

**INFORMATION REGARDING OMNIBUS ORDER OF RESCISSION OF CERTAIN
TRIAL COURT EMERGENCY ADMINISTRATIVE ORDERS IN LIGHT OF THE EXPIRATION OF THE
STATE OF EMERGENCY**

Amended Trial Court Emergency Administrative Order 20-1: Extension of the Duration of Probation Warrants as a Result of COVID 19

- **What the order did:** Temporarily extended all warrants issued by the Massachusetts Probation Service pursuant to G.L. c. 279, § 3 that would otherwise have expired after 72 hours following issuance.
- **What happens now:** Warrants issued by the Massachusetts Probation Service pursuant to G.L. c. 279, § 3 may be issued for a period not to exceed 72 hours or until the next sitting of the court. See [G.L. c. 279, § 3](#).

Trial Court Emergency Administrative Order 20-2: Order Concerning Probation Conditions as a Result of COVID-19

- **What the order did:** Modified drug testing and electronic monitoring (ELMO) conditions supervised by the Massachusetts Probation Service (MPS). Temporarily suspended DNA collection by MPS employees, OCC groups and courthouse-based reporting, programming and meetings.
- **What happens now:**

Date	Activity Resumed
June 1, 2021	Litigants and attorneys may enter the Probate and Family Court Probation Departments to review reports, CARIs, records, etc. in-person, by appointment, where there is physical space to adhere to social distancing requirements.
June 1, 2021	Litigants may report in-person, by appointment, to sign documents, such as IV paperwork, conditions of probation forms, release of information forms, or agreements developed in dispute intervention.
June 21, 2021	Community supervision (including home and employment visits, investigations, home investigations/studies and the collection of collateral information). This requires MPS employees and other individuals in the house or other locations to wear masks. The MPS will provide surgical-style masks to all individuals.
July 6, 2021	DNA collection by Probation Officer IIs.
July 6, 2021	In-office drug and alcohol screening.
July 6, 2021	In-person reporting on Probate and Family Court cases.

In person Dispute Interventions in the Probate and Family Court remain suspended. As long as social distancing requirements remain in place, these matters shall be conducted via telephone, or by utilizing Zoom, FaceTime, or other electronic means.

Trial Court Emergency Administrative Order 20-3: Temporary Waiver of Electronic Filing Fees for Indigent Filers as a Result of COVID-19

- **What the order did:** Temporarily waived the requirement that indigent filers seeking to have electronic filing fees normally assessed pursuant to [Rule 8 of Supreme Judicial Court Rule 1:25](#) waived file an Affidavit of Indigency.
- **What happens now:** Filers seeking to have electronic filing fees waived must file the documentation required in [G.L. c. 261, § 27B](#), including but not limited to an [Affidavit of Indigency](#).

Trial Court Emergency Administrative Order 20-4: Extension of the Duration of Civil Commitment, Treatment and Observation Orders Made Pursuant to G.L. c. 123, as a Result of COVID-19

- **What the order did:** Extended civil commitment, treatment and observation orders made pursuant to G.L. c. 123 that were set to expire on March 16 or March 17, 2020 until March 18, 2020.
- **What happens now:** Civil commitment, treatment and observation orders expire as set forth in [G.L. c. 123](#).

Trial Court Emergency Administrative Order 20-5: Modified Procedures Concerning Protection Orders as a Result of COVID-19

- **What the order did:** Permitted issuance of an *ex parte* order pursuant to G.L. c. 209A (abuse prevention orders/restraining orders), G.L. c. 258E (harassment prevention orders), or G.L. c. 140. §§ 131S or 131T (extreme risk protection orders/firearm surrender orders) for up to 10 days instead of until the next business day and permitted telephonic hearings after notice.
- **What happens now:** *Ex parte* orders issued pursuant to [G.L. c. 209A](#), [G.L. c. 258E](#), G.L. c. 209A, G.L. c. 258E, and [G.L. c. 140, § 131S](#) or [G.L. c. 140, § 131T](#) are returnable to court on the next business day, as provided in the applicable statute. Defendants against whom orders were issued during the time the order was in effect have the right to seek an in person hearing on the issuance of the order, to the extent they have not already been provided that opportunity.

Trial Court Emergency Administrative Order 20-6: Temporary Alternative Procedures for Bail Magistrates and Bail Commissioners Setting and Taking Bail After Court Hours During the COVID-19 Pandemic

- **What the order did:** Permitted Bail Magistrates and Bail Commissioners to release individuals under arrest without the need to appear in person at the place of detention.
- **What happens now:** Bail Magistrates and Bail Commissioners must appear in person at the place of detention to effectuate the release of individuals under arrest.

Trial Court Emergency Administrative Order 20-12: Order Supplementing the Supreme Judicial Court Third Order Regarding Public Access to State Courthouses & Court Facilities

- **What the order did:** Required compliance by all Trial Court personnel and all persons entering or seeking entry into Massachusetts Trial Court courthouses with the Governor's [Order Instituting a](#)

[Mandatory 14 Day Quarantine Requirement for Travelers Arriving in Massachusetts](#) (COVID-19 Order No. 45) issued on July 24, 2020.

- **What happens now:** The Governor's Order was rescinded on March 22, 2021 at 12:01 AM, and was replaced by the [Order Advancing All Communities to Phase IV, Step 1 of the Commonwealth's Re-Opening Plan and Transitioning to a Travel Advisory Policy](#) (COVID-19 Order No. 66), which expires when the state of emergency ends.