



**IN THE NINTH JUDICIAL DISTRICT  
HARVEY AND MCPHERSON COUNTIES**

**Administrative Order 2021-04**

**MINIMUM STANDARD HEALTH PROTOCOLS**

Issued on May 24, 2021, Kansas Supreme Court Administrative Order 2021-PR-048 required all District and Appellate Courts in Kansas to develop and follow minimum standard health protocols to avoid exposing court users, staff, and judicial officers to COVID-19.

Administrative Order 2021-04, supersedes and rescinds all previous Minimum Standard Health Protocol orders issued by Chief Judge Joe Dickinson in relation to protective protocols put in place due to COVID 19.

Administrative Order 2021-04, Minimum Standard Health Protocols shall be effective September 7, 2021 and will remain in effect until further notice.

**Section A: Definitions**

“Fully vaccinated” means two weeks after a person receives the second dose in a two-dose series of the Pfizer-BioNTech or Moderna vaccine, or two weeks after a person receives a single dose of the Johnson & Johnson Janssen vaccine.

“Physical Distancing” means keeping 6-feet of distance between yourself and other people who are not members of your household.

**Section B: Screening**

The following will be posted or otherwise made known to members of the public, staff, and judicial officers entering court facilities in Harvey and McPherson counties:

If you **answer yes** to question 1 or 2, you **must not enter** court offices or court proceedings.

1. In the past 48 hours, have you had a fever at or over 100.4°F?

2. In the past 48 hours, have you had two or more COVID-19 symptoms from the CDC list? [www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html](http://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html)

If you **answer yes** to question 3 or 4, you **must not enter** court offices or court proceedings unless you are fully vaccinated and you have had no signs of illness since traveling or having contact with someone who may have COVID-19.

3. In the last 14 days, have you been in close contact with someone who has or might have COVID-19?

4. In the last 14 days, have you traveled:

- anywhere on the quarantine list from the Kansas Department of Health and Environment at [www.coronavirus.kdheks.gov](http://www.coronavirus.kdheks.gov); or
- to an international location with a COVID-19 risk level of 3 or 4 from the Centers for Disease Control and Prevention map at: [www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html](http://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html)

Visitor Alert notices shall be posted at all court offices with phone and email addresses so those who cannot enter may conduct their business or receive information.

### **Section C: Steps to be taken to avoid the Spread of the Disease**

Notices will be posted in public and common areas of the court outlining steps to be taken to avoid the spread of the disease.

### **Section D: Physical Distancing**

The public, court users, staff, and judicial officers shall maintain 6-feet of distance between themselves and anyone who is not a family member when in any court office, courtroom, or common area of the court. This requirement will not apply if:

1. All persons are fully vaccinated and no person objects; or
2. Plexiglas or a similar barrier supplies separation.

Plexiglas in courtrooms may be removed at the discretion of the District Judge presiding in that courtroom. Plexiglas in other court areas will remain.

### **Section E: Face Masks**

#### **Face Masks Required in All Public and Common Areas**

(a) Face masks or other face coverings are required in all public and common areas of court offices, courtrooms, or any facility being used for a court proceeding. This requirement applies to fully vaccinated individuals as well as those who remain unvaccinated.

(b) Fully vaccinated judicial branch workforce members are not required to wear masks or other face coverings while in nonpublic areas where physical distancing can be maintained or in areas not used in common with others, except as stated in paragraph (a) or where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance. Fully vaccinated persons may continue to wear masks if they feel more comfortable doing so.

(c) Individuals who are unvaccinated, for any reason, must continue to wear a mask or other face covering and physical distance for their own health and safety and the health and safety of the public.

(d) Judicial branch workforce members may designate their personal workspace or office as a space where masks are required, even of those who are vaccinated. The designation may occur by posting a written notice or through verbal expression. All other employees, judicial officers, and members of the public should honor and respect that designation.

(e) The following people are exempt from the requirement to wear a mask or other face covering:

- Persons aged five years or younger. Children aged two years and under in particular should not wear a face covering due to risk of suffocation.
- Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance.
- Persons who are deaf or hard of hearing or communicating with a person who is deaf or hard of hearing, where the ability to see the mouth is essential for communication.

#### **Judicial Discretion in the Courtroom**

(f) Upon request or on the court's own motion, a judge may enter an order authorizing a waiver of the requirement to wear a mask or other face covering within the courtroom or other hearing room over which that judge is presiding. Judges are encouraged to require masks or other face coverings whenever required under subsections (a)-(e) of this policy and especially when individuals are moving around in the courtroom. Absent constitutional concerns, judges should permit individuals to wear masks if they feel more comfortable doing so

(g) Courtrooms, auxiliary areas used for trial proceedings, and areas used for jury deliberations and breaks (including restrooms, attorney client rooms, stairwells, and elevators) will be routinely cleaned and sanitized. Hand sanitizer and disinfectant wipes will be provided in all areas used by jurors, attorneys, witnesses, and other court personnel.

Revised this 3rd day of September, 2021

  
Joe Dickinson, Chief Judge