



MINNESOTA JUDICIAL BRANCH
MINNESOTA JUDICIAL CENTER
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SAINT PAUL, MINNESOTA 55155

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STATE COURT ADMINISTRATOR

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July 9, 2020

Justice Partners,

This letter is intended to notify you of the July 7, 2020 order issued by Minnesota Supreme Court Chief Justice Lorie S. Gildea which requires face coverings be worn by all people doing business with the court in court facilities beginning July 13, 2020. The order requires that people bring and wear their own face coverings when they will be doing business in person with a district or appellate court. Some county governments have chosen to implement more restrictive policies for entering county-owned buildings. Visitors to courthouses in those counties will additionally need to follow those more restrictive policies.

As justice partners you know how important it is to uphold the public's trust and confidence. For that reason I bring to your attention something the Chief Justice's order also notes: a June 24, 2020, national public opinion survey conducted by the National Center for State Courts, found that 70 percent of respondents would be more comfortable in a court facility where masks were required for employees and visitors.

Recognizing the importance to provide a safe and comfortable experience, all justice partners, and the people you support and represent in court should come to court wearing a face covering. Practically, this order means if you have a face covering, but aren't wearing it when you enter you will be told to go get it or to put it on when you are in a court facility. Justice partner agencies are expected to provide face coverings for their employees, who must enter Judicial Branch facilities. The Judicial Branch will provide one face covering per day of service for jurors. Anyone who doesn't have access to a face covering upon entry will be provided one by the court.

Visitors to any of the 105 court facilities should talk to court staff immediately upon entry if they do not have access to a face covering or have a medical condition that prevents them from wearing one. Anyone who states they have a medical condition that prevents them from wearing a face covering will be required to present a note from their doctor stating so.

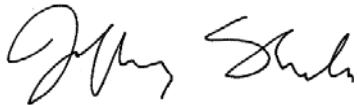
I thank you for your collaboration and communication during these difficult times. We are mindful of the careful balance that must be maintained between safety and access to justice. It's a responsibility that the Judicial Branch takes very seriously, and I know you do too. The only way we all get through this, is

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together. I encourage you to share this letter and the accompanying resources with your employees or anyone else who would benefit from the information. Information for the public and justice partners is available at <http://mncourts.gov/emergency>

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Shorba". The signature is fluid and cursive, with the first name "Jeff" and last name "Shorba" clearly distinguishable.

Jeff Shorba
State Court Administrator

Enclosure: Order issued by Chief Justice on July 7, 2020
Safety Measures handout
Frequently Asked Questions regarding Mandatory Face Coverings in Court Facilities

FILED

July 7, 2020

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM20-8001

ORDER REQUIRING FACE COVERINGS AT COURT FACILITIES

ORDER

The operations of the Minnesota Judicial Branch during the statewide peacetime emergency first declared by the Governor of Minnesota on March 13, 2020, are governed by the order filed on May 15, 2020, as modified by the order filed on May 28, 2020. *See Order Governing the Operations of the Minnesota Judicial Branch Under Emergency Executive Order Nos. 20-53, 20-56*, No. ADM20-8001 (Minn. filed May 15, 2020); *Order Governing Public Access and Services at Judicial Branch Facilities*, No. ADM20-8001 (Minn. filed May 28, 2020). As part of the transition to a planned and gradual expansion of operations in court facilities, the Judicial Council has authorized criminal jury trials and in-person proceedings for limited categories of hearings in criminal, civil, juvenile, and probate case types. In-person services provided at court public service counters, a clerk's office in a court facility, and the State Law Library have also been gradually expanded. Judicial Branch staff have been directed to return to work at court facilities as needed to support the gradual expansion of court operations and in-person proceedings during the transitional phase, and the Judicial Branch has implemented exposure control measures consistent with guidance provided by the Minnesota Department of Health and the Centers for Disease Control & Prevention (CDC), such as physical distance requirements and

plexiglass barriers, to ensure the safety of those who are present in court facilities, including members of the public. Participants in jury trials held in Judicial Branch court facilities have worn face coverings, and Judicial Branch staff and judges are encouraged to wear face coverings while in the public areas of court facilities.

Public health guidance from the CDC and the Minnesota Department of Health states that the use of face coverings, in addition to other exposure prevention measures, can reduce the spread of COVID-19 in public settings when the 6-foot physical distance requirement cannot be maintained. Some local and county governments in Minnesota require face coverings when entering government buildings, including in some buildings in which Judicial Branch facilities are located. The National Center for State Courts also reports that public concerns are lessened when face coverings are among the required measures for those present in a court facility. *See, e.g.*, National Center for State Courts, The Center (June 24, 2020) (summarizing responses to a national survey, indicating that the majority of respondents would be more comfortable in a court facility if the exposure control measures include required face coverings).

As the Judicial Branch continues to expand in-person proceedings, services, and operations at court facilities, requiring those who enter the facility or work at the facility to wear a face covering when physical distance requirements cannot be maintained will contribute to the exposure precaution measures already in place for the safety of members of the public and for Judicial Branch staff and judges. Further, requiring face coverings to be worn in court facilities when physical distance requirements cannot be maintained will contribute to the administration of justice by allowing the Judicial Branch to continue to

safely and methodically expand court services and in-person court proceedings while implementing uniform safety measures for all court facilities.

IT IS HEREBY ORDERED THAT:

1. Effective July 13, 2020, every person entering a court facility must wear a face covering at all times while in public areas, hallways, or other common areas of the facility. Other than as authorized by paragraph 2 of this order, a face covering may be removed while in the public areas of a court facility only when the required physical distance is maintained or plexiglass barriers are in place. The requirements of this paragraph apply to Judicial Branch staff and judges, attorneys, parties, witnesses, case participants, those who attend in-person hearings, and any individual who enters a court facility to use public services provided by the Judicial Branch.


2. Effective July 13, 2020, a face covering worn in the courtroom may be removed only if physical distance requirements in the room in which the proceeding is held are maintained and the presiding judge authorizes that removal. If during a particular proceeding—i.e., prospective jurors participating in voir dire, witnesses when testifying, or counsel or parties when addressing the court, witnesses, or the jury—unusual circumstances make it necessary to remove a face covering while in the courtroom even though physical distance is not maintained, the presiding judge has the discretion to authorize that removal if alternate measures, such as a face shield or plexiglass barriers, are available.

3. In order to ensure compliance with this order, the State Court Administrator shall update the Judicial Branch COVID-19 Preparedness Plan and make the updated plan publicly available.

4. Other than as set forth in this order, the order of May 15, 2020, as modified by the order of May 28, 2020, continues in full force and effect.

Dated: July 7, 2020

BY THE COURT:



Lorie S. Gildea
Chief Justice

MINNESOTA JUDICIAL BRANCH SAFETY MEASURES

Important cleaning and safety measures are being implemented to try to reduce the spread of COVID-19. Prior to going to the courthouse, check your local court's webpages for any local practices you may be required to follow for entry. These expectations are consistent with Minnesota Department of Health (MDH) and Centers for Disease Control and Prevention (CDC) safety recommendations. Learn more about how courts are Safely Reopening Court Facilities at: <http://www.mncourts.gov/reopening>

MANDATORY FACE COVERINGS & SYMPTOMS SCREENING

Face coverings must be worn in court facilities beginning July 13. If you do not have a face covering or are unable to wear one due to a medical condition notify court staff immediately. People who do not have access to a face covering will be provided one.

Judicial officers may direct court participants to remove face coverings during court proceedings and follow additional safety measures in courtrooms.

People exhibiting symptoms of COVID-19 or who have been exposed to someone with COVID-19 within 14 days of when they need to enter a court facility are asked to contact the court or their attorney. Symptoms to self-screen for: chills, cough, muscle pain, sore throat, shortness of breath or difficulty breathing, fever of 100.4 degrees or higher, or new loss of taste or smell.

OTHER SAFETY MEASURES

Detailed cleaning guidelines were developed in consultation with the Minnesota Department of Health (MDH) and will be provided to court staff and judicial officers.

- Routine cleaning of common spaces
- Common surfaces will be sanitized regularly
- Gloves will be available to staff who conduct sanitation
- Hand sanitizer will be available to employees and courthouse visitors
- Where feasible, plexiglass barriers will be added

SOCIAL DISTANCING

Courthouse staffing

- Chief Judges, District Administrators, and the State Court Administrator shall determine how judicial officers and staff will return to work in court facilities to support the expansion of court operations.
- Accommodations will be made for employees who have underlying health vulnerabilities

Courtroom procedures

- Where feasible, electronic document intake and distribution will be encouraged to reduce paper handling
- Jurors will be carefully spaced and non-traditional, large spaces will be utilized to accommodate distancing guidelines

Courthouse spaces

- In-person customer interactions and service hours may be limited to ensure appropriate cleaning and limit possible exposure, and staff will be rotated
- Partitions and six feet floor markings have been placed
- Public seating in waiting areas will be limited
- Vending machines, water fountains, and other common area access will be limited



For more information contact your local court or visit mncourts.gov/emergency

Frequently Asked Questions regarding Mandatory Face Coverings in Court Facilities

Why do I have to wear a face covering to enter a court facility?

State and federal public health authorities have recommended the use of face coverings in public settings where social distancing cannot be maintained. Face coverings can reduce the risk that someone who has COVID-19 can spread the disease to others. Chief Justice Gildea issued an [order](#), effective July 13, requiring people to wear face coverings when they enter Minnesota state court facilities for business with the court.

What kind of a face covering do I have to wear?

Your face covering should cover both your mouth and nose. You may wear a simple cloth face mask, a clear plastic face shield, a disposable mask, or (if other face coverings are not available to you) a scarf or bandana.

What if I don't have a face covering with me when I enter a court facility?

If you are entering a court facility for jury service and do not have your own face covering, the Judicial Branch will give you one disposable mask per day of jury service. If you are litigant, attorney, visitor, or any other person using the court facility, you should bring your own face covering. You will be asked to retrieve one from your car or your office if you forgot to bring it in. However, if you do not have access to a face covering, court employees will provide a face covering for you.

Are children expected to wear face coverings in court facilities?

Children over the age of two are expected to wear face coverings in court facilities. Although children are less likely to have symptoms if infected with COVID-19, face coverings reduce the risk that children can spread the disease to others.

What if I have a medical condition that prevents me from wearing a face covering?

Be prepared to show court employees a note from your doctor that you cannot wear a face covering due to a medical condition, such as difficulty breathing. Court employees may give you a disposable face shield to wear instead of a cloth face covering.

Does wearing a face covering mean I can come to court even though I have symptoms of COVID-19, have been diagnosed with COVID-19, or have recently been in close contact with someone diagnosed with COVID-19?

No. If you have symptoms of COVID-19, or if you have been diagnosed with COVID-19 or have recently been in close contact with someone diagnosed with COVID-19, you should not enter any court facility. Instead, please notify your attorney if you have one, and contact your local court facility to make arrangements to reschedule your court hearing or handle your court business without entering the court facility. Contact information is available at <http://www.mncourts.gov/Reopening>.

Do I have to wear a face covering at every moment I'm inside a court facility?

Chief Justice Gildea's order does not require you to wear a face covering if you can maintain at least six feet of separation from every other person at all times when you enter the courthouse. However, if the local county government has issued its own order requiring face coverings within county-owned buildings, you must comply with the county government's order. (If the local county government has issued its own order, you can expect to see a sign at the building entrance.) If you will be speaking at a court hearing, the judge may direct you to remove your face covering in order to see and hear you clearly.