WHEREAS, Technology applications may be used, consistent with the Administrative Order on the Implementation of Remote Electronic Participation in Judicial Proceedings filed June 18, 2018, to mitigate the impact of an emergency situation upon the Judiciary and its ability to provide access to justice; and

WHEREAS, Due to the outbreak of the novel coronavirus, COVID-19, and consistent with guidance issued by the Centers for Disease Control, an emergency exists that poses a threat of imminent and potentially lethal harm to vulnerable individuals, including some Judiciary personnel, who may come into contact with a court or judicial facility and personnel; and

WHEREAS, To the extent possible, the courts and judicial offices and units shall remain operational and provide scheduled and required events while balancing the health and safety needs of court visitors and personnel; and

WHEREAS, There are certain activities that, in the event of such emergency conditions, may be considered non-essential and therefore require suspension,

NOW, THEREFORE, I, Mary Ellen Barbera, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution, do hereby order this 12th day of March, 2020, that, effective immediately,

- (a) The following activities are considered non-essential:
 - (1) In-State Travel. Travel within the State on official business is to be minimized to the greatest extent possible without disrupting the essential functions of the Judiciary, consistent with official directives by health and law enforcement officials.

- (2) Out-of-State Travel. All out-of-state business travel shall be suspended until further notice.
 - (3) Out-of-Country Travel. All out-of-country business travel shall be suspended until further notice.
 - (4) Judicial College. All in-person judicial education, professional development, and technology education classes shall be suspended until further notice.
 - (A) To the extent that classes might be delivered using remote means, such classes shall be offered to those personnel who are enrolled.
 - (B) To the extent that these courses were necessary to fulfill judicial education requirements, a suspension of such requirements may be determined to be necessary at a later date.
 - (5) Committee Meetings. In-person meetings of committees, subcommittees, workgroups, and other similar judicial governance entities shall be conducted by conference call or other remote hosting technology. The Chief Judge may make an exception where the administrative head of a committee, subcommittee, workgroup, or other similar judicial governance entity provides written justification that the committee cannot fulfill its essential purposes.
 - (6) Gatherings. Unless there is an emergent need, judicial personnel shall refrain from attending and/or hosting non-essential work-related gatherings.
- (b) Alternative Work Arrangements. During this emergency, the authority to approve temporary alternative work arrangements for judicial personnel, subject to considerations under this Order, is delegated as follows:
- (1) Circuit Courts.
 - (A) In the Circuit Courts, County Administrative Judges, after first notifying and obtaining the approval of the Chief Judge of the Court of Appeals;
 - (B) In the Offices of the Clerks of Circuit Courts, the Clerk, consistent with statewide policies and, to ensure continuity of operations, in coordination with the County Administrative Judge and the Court Administrator.
 - (2) In District Court locations, District Administrative Judges, with the approval of the Chief Judge of the District Court.

- (3) In the Court of Special Appeals, its Clerk's Office and applicable judicial units, with the approval of the Chief Judge of the Court of Special Appeals.
 - (4) In the Administrative Office of the Courts, the State Court Administrator.
- (c) Exposure Mitigation.
- (1) No person who has been diagnosed and remains ill with or is aware of having been exposed to COVID-19 may enter a Judicial Branch facility.
 - (2) No person who has been advised by a doctor, hospital or local health department to self-quarantine or ordered to quarantine may enter a Judicial Branch facility during the quarantine period.
 - (3) To the extent that, during this emergency, any person attempts to enter a Judicial Branch facility and appears to be ill with a respiratory illness, protocols developed as part of extant continuing operations plans shall be employed to provide to that person, to the extent possible, the services needed without placing other court visitors and staff at risk.
 - (4) Any such person and/or his or her attorney, if applicable, who has a scheduled proceeding, event, or services in a Judicial Branch facility must contact the appropriate office regarding his or her status.
- (d) Conflicting Orders. To the extent that this Administrative Order conflicts with any extant Administrative Order, this Order shall prevail during the duration of the emergency.

/s/ Mary Ellen Barbera
Mary Ellen Barbera
Chief Judge
Court of Appeals of Maryland

Filed: March 12, 2020

/s/ Suzanne C. Johnson
Suzanne C. Johnson
Clerk
Court of Appeals of Maryland

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Suzanne C. Johnson, Clerk