

**IN THE MATTER OF  
COVID-19 OPERATING PLAN**

**IN THE  
CIRCUIT COURT  
FOR  
CARROLL COUNTY**

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**ADMINISTRATIVE ORDER**

WHEREAS, on May 22, 2020, the Chief Judge of the Court of Appeals of Maryland issued an Administrative Order on the Progressive Resumption of Full Function of Judiciary Operations which establishes a plan for gradually reopening the Courts and outlines operational directives to the courts across the state as the judicial branch continues to monitor the COVID-19 public health emergency; and

WHEREAS, pursuant to Maryland Rule 16-105, the County Administrative Judge is responsible for the administration of the circuit court, including supervision of the judges, officials, and employees of the court, implementation and enforcement of all administrative policies, rules, orders, and directives of the Court of Appeals, the Chief Judge of the Court of Appeals, the State Court Administrator, and the Circuit Administrative Judge of the judicial circuit, and performance of any other administrative duties necessary to the effective administration of the internal management of the court.

NOW THEREFORE, pursuant to the authority vested in the undersigned Administrative Judge of this Court, and consistent with the aforementioned Administrative Order of the Chief Judge of the Court of Appeals of Maryland; it is hereby

ORDERED, that effective June 1, 2020, the Circuit Court for Carroll County hereby adopts and incorporates herein the *Circuit Court for Carroll County Covid-19 Operating Plan Beginning June 8, 2020*; and it is further

ORDERED, that a copy of this Order shall be disseminated to the members of the Bar Association of Carroll County via the Bar Association's ListServ; and it is further

ORDERED, that a copy of this Order shall be posted to website maintained by this Court and to the website maintained by the Clerk of this Court.

**June 1, 2020**

Date



Fred S. Hecker, Judge  
Circuit Court for Carroll County

**FRED S. HECKER**  
Administrative Judge

# CIRCUIT COURT FOR CARROLL COUNTY



## COVID-19 Operating Plan Beginning June 8, 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 Carroll County will implement the following protective measures effective as of June 8, 2020:

### **General**

1. Subject to the exceptions and limitations set forth below, the Courthouse Annex and Historic Courthouse (hereinafter sometimes referred to as the Courthouse Buildings) shall remain closed to the public until July 20, 2020 at 8:30 a.m. Even while Courthouse Buildings are closed to the public, however, Judges, Magistrates, and essential court personnel shall be available 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.
2. 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.
3. 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 by mail, via the Courthouse drop-box, and in person (beginning July 20, 2020). 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 at (410) 386-8710.
4. 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.

5. 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.
6. 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.
7. Jury trials will not resume until October 5, 2020.
8. 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 Carroll 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 Annex or Historic Courthouse who feel feverish or have measured temperatures equal to or greater than 100.4°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 Annex or Historic Courthouse will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times, unless excused by the presiding judge or magistrate during a court proceeding.
4. Protective Measures. The following additional protective measures will be taken:
  - a. Temperature scan devices will be placed at the entrances to the Courthouse Annex and Historic Courthouse to scan entrants' body temperatures.

### **Court Dockets and Scheduling**

1. Court dockets and schedules as set forth on **Appendix A** and made a part hereof are established to reduce occupancy in the Courthouse Buildings.
2. The number of 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 where possible; 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. 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, docket 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 court's websites and in conspicuous locations around the Courthouse Buildings.
3. The Court will make efforts to provide reasonable accommodations to vulnerable populations who are required to come to court.

### **Children**

1. Visitors are encouraged not to bring children under the age of 16 into the Courthouse Buildings. 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 Buildings, children 2 years and older should wear a cloth face mask that covers their nose and mouth.

### **Social Distancing**

1. All persons not from the same household who are permitted in the Courthouse Buildings will be required to maintain adequate social distancing of at least 6 feet.
2. There will be separate elevators for courthouse employees and members of the public. 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 and the Courthouse Annex lunch room have been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted.

#### *Gallery*

5. 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.
6. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

#### *Well*

7. In each courtroom, the counsel tables, witness stand, judge's bench, clerk's bench, 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.
8. In each courtroom, clerk's office, and other areas of the Courthouse Annex and Historic Courthouse, transparent plastic sneeze guard shields have been placed to provide a barrier between court staff and the public.

#### **Hygiene**

1. Hand sanitizer dispensers have been placed at the entrances to the Courthouse Buildings, outside of elevators on each floor and outside of each courtroom.
2. Bathrooms will be checked regularly to ensure that adequate soap is on hand to facilitate frequent hand washing.
3. Tissues have been placed in the courtrooms at counsel tables, at the witness stand, and on the judges' benches.
4. 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, court bailiffs will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing; 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 buildings and will be given information on who they should contact.
2. When individuals attempt to enter the Court Buildings, court bailiffs will use an infrared thermometer to determine the temperature of the individual. Individuals

whose temperature equals or exceeds 100.4°F will be refused admittance to the court building.

3. Inmates being transported from the jail 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 100.4°F will not be transported to the Court Buildings.
4. Court bailiffs who are screening individuals entering the court building will be provided personal protective equipment, including face shields and/or masks and gloves.

### Face Coverings

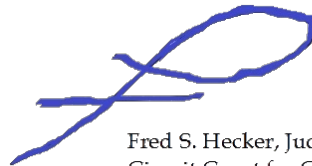
1. All individuals entering the Court Buildings will be required to wear face coverings at all times, unless excused by the Administrative Judge, or by a presiding judge or magistrate during a court proceeding.
2. Individuals will be encouraged to bring cloth face coverings with them, but if the individual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

### Cleaning

1. Court staff and building cleaning contractors will disinfect the common areas of the court buildings so that the common spaces, particularly door handles, door knobs, stair rails, elevator buttons, light switches, and other surfaces commonly touched several times a day, are disinfected. Court staff shall disinfect these surfaces at regular intervals throughout the day. At the end of each day, the building cleaning contractors will perform a thorough cleaning and disinfection of both courthouses, including common spaces, bathrooms, and courtrooms that have been used.
2. Court building cleaning contractors have provided assurance that the cleaning supplies are shown to be effective against coronavirus.
3. Court building cleaning contractors have provided assurance that its employees have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

**June 1, 2020**

DATE



Fred S. Hecker, Judge  
Circuit Court for Carroll County

**Fred S. Hecker**  
**Administrative Judge**

# APPENDIX A

CRIMINAL MATTERS				
PHASE	2	3	4	5
DATES	June 8 - July 19	July 20 - August 30	August 31 - October 5	October 5 - Forward
What Can be Heard?	<b>Bail reviews</b> <b>Arraignments for detained defendants</b> <b>Extradition cases</b> <b>Competency/NCR if no witnesses required</b> <b>Discovery/Hicks issues</b> <b>Pleas for non-incarcerated defendants ONLY</b> <b>if (a) deferred sentencing if plea involves incarceration or (b) no incarceration recommended as part of plea</b> <b>Motions that do not require witnesses OR can be held with remote testimony</b>	<b>Bail reviews</b> <b>Arraignments for detained defendants</b> <b>Extradition cases</b> <b>Competency/NCR if no witnesses required</b> <b>Discovery/Hicks issues</b> <b>Pleas for non-incarcerated defendants ONLY</b> <b>if (a) deferred sentencing if plea involves incarceration or (b) no incarceration recommended as part of plea</b> <b>Motions that do not require witnesses OR can be held with remote testimony</b> <b>Motions</b> <b>Expungements</b> <b>VOPs</b> <b>Bench trials</b> <b>JTP status hearings</b> <b>Sentencings that were deferred</b>	<b>Bail reviews</b> <b>Arraignments for detained defendants</b> <b>Extradition cases</b> <b>Competency/NCR if no witnesses required</b> <b>Discovery/Hicks issues</b> <b>Pleas for non-incarcerated defendants ONLY</b> <b>if (a) deferred sentencing if plea involves incarceration or (b) no incarceration recommended as part of plea</b> <b>Motions that do not require witnesses OR can be held with remote testimony</b> <b>Motions</b> <b>Expungements</b> <b>VOPs</b> <b>Bench trials</b> <b>JTP status hearings</b> <b>Sentencings that were deferred</b> <b>Post-conviction Hearings</b> <b>Three Judge Panel Reviews</b>	<b>FULLY OPERATIONAL, INCLUDING JURY TRIALS</b>



CIVIL MATTERS				
PHASE	2	3	4	5
DATES	June 8 - July 19	July 20 - August 30	August 31 - October 5	October 5 - Forward
What Can be Heard?	<p>Emergency evaluation petitions  Quarantine and isolation petitions  Emergency Habeas Corpus petitions  Body attachments  Temporary restraining orders  Scheduling conferences  Status conferences  On the record appeals  Matters than can be handled remotely or without testimony or both</p>	<p>Emergency evaluation petitions  Quarantine and isolation petitions  Emergency Habeas Corpus petitions  Body attachments  Temporary restraining orders  Scheduling conferences  Status conferences  On the record appeals  Matters than can be handled remotely or without testimony or both  <b>Motions requiring witness testimony</b>  <b>Settlement hearings</b>  <b>Attorney disciplinary hearings</b></p>	<p>Emergency evaluation petitions  Quarantine and isolation petitions  Emergency Habeas Corpus petitions  Body attachments  Temporary restraining orders  Scheduling conferences  Status conferences  On the record appeals  Matters than can be handled remotely or without testimony or both  Motions requiring witness testimony  Settlement hearings  Attorney disciplinary hearings  <b>Non-jury trials and de novo appeals</b></p>	<p><b>FULLY OPERATIONAL, INCLUDING JURY TRIALS</b></p>

FAMILY MATTERS				
PHASE	2	3	4	5
DATES	June 8 - July 19	July 20 - August 30	August 31 - October 5	October 5 - Forward
What Can be Heard?	<p>Scheduling conferences</p> <p>Status conference</p> <p>Uncontested divorces and other uncontested family law matters</p> <p>Domestic violence protective orders</p> <p>Domestic violence, peace, and extreme risk protective order appeals</p> <p>Family law emergencies that have been determined to require an expedited hearing, including time urgent matters related to special juvenile immigrant status</p> <p>Emergency issues in guardianship matters</p> <p>Temporary restraining orders</p> <p>Default hearings</p> <p>Exceptions hearings not requiring witness testimony (uncontested or consented to or requiring legal argument only)</p> <p>Matters that can be handled remotely or without testimony or both</p>	<p>Scheduling conferences</p> <p>Status conference</p> <p>Uncontested divorces and other uncontested family law matters</p> <p>Domestic violence protective orders</p> <p>Domestic violence, peace, and extreme risk protective order appeals</p> <p>Family law emergencies that have been determined to require an expedited hearing, including time urgent matters related to special juvenile immigrant status</p> <p>Emergency issues in guardianship matters</p> <p>Temporary restraining orders</p> <p>Default hearings</p> <p>Exceptions hearings not requiring witness testimony (uncontested or consented to or requiring legal argument only)</p> <p>Matters that can be handled remotely or without testimony or both</p> <p>Resume handling of temporary domestic violence protective order petitions during court hours</p> <p>Motions requiring witness testimony</p> <p>Pendente lite hearings</p> <p>Contempt proceedings</p> <p>Adoptions</p> <p>Guardianship - non-emergency</p> <p>Child support matters: establishment</p> <p>Settlement hearings</p> <p>Court-ordered mediations</p>	<p>Scheduling conferences</p> <p>Status conference</p> <p>Uncontested divorces and other uncontested family law matters</p> <p>Domestic violence protective orders</p> <p>Domestic violence, peace, and extreme risk protective order appeals</p> <p>Family law emergencies that have been determined to require an expedited hearing, including time urgent matters related to special juvenile immigrant status</p> <p>Emergency issues in guardianship matters</p> <p>Temporary restraining orders</p> <p>Default hearings</p> <p>Exceptions hearings not requiring witness testimony (uncontested or consented to or requiring legal argument only)</p> <p>Matters that can be handled remotely or without testimony or both</p> <p>Resume handling of temporary domestic violence protective order petitions during court hours</p> <p>Motions requiring witness testimony</p> <p>Pendente lite hearings</p> <p>Contempt proceedings</p> <p>Adoptions</p> <p>Guardianship - non-emergency</p> <p>Child support matters: establishment</p> <p>Settlement hearings</p> <p>Court-ordered mediations</p> <p>Hearings and trials</p> <p>Child support contempt hearings</p>	FULLY OPERATIONAL

JUVENILE MATTERS				
PHASE	2	3	4	5
DATES	June 8 - July 19	July 20 - August 30	August 31 - October 5	October 5 - Forward
What Can be Heard?	<p>Juvenile detention hearings</p> <p>Peace order petitions (juvenile respondents only)</p> <p>Arraignments and first appearances</p> <p>Emergency delinquency hearings, including motions related to juveniles who are detained, committed pending placement, or committed, consistent with the April 13 Administrative Order</p> <p>Adjudication with agreed-to please and/or by proffer</p> <p>Disposition with consent and/or by proffer</p> <p>Disposition reviews</p> <p>Delinquency juvenile treatment plans and reviews</p> <p>Closure of probation and jurisdiction of Juvenile Court not requiring testimony</p> <p>Juvenile expungements not requiring testimony</p> <p>Juvenile permanency plans and reviews, if not contested or by proffer or both</p> <p>Juvenile waivers, if consented to and not requiring testimony</p> <p>Exceptions hearings not requiring witness testimony (uncontested or consented to or requiring legal argument only)</p> <p>Adoptions concerning CINA and TPR juveniles</p> <p>Juvenile shelter care hearings</p> <p>CINA matters, including, if not contested and/or by proffer, adjudications, dispositions, permanency plan, and permanency plan reviews</p> <p>Termination of Parental Rights by consent and/or by proffer</p> <p>Family Treatment/Recovery Court review hearings</p> <p>Guardianships under juvenile causes</p> <p>Matters than can be handled remotely or without testimony or both</p>	<p>All CINA matters and motions that are contested and/or requiring testimony</p> <p>CINA adjudications, dispositions, permanency plans, permanency plan reviews</p> <p>Contested TPR proceedings</p> <p>All delinquency matters that are contested and/or requiring testimony</p> <p>Adjudication</p> <p>Disposition and disposition reviews</p> <p>Motions</p> <p>Delinquency juvenile treatment plans and reviews</p> <p>Closure of probation and jurisdiction of Juvenile Court</p> <p>Juvenile expungements</p> <p>Juvenile permanency plans and reviews</p> <p>Juvenile waiver hearings, including to and from Juvenile Court</p> <p>Juvenile and adult sex offender registration matters</p> <p>Exceptions hearings</p>	<p><b>FULLY OPERATIONAL</b></p>	