

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

IN RE: \*  
COURT OPERATIONS UNDER THE EXIGENT \* MISC. NO. 00-308  
CIRCUMSTANCES CREATED BY COVID-19 \*

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**AMENDED STANDING ORDER 2021-07**

On May 26, 2021, the Court modified Phase Three of its Recovery Plan to relax some of its pandemic mitigative safety measures to reflect dramatically improving virus metrics and vaccination rates, the lifting of state and local restrictions on businesses, and updated guidance from the Centers for Disease Control and Prevention. In recent weeks, local virus metrics have only continued to improve. The statewide 7-day test positivity rate is now at a record-low of 0.61%, and the 7-day test positivity rates for all local jurisdictions surrounding the courthouses in this District are well below 1%. Hospitalization rates and the daily average numbers of newly-reported cases have each reached lows not seen since the earliest days of the pandemic, and they continue to fall. While these metrics have declined, vaccination rates have increased, with over 73% of Marylanders over the age of 18 having received at least one dose of a vaccine. In response, the Governor of Maryland has announced the end of the COVID-19 state of emergency, effective July 1, 2021. Moreover, local jurisdictions have eliminated indoor mask mandates or will do so by July 1, 2021.

While the Court is not yet ready to announce progression into Phase Four of its Recovery Plan nor a return to its full pre-pandemic operating status, the improving local virus data, vaccination rates, and other relevant criteria warrant additional relaxation of pandemic mitigative safety measures. Accordingly, the Court determines that it should further amend its Phase Three restrictions to reflect these improving factors, effective July 1, 2021.

It is

ORDERED that the following persons shall not enter any U.S. Courthouse or U.S. Probation Office in this District without the express permission of the Chief Judge:

- Persons who have been diagnosed with COVID-19 or told to presume they have COVID-19 by a health professional within the last 14 days; and
- Persons exhibiting symptoms of COVID-19 to include fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea, unless the symptoms are confidently attributed to another known condition.

Temperature checks at the entrances to each courthouse are no longer required; and it is further

ORDERED that all persons seeking entry to, or occupying, any public area of a United States Courthouse in this District must wear a face covering or mask, which must completely conceal the wearer's nose and mouth at all times, unless otherwise authorized by a judicial officer. Any visitor seeking entry to a courthouse without an appropriate mask<sup>1</sup> will be provided a mask by the Court. In the discretion of the presiding judge, a participant in a court proceeding may be permitted to remove his or her mask while in the courtroom upon proffer to the Court that they have been fully vaccinated against COVID-19.<sup>2</sup> Jurors and spectators must remain masked at all times unless the presiding judge permits them to remove their masks. Any person may continue to wear a mask if they so choose; and it is further

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<sup>1</sup> Masks may not incorporate a one-way valve. Neither bandanas nor neck gaiters constitute appropriate masks under the terms of this Order.

<sup>2</sup> Persons are considered fully vaccinated against COVID-19 14 days after receiving the second shot of a two-dose vaccine or 14 days after receiving a single shot of a single-dose vaccine.

ORDERED that spectators will be permitted to enter courtrooms to observe in-court proceedings<sup>3</sup> in this District, including jury trials, provided that 6-feet of social distance is maintained between persons not in the same household. When sufficient social distance can no longer be maintained, the courtroom will be deemed full. A public telephone conference line will no longer be provided on a routine basis for in-court proceedings; and it is further

ORDERED that mediation and settlement conferences may be held virtually or in person in the discretion of the presiding magistrate judge; and it is further

ORDERED that the United States Marshal, his Deputies, the Court Security Officers, and courtroom staff shall enforce the terms of this Order and shall deny entry to anyone attempting to enter in violation of this Order; and it is further

ORDERED that, effective July 1, 2021, Phase Three of the Court's Recovery Plan is modified such that it accommodates the terms of this Order; and it is further

ORDERED that Second Amended Standing Order 2021-04, Standing Order 2020-19, Third Amended Standing Order 2020-10, and Amended Order 2020-16 are RESCINDED; and it is further

ORDERED that this Order shall be amended or vacated as circumstances warrant.

Dated this 23rd day of June, 2021.

BY THE COURT:

/s/ JAMES K. BREDAR  
James K. Bredar  
Chief Judge

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<sup>3</sup> Spectators will not be permitted into the courtroom during individual voir dire examination of prospective jurors and other *in camera* proceedings.