



MINNESOTA JUDICIAL BRANCH

STATE COURT ADMINISTRATOR'S OFFICE

Minnesota Judicial Branch COVID-19 Preparedness Plan

REVISED: June 14, 2021

Under the Supreme Court Order No. ADM 20-8001 (May 25, 2021), the Minnesota Judicial Branch has continued to transition from remote work with limited in-person proceedings to expanded in-person operations in all court locations. This plan, which is based on guidance from the Minnesota Department of Health (MDH) and the Centers for Disease Control and Prevention (CDC), outlines the health and safety parameters that every court facility must maintain as in-person operations continue to expand. The Minnesota Judicial Branch's top priority continues to be protecting the health and safety of judicial officers, staff, and court users, as more people become vaccinated against COVID-19 and case rates continue to decline.

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 in-person court operations, subject to the following requirements:

1. **Suspected COVID-19 Cases Must Stay Home:** People must stay home when sick or if they have had close contact with a person who has tested positive for COVID-19. [Symptoms of Coronavirus](#). People who have symptoms compatible with COVID-19 must stay home for the amount of time listed on the [CDC's website](#). Additionally, if a household member or close contact has tested positive for COVID-19, people must stay home per [CDC guidelines](#). However, based on the CDC guidance, people who are fully vaccinated or have had COVID-19 within the past 3 months do not need to stay home unless they have symptoms of COVID-19.
2. **Social Distancing:** Social distancing is paramount in helping to prevent the spread of COVID-19. When possible, people must maintain at least 6 feet of distance in all directions at all times. Social distancing is not required for brief interactions, or when people are wearing face coverings. "Brief interactions" means people from two or more different households are within 6 feet of each other for less than 15 minutes total within a 24-hour period.
3. **Face Coverings:** Face coverings are an additional measure to prevent the spread of COVID-19. Any person who wishes to wear a face covering in a Judicial Branch facility may do so, but the Judicial Branch may require the removal of face coverings for reasons of health, safety, or decency, or for purposes of conducting a court proceeding. In certain situations, face coverings are required in Judicial Branch facilities. Any person who claims that a health condition prevents that person from wearing a face covering when required must present written medical documentation that the health condition prevents that person from wearing a face covering. A [face shield](#) will be provided for those with corresponding medical documentation. See Appendix A for additional guidance.
 - a) **Face Coverings in Courtrooms:** Because court proceedings involve people from multiple households and often last longer than 15 minutes, all people must wear face coverings when

they enter courtrooms in Judicial Branch facilities. The presiding judge has discretion to direct people to remove their face coverings while in a courtroom, as long as 6 feet of physical distance in all directions can be maintained while the face coverings are removed. If unusual circumstances make it necessary to remove a face covering while in the courtroom even though physical distance is not maintained, the presiding judge may direct the removal of the face covering if an alternate safety measure, such as a face shield or a plexiglass barrier, is maintained.

- b) **Face Coverings in Jury Deliberation Spaces:** Because juries include people from multiple households gathered together for significant periods of time, all people must wear face coverings while located in jury deliberation spaces, except when they can maintain 6 feet of physical distance in all directions.
 - c) **Face Coverings in Public Areas:** Except in courtrooms, the Judicial Branch will no longer require people to wear face coverings while in public areas of Judicial Branch facilities. However, if a local government entity owns the Judicial Branch facility and chooses to require face coverings in public areas of the facility, people must follow that local government requirement.
 - d) **Face Coverings in Non-Public Areas:** Face coverings are not required in non-public areas of Judicial Branch facilities, except when people spend more than 15 minutes within 6 feet of each other during a 24-hour period. If people spend more than 15 minutes within 6 feet of each other during a 24-hour period in a non-public area of a Judicial Branch facility, they need to wear face coverings unless they are separated by a partition or barrier, as described in Appendix B.
4. **Personal Hygiene:** People in Judicial Branch facilities are encouraged to frequently wash their hands with soap and water for 20 seconds, or to use hand sanitizer with a minimum of 60% alcohol when soap and water are not available. People should also cover any coughs, and should avoid touching their faces.
5. **Cleaning and Disinfecting Surfaces:** Shared spaces should be cleaned once a day, with priority given to high-touch surfaces. If there has been a sick person or someone who tested positive for COVID-19 within the last 24 hours, the space must be both cleaned and disinfected. See [Cleaning and Disinfecting Your Facility](#) for additional guidance.

The following measures are recommended to ensure court facilities operate in compliance with the requirements listed above:

- 1. Increase physical distance between staff at the worksite.
- 2. Maintain social distancing even during breaks, lunch, and other social contacts.
- 3. Implement staggered work schedules if necessary to maintain social distancing.
- 4. Consider conducting meetings and delivering services remotely to reduce the number of people who must be physically present in court facilities.

Building and Work Environment Ventilation

Ventilation is an important factor in preventing COVID-19 transmission indoors. Tenants should consult with facility owners and operators to evaluate the operational capacity of ventilation systems provided throughout the building.

Ventilation Exposure Control Measures:

1. Bring in fresh outdoor air as much as possible.
2. Limit air recirculation if able to.
3. Confirm steps are being taken to minimize air flow blowing across people.
4. If available, ensure exhaust fans in restroom facilities are functional and operating when the building is occupied.
5. If feasible, disable demand-control ventilation controls that reduce air supply based on temperature or occupancy.
6. If accessible, run the HVAC at least two hours before and after spaces are occupied to purge air and allow extra circulation.

Employee Notification Protocol

If a judge or court employee reports a positive COVID-19 test, the Employee Notification Protocol shall be followed.

Purchases for Ongoing Operations

Purchasing will be coordinated by State Court Administration, the District Office or local court facility dependent upon best price and availability of product. The following products must be purchased and available in court facilities while the preparedness plan is in effect.

1. Cleaning and disinfecting supplies
2. Paper masks for jurors and for individuals who need to enter courtrooms and who do not have access to their own face coverings
 - Note: Law firms and justice partner agencies are expected to provide face coverings for their employees who must enter courtrooms
3. Disposable face shields for jurors and for individuals who need to enter courtrooms, who do not have access to their own face shields, and who are medically unable to wear a paper mask
4. Partitions or Barriers (if necessary given the court facility's layout)

Appendix A – Face Coverings

Face coverings are an additional measure to prevent the spread of COVID-19. Any person who wishes to wear a face covering in a Judicial Branch facility may do so, but the Judicial Branch may require the removal of face coverings for reasons of health, safety, or decency, or for purposes of conducting a court proceeding. In certain situations, face coverings are required in Judicial Branch facilities. Any person who claims that a health condition prevents that person from wearing a face covering when required must present written medical documentation that the health condition prevents that person from wearing a face covering. A [face shield](#) will be provided for those with corresponding medical documentation.

- a) **Face Coverings in Courtrooms:** Because court proceedings involve people from multiple households and often last longer than 15 minutes, all people must wear face coverings when they enter courtrooms in Judicial Branch facilities. The presiding judge has discretion to direct people to remove their face coverings while in a courtroom, as long as 6 feet of physical distance in all directions can be maintained while the face coverings are removed. If unusual circumstances make it necessary to remove a face covering while in the courtroom even though physical distance is not maintained, the presiding judge may direct the removal of the face covering if an alternate safety measure, such as a face shield or a plexiglass barrier, is maintained.
- b) **Face Coverings in Jury Deliberation Spaces:** Because juries include people from multiple households gathered together for significant periods of time, all people must wear face coverings while located in jury deliberation spaces, except when they can maintain 6 feet of physical distance in all directions.
- c) **Face Coverings in Other Public Areas:** Except in courtrooms, the Judicial Branch will no longer require people to wear face coverings while in public areas of Judicial Branch facilities. However, if a local government entity owns the Judicial Branch facility and chooses to require face coverings in public areas of the facility, people must follow that local government requirements
- d) **Face Coverings in Non-Public Areas:** Face coverings are not required in non-public areas of Judicial Branch facilities, except when people spend more than 15 minutes within 6 feet of each other during a 24-hour period. If people spend more than 15 minutes within 6 feet of each other during a 24-hour period in a non-public area of a Judicial Branch facility, they need to wear face coverings unless they are separated by a partition or barrier, as described in Appendix B.

All people wearing face coverings in Judicial Branch facilities should follow the CDC's [guidance on masks](#). Masks that incorporate a valve designed to facilitate easy exhaling, mesh masks, or masks with openings, holes, visible gaps in the design or material, or vents are **not** sufficient face coverings because they allow exhaled droplets to be released into the air.

The Judicial Branch will provide one face covering per day of service for jurors, should they not have their own to wear. Law firms and justice partner agencies are expected to provide face coverings for their employees, including both attorneys and non-attorneys, who must enter Judicial Branch courtrooms. The Judicial Branch will provide a face covering for other individuals who need to

enter Judicial Branch courtrooms and who do not have access to their own face coverings. As noted above, [face shields](#) are an option for individuals who need to enter a courtroom and who are medically unable to wear a face covering.

Judicial Branch employees and judges are directed to enforce this guidance in courtrooms, and may request assistance from county-employed security staff to do so.

Cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cloth face covering without assistance.

Appendix B – Partitions and Barriers

Social distancing is paramount in preventing the spread of the virus. However, where social distancing cannot be maintained, especially at public counters and when moving about in courtrooms, local management personnel should coordinate with local property management to evaluate the feasibility of the installation of partitions or barriers (either permanent or temporary). Local management should secure agreements with county management on who is responsible for the purchase and installation of partitions and barriers. The purpose of the partition or barrier is to separate individuals that come into close contact with one another. Partitions and barriers that meet all the recommendations listed below may be used in lieu of the required 6 feet of social distancing.

The following recommendations are suggested for the use of partitions and barriers.

Partitions and Barriers Recommendations:

1. Height and width of partition or barrier should provide for the greatest protection when social distancing cannot be maintained, paying particular attention to provide coverage of the mouth of each person on either side of the partition.
2. The partition or barrier should be the width of the counter/desk of the persons making an exchange of dialogue, documents, etc.
3. The partition or barrier height should be substantial enough that persons on both sides of the partition should not be able to see over the top of it (e.g., high enough to cover a person standing/sitting at counter/desk).
4. Large openings defeat the purpose of separating individuals that come into close contact with one another. Therefore a small opening at the counter level is acceptable and should only be large enough to allow for the passage of documents, payments, etc. Openings should be limited to 6"x6" or 6"x12" depending on the business need. Openings at face level should be covered.

Partitions and Barriers Should:

- be constructed from a material that is easy to clean and disinfect.

Partitions and Barriers Should Not:

- be constructed from flammable material.
- block sprinklers or other fire suppression systems.

Cubicle Walls

In office settings, social distancing is the primary method for minimizing exposure between staff. If 6 feet of social distancing can be maintained between desk chairs, no further action is needed. If 6 feet of social distancing cannot be maintained, consider staggering shifts, rotating staff through the office, assigning cube spaces diagonally (as opposed to immediately adjacent or across from each other) and telework to minimize the number of staff in the office at the same time to meet social distancing requirements. Cubicle walls that meet the recommendations listed below may be used in lieu of the required 6 feet of social distancing requirement.

Cubicle Walls Recommendations:

1. There should be no openings in cubicle walls between work stations (e.g., no partial walls).

2. Employees on both sides of the cubicle should not be able to see over the cubicle walls (walls should be high enough to cover a staff member sitting/standing at desk).