

STATE OF VERMONT
OFFICE OF THE COURT ADMINISTRATOR

Administrative Directive No. SG-2



Interim State Court Administrator

**HEALTH SCREENING AND SAFETY PROTOCOLS FOR ALL VERMONT COURTHOUSES
AND JUDICIARY FACILITIES DURING THE JUDICIAL EMERGENCY**

Pursuant to the authority set forth in Supreme Court Administrative Order 49 ¶ 7(a), the Interim State Court Administrator directs as follows:

Purpose

As the COVID-19 Pandemic evolves, the Vermont Judiciary continues to adapt to the changing health guidance provided by the Centers for Disease Control and Prevention (CDC), the Vermont Department of Health (VDH), and other health and engineering experts to promote the public health of Vermonters seeking access to justice in Vermont's courts.

The primary mitigation measures that reduce the risk of transmitting COVID-19 continue to be vaccination; adequate building ventilation; masking; distancing; and testing. The Judiciary has and will continue to establish and adjust protocols relating to these variables as needed.

This directive updates the direction from the Court Administrator's Office in these areas and supersedes prior guidance, most specifically Administrative Order PG-13, which was last amended on September 1, 2021.

Effective March 28, 2022, the Vermont Judiciary adopts the following COVID-19 protocols for its courthouses and judicial facilities:

A. HEALTH SCREENING AND SAFETY PROTOCOLS FOR VISITORS TO COURTHOUSES

1. In all public areas of a courthouse, including courtrooms, masks are required.
2. In courtrooms, the judicial officer presiding over the proceeding has discretion to modify mitigation measures during a proceeding by altering the masking requirement. Factors to be considered in exercising this discretion include but are not limited to the following:
 - a. whether the courtroom is served by an HVAC system that has been approved by the Judiciary and, if not, whether alternative measures can be taken to assure appropriate air flow and filtration within the courtroom;
 - b. the size of the courtroom and the ability of individuals to socially distance;

- c. the number of participants in the courtroom at any one time;
 - d. the length of the proceeding;
 - e. the community prevalence of COVID; and
 - f. the availability of other measures that promote the health and safety of participants as long as the use of such measures is consistent with principles of due process and fair hearings.
3. People in courthouses should socially distance to the greatest degree possible given available space.
4. Visitors to non-Judiciary governmental agencies within a shared courthouse facility are expected to comply with the health and safety entry protocols of those agencies that are being visited.
5. Security staff at the screening areas shall ask all visitors if they have tested positive for COVID-19 in the past 10 days or if they have symptoms of illness. Visitors who report they have tested positive for COVID-19 in the last 10 days, or who are either showing symptoms of COVID-19 or self-reporting symptoms of COVID-19, will be denied entry into the courthouse and other means of court participation may be pursued.
6. Security staff will remind visitors of the mask and social distancing policies and be prepared to deny entry for those who are in violation of the policy.
7. Any person who has a scheduled court hearing or is otherwise required to appear at a courthouse and cannot enter a courthouse or other Judiciary facility for reasons related to screening protocols, or is required to leave for failure to observe rules related to wearing a mask or observing social distancing, should proceed as follows:
 - a. The person will be directed to call the clerk's office so that a Judiciary representative can notify the judicial officer, who will decide how to proceed in connection with the hearing. The judicial officer will determine whether to reschedule or have the person participate by telephone or video or pursue another course of action.
 - b. If the person is seeking protection from abuse or protection from harassment, the person should obtain the appropriate petition and affidavit for Relief from Abuse or Stalking and Sexual Assault, contact a domestic violence advocacy agency, if they so choose, and follow the process to file the petition by email if able, or drop the paperwork off in the receptacles at the entrance to courthouse. The person will also be given information on how to telephone the clerk's office so that a Judiciary representative can assist them in the process of making any filing.

B. HEALTH AND SAFETY PROTOCOLS FOR JUDICIARY PERSONNEL

1. In staff-only areas, masks are recommended, but not required. The Judiciary will respect and support any person's choice to wear a mask even when one is not required.
2. Judiciary employees are to monitor their symptoms daily; and, if they experience symptoms of illness, shall contact their supervisor and shall not report to work; or, if the employee is already at work, they shall contact their supervisor and leave the courthouse immediately.
3. Judicial officers are to monitor their symptoms daily; and if they experience symptoms of illness, shall not report to work and shall notify the Chief Superior Judge. If the judicial officer is already at work, they shall leave the courthouse immediately and shall notify the Chief Superior Judge.

C. OTHER HEALTH AND SAFETY MITIGATION AND PROTOCOLS

1. COVID-19 tests are available in courthouses for use in certain situations on a voluntary and self-administered basis. Participants in a multi-day proceeding, or people who may have been exposed to, or may be vulnerable to, COVID-19 may use a test provided by the Judiciary.
2. All courthouses have personal protective equipment (PPE) available for employees and visitors upon request. This includes masks, gloves, disinfecting wipes, and hand sanitizer.
3. CO2 monitors are used in each courtroom, hearing room, and meeting room used for in-person group events. When CO2 levels reach 1,000 PPM (parts per million), the court or group activity must recess, and the room must be vacated until levels drop to below 800 PPM.
4. In any situation known by Judiciary staff to involve a person in a high-risk category or who is at increased vulnerability to COVID-19, adjustments to masking and social distancing protocols will be considered and may be implemented by the Judiciary to protect all individuals.

This directive is effective March 28, 2022

Dated March 25, 2022



Scott Griffith
Interim State Court Administrator