

SUPREME COURT OF VERMONT
OFFICE OF THE COURT ADMINISTRATOR

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TO: Members of the Vermont Bar

FROM: Patricia Gabel, Esq., State Court Administrator

RE: Changes to Administrative Directive Regarding Court Operations

DATE: July 6, 2021

On June 25, 2021, the Supreme Court amended Administrative Order 49 and acknowledged the Court Administrator's authority to issue directives regarding access to and conduct in Judiciary buildings, including requirements related to screening, social distancing, and masks, as reasonably necessary to mitigate risk to the health of court users or court personnel.

Pursuant to this authority, Administrative Directive No. PG-13 has been amended regarding the protocols related to the health and safety of visitors and Judiciary personnel. These changes were made based on the advice of our infectious disease consultant and after consultation with judicial officers, court managers, and others regarding what measures we can reasonably adopt that would, on the one hand, enable us to expand court operations, including opening most of our buildings to the public, while on the other hand continuing to follow reasonable protocols to protect the health of court users and Judiciary personnel. The effective date of the change is Tuesday, July 6, 2021.

In general, this Directive is consistent with the expectations I discussed in my email of June 18. One area that is different, however, is the issue of the use of masks by court visitors and the use of masks in public parts of the buildings. This slight change in direction was informed by additional consideration of how we can balance the desire of everyone to move toward the "new normal" after so many months of restrictive operations with the need to ensure we are operating a safe workplace for the hundreds of people who work in courthouses and other Judiciary facilities. As a result, following extensive discussions, Administrative Directive No. PG-13 sets forth the general rule that **masks must be worn by all courthouse visitors at all times within the courthouse and that social distancing of at least six feet must be maintained to the extent possible**. There are certain exceptions to the general rule described in the Directive. One example is that judicial officers presiding over a trial or hearing may, in their discretion, modify the masking and distancing requirements under certain circumstances as described in the Directive. Another example is that Judiciary personnel who have been Fully Vaccinated and have had their vaccination certified by Human Resources do not need to wear masks in the employee-only areas of the courthouse. There are other exceptions described in the Directive.

Most of our courthouses have mechanical ventilation that has been assessed and approved by mechanical engineers. Courthouses without approved mechanical ventilation will require additional mitigation, such as the use of HEPA filtration, CO2 monitoring, and capacity limits. A list of courthouses that are not yet open to the public can be found on the Judiciary website at this link: <https://www.vermontjudiciary.org/about-vermont-judiciary/covid-19-and-court-operations>

This list is updated as courthouses are cleared to open.

The full text of the amended directive is available on the judiciary website.
[State Court Administrator Directive PG-13 – Amended July 6, 2021](#)

As circumstances change, the judiciary will continue to modify its protocols. Thank you for your cooperation and commitment to justice.