

STATE OF VERMONT
OFFICE OF THE STATE COURT ADMINISTRATOR

Administrative Directive No. TC-1
(as amended April 17, 2023)



State Court Administrator

Pursuant to the authority set forth in Supreme Court Administrative Order 3, effective May 1, 2023 the State Court Administrator directs that Administrative Directive TC-1 dated August 17, 2022 and amended September 27, 2022, be further amended to read as follows:

**HEALTH AND SAFETY PROTOCOLS FOR ALL VERMONT
COURTHOUSES AND JUDICIARY FACILITIES**

Purpose

Now that emergency declarations associated with the COVID-19 pandemic have ended, the Vermont Judiciary is also ending the vast majority of the COVID-19 health and safety protocols that were adopted at the start of the pandemic and periodically modified thereafter. It will continue to monitor 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 state courts.

Effective May 1, 2023, the Vermont Judiciary adopts the following health and safety protocols for its courthouses and judiciary facilities:

A. HEALTH AND SAFETY PROTOCOLS FOR VISITORS TO COURTHOUSES

1. In all public areas of a courthouse, masks are optional and not required unless a judge directs otherwise in a specific courtroom. The Judiciary will respect and support any person's choice to wear a mask.
2. In courtrooms, the judicial officer presiding over the proceeding has discretion to modify mitigation measures during a proceeding, including requiring masks in a courtroom. Factors to be considered in exercising this discretion include but are not limited to the following:

- a. the size of the courtroom;
 - b. the number of participants in the courtroom at any one time;
 - c. the length of the proceeding;
 - d. the community prevalence of COVID-19 or other health risks; and
 - e. 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.
3. Social distance requirements are no longer in effect in any courthouses.
 4. Signage at the entrances to courthouses will request that persons who have symptoms of illness to not enter the courthouse and will provide instructions for the persons to follow in the event they are at the courthouse to participate in a hearing.
 5. Visitors to non-Judiciary governmental agencies, including county government offices within a shared courthouse facility, are expected to comply with the health and safety protocols of those agencies or offices that are being visited. To the extent that such protocols conflict with this Administrative Directive, the protocol that is the more protective of public health and safety shall control within those spaces.

B. HEALTH AND SAFETY PROTOCOLS FOR JUDICIARY PERSONNEL

1. In staff-only areas, masks are optional and not required. The Judiciary will respect and support any person's choice to wear a mask.
2. If Judiciary employees are unable to fulfill their duties due to illness, they shall contact their supervisor and not report to work in person; or, if an employee is already at work, they shall contact their supervisor and leave the courthouse.
3. Judiciary employees who test positive for COVID-19 will remain out of the workplace for at least 5 days from the date of the test unless they make alternative arrangements with their supervisor. Upon their return to work, employees must wear a facemask for the next 5 days unless they test negative for COVID-19, in which case they need not wear a facemask.
4. If judicial officers are unable to fulfill their duties due to illness, they shall notify the Chief Superior Judge. If the judicial officer is already at work, they shall notify the Chief Superior Judge and leave the courthouse.

C. OTHER HEALTH AND SAFETY 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 that are placed throughout courthouses should be periodically checked. If CO2 levels reach 1400PPM (parts per million), measures should be taken to improve airflow and filtration, including opening windows if the weather permits and placing HEPA filters in the area.
4. In any situation known by Judiciary staff to involve a person in a high-risk category or who is at increased vulnerability due to COVID-19, adjustments to masking and social distancing protocols will be considered and may be implemented by the Judiciary to protect all individuals.

D. UNIT PLANS

1. Inasmuch as all Vermont state courthouses currently meet applicable HVAC standards, Unit Plans are no longer required for any courthouse.

This Administrative Directive is effective May 1, 2023.

Dated April 17, 2023.



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State Court Administrator