

**Trial Court Emergency Administrative Order 20-9**  
**Trial Court Order Supplementing the Supreme Judicial Court Second Updated Order Regarding Court**  
**Operations Under the Exigent Circumstances Created by the COVID-19 (coronavirus) Pandemic**  
**Effective June 1, 2020**

Due to the extreme risk of person-to-person transmission caused by the 2019 novel Coronavirus (COVID-19), which has been declared a pandemic by the World Health Organization, and which has occasioned the declaration of a State of Emergency in the Commonwealth of Massachusetts, Executive Order No. 591: Declaration of a State of Emergency to Respond to COVID-19, and in accordance with the [Supreme Judicial Court Order Regarding Court Operations Under the Exigent Circumstances Created by the COVID-19 \(Coronavirus\) Pandemic](#) issued on May 26, 2020 and effective as of June 1, 2020 (SJC Order);

It is hereby ORDERED pursuant to my authority as set forth in G.L. c. 211B, § 9, that:

**Introduction**

Pursuant to the SJC Order dated May 26, 2020, effective June 1, 2020, this Emergency Administrative Order is issued to update protocols governing court operations during the COVID-19 (Coronavirus) pandemic. This Emergency Administrative Order is effective June 1, 2020, and rescinds and supersedes Trial Court Emergency Administrative Order 20-8, issued May 1, 2020. This Emergency Administrative Order will remain in effect until further order of the Court.

**I. Virtual emergency and non-emergency matters**

Massachusetts trial courts are open to conduct emergency and certain non-emergency civil and criminal matters as identified by the court departments in departmental standing orders, which are posted on the [Court system response to COVID-19 webpage](#). Courthouses remain closed to the public. During normal court hours (Monday through Friday, 8:30 a.m. to 4:30 p.m.), all Massachusetts trial courts shall conduct all emergency and non-emergency matters as defined in the departmental standing orders virtually (i.e., by telephone, videoconference, email, or comparable means, or through the electronic filing system) without the physical presence of the parties, counsel, or other members of the public.

**II. In-person emergency matters**

No in-person matters shall be conducted in any trial court unless a Regional Administrative Justice (RAJ) or First Justice determines that virtual resolution of the matter is not practicable or would be inconsistent with the protection of constitutional rights. Entry into a courthouse will be permitted only to those persons necessary to resolve such matters.

**III. Non-emergency matters**

Each Trial Court department previously identified categories of non-emergency matters that it would attempt to address virtually. Under the SJC Order effective June 1, 2020, each Trial Court department is required to identify additional categories of non-emergency matters that it will attempt to address virtually, in whole or in part, where it is practicable to do so in view of (a) limited court staffing, (b) technological constraints, (c) the need to prioritize emergency matters, and (d) legal

constraints, such as the moratorium on evictions and foreclosures signed into law by the Governor of the Commonwealth on April 20, 2020, see St. 2020, c. 65, and where doing so is consistent with the protection of constitutional rights.

#### **IV. Trial court judges and employees**

Trial Court judges and employees are permitted to be present in courthouses for the purpose of conducting court-related work, provided that judicial and staff presence is in accordance with federal and state guidelines, as well as the health and safety protocols established by the Executive Office of the Trial Court. Employees in a courthouse on a particular day will be assigned by the supervisor of the specific office or department on as necessary, and in accordance with all applicable health and safety protocols. All other staff will conduct their work remotely, to the extent feasible. Those employees who are working remotely or who are on paid administrative leave or skeleton status are expected to be available during work hours, and to the extent they are able, should check their email and voicemail messages and respond accordingly.

#### **V. Other persons in courthouses**

Approved vendors and contractors of the courts, including landlords and their contractors or employees are permitted to be present in courthouses.

Presence in courthouses of attorneys, parties, witnesses, other necessary persons, and members of the “news media” is permitted in accordance with paragraph 7 of the SJC Order.

Installations, maintenance, or removals of electronic monitoring equipment may occur in courthouses pursuant to paragraph 7 of the SJC Order.

All persons permitted to be present in courthouses in accordance with this Emergency Administrative Order shall abide by any and all orders issued by the Governor in relation to the COVID-19 State of Emergency, whether before or after the effective date of this Emergency Administrative Order. All persons permitted to be present in courthouses in accordance with this Emergency Administrative Order shall also comply with any and all federal and state guidelines, as well as the health and safety protocols established by the Executive Office of the Trial Court. The health and safety protocols established by the Executive Office of the Trial Court shall include a requirement that all persons permitted to be present in courthouses wear re-usable or disposable masks at all times when in the presence of others.


Contact information for courts should be conspicuously provided on websites, telephone auto-attendant and voicemail messages, email replies, and posted at court entrances.

#### **VI. Consistency with other orders**

This order is intended to be consistent with and supplement the Supreme Judicial Court Second Updated Order Regarding Court Operations under the Exigent Circumstances Created by the COVID-19 (Coronavirus) Pandemic issued on May 26, 2020 and effective June 1, 2020. To the extent this Order is inconsistent with earlier Trial Court Emergency Administrative Orders or standing orders earlier issued by each department of the Trial Court, this Order supersedes those earlier orders. This Order is

temporary and may be modified or rescinded at any time, as necessary to address the fluctuating circumstances arising from the coronavirus pandemic.

Dated: May 27, 2020  
Effective: June 1, 2020

  
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Paula M. Carey  
Chief Justice of the Trial Court

Rescinded eff. July 1, 2020