

COMMONWEALTH OF MASSACHUSETTS  
SUPREME JUDICIAL COURT

SUFFOLK, ss.

OE-144

In Re: COVID-19 (Coronavirus) Pandemic

FIFTH ORDER REGARDING ACCESS TO  
STATE COURTHOUSES & COURT FACILITIES

In view of the current situation in the Commonwealth with respect to COVID-19 and in consideration of the health and safety of court users and personnel, the Supreme Judicial Court, pursuant to its superintendence authority, issues the following ORDER.

1. Prior Order. Effective March 23, 2022, this Order shall repeal and replace the Fourth Order Regarding Public Access to State Courthouses & Court Facilities, which was issued July 1, 2021 and became effective July 12, 2021.

2. Prohibited Entry. No person, even if wearing a mask, shall enter a Massachusetts state courthouse or court facility, including a building temporarily being used for court proceedings or a probation office (courthouse), if the person:

- Tested positive for COVID-19 within the previous 5 days; or
- Is awaiting COVID-19 test results after experiencing symptoms of COVID-19; or
- Has been directed to isolate or quarantine; and the period of isolation or quarantine has not lapsed; or
- Currently has symptoms consistent with COVID-19 such as a fever, chills, sore throat, or new symptoms of a severe cough, shortness of breath, severe muscle pain, headache, loss of taste or smell, extreme fatigue, nausea, diarrhea, or vomiting; or
- Is not up to date on vaccinations and has been in close contact with someone with COVID-19 within the previous 5 days.

3. Masks. Mask wearing is encouraged inside courthouses, especially by those who are not up to date on vaccinations, have a weakened immune system, are at increased risk for severe disease due to age or an underlying medical condition, or live in the same household as someone who is unvaccinated, has a weakened immune system, or is at increased risk for severe disease.

Persons who have tested positive, experienced symptoms, or had close contact with someone with COVID-19 within the previous 10 days must wear a mask inside courthouses and must not enter courthouses at all if any of the prohibitions set forth in § 2 above apply to them. Otherwise, mask wearing is not required inside courthouses.

4. What to do if entry is prohibited. If a person has a scheduled appearance or appointment at a courthouse and falls into any of the categories listed in § 2 above, the person should proceed as follows:

- If the person is represented by an attorney, contact the attorney; or
- If the person has no attorney, call the registry or clerk's office for the court where the person is scheduled to appear or would seek relief; or
- If the person is an attorney and is scheduled to appear before a judge, contact the registry or clerk's office or, if practicable, that session directly by telephone; or
- If the person is scheduled to meet with a probation officer, contact the probation officer or applicable probation office directly by telephone; or
- If the person is a juror sitting on an ongoing trial or grand jury or appearing for empanelment, call the telephone number the person was provided when seated on the jury or summoned for empanelment; or
- If the person is a potential juror appearing for the first day of service, contact the Office of Jury Commissioner; or
- If in doubt as to whom to contact, call the registry or clerk's office for the particular court in which the person was scheduled to appear.

5. Further Orders. This order may be updated at any time in the ongoing effort to balance the safety of everyone who enters a courthouse with the need for efficient court operations.

This Order shall be effective on March 23, 2022 and remain in effect until further order of the court.

KIMBERLY S. BUDD )  
 ) Chief Justice  
 )  
FRANK M. GAZIANO )  
 ) Justices  
 )  
DAVID A. LOWY )  
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 )  
ELSPETH B. CYPHER )  
 )  
 )  
SCOTT L. KAFKER )  
 )  
 )  
DALILA ARGAEZ WENDLANDT )  
 )  
 )  
SERGE GEORGES, JR. )

Entered: March 21, 2022  
Effective: March 23, 2022

Repealed December 21, 2022