

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

**FIFTH AMENDED ADMINISTRATIVE ORDER REGARDING WEARING OF FACE
MASKS AND SOCIAL DISTANCING IN MONTGOMERY COUNTY CIRCUIT
COURT
(AO-E17)**

The Circuit Court for Montgomery County continues to closely monitor state and local responses to the Coronavirus (COVID-19) outbreak and follows guidance provided by state and local public health agencies and the Centers for Disease Control and Prevention (CDC). The CDC having recently updated its protocols to make the wearing of masks voluntary for those who have completed the vaccination process, with the State and Montgomery County having announced the lifting of some or all health measures to take effect in the days to come, it is this 28th day of May, 2021, by the Circuit Court for Montgomery County, Maryland

ORDERED, that the wearing of face masks is voluntary for judges, judiciary personnel, and any other persons entering the courthouse who have completed the vaccination process, except that jurors and all participants in jury trials, including judges, support staff, attorneys, litigants, witnesses and jurors, shall be required to wear masks and maintain social distancing while participating in jury selection and trial until June 14, 2021, at which time jury trial participants may dispense with the masking requirement if they have completed the vaccination process, 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 otherwise noted in this Order, with such masks to cover the nose, mouth, and chin completely, without vents, and it is further,

ORDERED, that where members of the public or judiciary personnel 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 barriers, including clear personal barrier shields, are not a substitute for and shall not fulfill the masking requirement of this Order, and it is further

ORDERED, that unless determined by an 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 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 throughout courtroom proceedings, participants who have not been fully vaccinated shall wear masks as required by 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 where judiciary personnel 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 judiciary personnel 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 before any person is admitted to the building, he or she shall be required to answer medical screening questions related to possible COVID-19 exposure, and it is further

ORDERED, that any courthouse employee who feels ill, or exhibits commonly-known symptoms of COVID-19, including but not limited to cough, shortness of breath, chills, headache, sore throat, loss of taste or smell or related symptoms, should report that fact to a supervisor, immediately depart the building, and seek medical attention where appropriate, and it is further

ORDERED, that any person who does not comply with this emergency order shall be subject to removal from the courthouse by the Montgomery County Sheriff's Department and subject to disciplinary action as appropriate, and it is further;

ORDERED, that this Order is effective at 12:01 a.m. on June 1, 2021, and supersedes the Fourth Administrative Order Regarding Wearing of Face Masks and Social Distancing in Montgomery County Circuit Court, entered October 5, 2020.



ROBERT A. GREENBERG
Administrative Judge
Circuit Court for
Montgomery County, Maryland