

Considerations in Resuming Court Operations

A Pandemic Resource from NCSC

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1. **Judge and Court Staff Health – how the courts will ensure judges and court staff do not enter the courthouse if they are sick or show signs or symptoms of being sick and will limit judges and court staff from exposure to the degree possible.**

Courts should take precautions to ensure judges and courts staff do not enter the courthouse when there is a likelihood that they may have COVID-19, and courts should take reasonable steps to protect judges and court staff from contracting COVID-19. Courts should consider encourage teleworking for judges and court staff whenever possible and feasible.

2. **Scheduling – how the courts will coordinate scheduling to reduce occupancy in the courthouse to the lowest degree possible.**

In-person proceedings must be scheduled to reduce the number of people entering or congregating in the courthouse at any one period of time. Judges in counties and cities with multiple judges in a courthouse must coordinate scheduling of any in-person proceedings to reduce the number of people in the courthouse at one time.

3. **Criteria for In-Person Hearings**

Courts should continue remote proceedings in all cases where it is possible and practicable. Courts should establish criteria that will provide clear guidance on when an in-person hearing will be held (if a remote proceeding is not possible or impracticable).

4. **Vulnerable Populations – how the courts will work with vulnerable individuals and those who live with or are caregivers for vulnerable individuals and provide accommodations to reduce the appearance of those individuals at the courthouse.**

Vulnerable individuals are those 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 that are compromised, such as by chemotherapy for cancer or other conditions requiring such therapy.

5. Social Distancing – how the courts will ensure that adequate social distancing of at least 6 feet will be maintained for all individuals in a courthouse.

Courts should consider how to ensure distancing in public common areas, galleries of courtrooms, wells of the courtroom, hallways, elevators, restrooms, or other locations where the public might gather. Special attention should be given to scheduling in buildings with multiple courtrooms, as common areas such as halls and elevators may become crowded in such a way that it is impossible to maintain appropriate social distancing.

6. Hygiene – how the courts will ensure that individuals in the courthouse will have access to supplies to maintain high levels of hygiene

Courts should consider having hand sanitizer dispensers available at various locations around the courthouse, including at the entry and exits from the building and courtrooms. Courts should ensure that tissues are available for public use in courtrooms and other public areas. Courts should post readily visible signage reminding individuals of best hygiene protocols.

7. Screening – how the courts will ensure temperature screening of all individuals entering the courthouse or courtroom areas

Individuals feeling feverish or with measured temperatures equal to or greater than 100°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 must not be permitted entry. Special attention should be given to how inmates from jail facilities who may be transported to a courtroom will be screened, including consideration of a lower threshold temperature of 99.6°F as an indicator of symptoms. Screeners should be provided appropriate face protection and gloves.

8. Face coverings – how the courts will ensure face coverings over the nose and mouth are worn

Cloth face coverings, at a minimum, are highly recommended for individuals while in the courthouse. Courts should consider requiring face coverings, and should consider providing face coverings for those seeking entrance to a court facility. Should an individual be in the courthouse for lengthy periods of time, surgical face masks should be considered.

9. Cleaning – how the courts will ensure frequent and appropriate cleaning of surfaces in and around courtrooms and common areas

Sanitizing should be routinely and more regularly performed, including when a transition of participants occurs within a courtroom (i.e. between hearings).