

21R1021

STATE OF NORTH CAROLINA  
JUDICIAL DISTRICT 26

MECKLENBURG COUNTY

IN RE:

MODIFICATION OF RULES  
CONCERNING THE USE OF FACE  
COVERINGS IN THE  
MECKLENBURG COUNTY  
COURTHOUSE

FILED

IN THE GENERAL COURT OF JUSTICE

2021 JUN -9 A 9:23

MECKLENBURG CO., C.S.C.

BY \_\_\_\_\_

ADMINISTRATIVE ORDER

THIS ADMINISTRATIVE ORDER has been entered to ensure the fair and proper administration of justice and to mitigate the public health threat posed by COVID-19 within the Mecklenburg County Courthouse. The undersigned Senior Resident Superior Court Judge and Chief District Court Judge enter this Administrative Order pursuant to the inherent authority of the court and pursuant to its administrative supervision and authority over the operation of the Superior and District Courts in the 26<sup>th</sup> Judicial District pursuant to N.C. Gen. Stat. §7A-41.1, 7A-146. This Order is intended to address the unprecedented public health threat posed by COVID-19 to court staff, the Bar and the public who have business in the Mecklenburg County Courthouse.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new, highly contagious strain of coronavirus that can be spread from person to person; and

WHEREAS, Governor Roy Cooper declared a State of Emergency in North Carolina on March 10, 2020, in response to the emerging public health threat posed by COVID-19 by entry of Executive Order No. 116, *Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of COVID-19*; and

WHEREAS, the World Health Organization declared COVID-19 a global pandemic on March 11, 2020; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) has warned of the extreme public threat posed by COVID-19 globally and in the United States and strongly recommended the practice of social distancing and the use of face coverings to deter the spread of the virus; and

WHEREAS, Governor Roy Cooper issued Executive Order No. 117, *Prohibiting Mass Gatherings and Directing the Statewide Closure of K-12 Public Schools to limit the spread of COVID-19*, on March 14, 2020, as a means to protect the health and safety of the residents of North Carolina, slow the spread of the COVID-19 outbreak, reduce the number of people infected, and avoid strain on our health care system; and

WHEREAS, the Chief Justice of the Supreme Court of North Carolina on May 21, 2020 declaring that catastrophic conditions exist in all North Carolina counties, issued directives pursuant to N.C. Gen. Stat. § 7A-39(b)(2) to limit the spread of infection while continuing operation for essential court functions, directing local districts to restrict traffic in courthouse facilities, implementing social distancing practices, and implementing cleaning and sanitizing practices; and

WHEREAS, over recent months in North Carolina and in Mecklenburg County, due to measures taken to date there have been improvements in the COVID-19 metrics; and

WHEREAS, COVID-19 vaccines are now widely available at no cost to all eligible residents who wish to receive a vaccination, and

WHEREAS, over the course of the pandemic, North Carolina's public health experts have gained enhanced knowledge of the COVID-19 virus including a better understanding of what settings and activities pose the greatest risk of transmitting the virus and what mitigation strategies are most effective to curb the spread; and

WHEREAS, the Mecklenburg County Board of County Commissioners issued a proclamation on June 1, 2021 lifting the county-wide face covering requirement and setting forth new recommendations for the use of face coverings by fully vaccinated and non-fully vaccinated persons; and

WHEREAS, on May 14, 2021, the Governor issued Executive Order 215, "Lifting COVID-19 Restrictions to Reflect New Public Health Recommendations"; and

WHEREAS, on June 7, 2021, the Chief Justice of the North Carolina Supreme Court has issued Emergency Directives which removed or did not extend Emergency Directive 21 requiring the use of face coverings in courthouse facilities; and

WHEREAS, in consideration of all the current available data related to the impact of COVID-19 in Mecklenburg County the Board of County Commissioners have determined that due to the trends it is in the best interest of the residents of Mecklenburg County, that the provisions

set forth in prior Administrative Orders, 20 R 988 and 20 R 686, should be modified as set forth herein; and

Whereas, it is in keeping with the Governor's Executive Order and the Order of the Chief Justice for the court to establish standards for the use of face coverings within the Mecklenburg County Courthouse, enforce social distancing standards and limit attendees to in-person court hearings to those essential or necessary to the proceedings.

WHEREFORE, IT IS HEREBY ORDERED ADJUDGED AND DECREED that effective June 9, 2021:

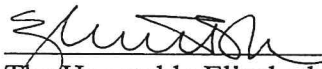
1. Fully vaccinated individuals are not required to, but may, if they choose, wear a face covering in the Mecklenburg County Courthouse if social distancing is not possible.
2. Non-fully vaccinated individuals should wear a face covering inside the Mecklenburg County Courthouse at all times and maintain social distance.
3. All persons on courthouse premises seeking to file legal documents are encouraged to submit their filings using the secure receptacles designated by the Clerk of Superior Court.
4. This order rescinds and replaces Administrative Orders 20 R 988 and 20 R 686.

Entered and effective, this the 9<sup>th</sup> day of June, 2021.



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The Honorable William R. Bell  
Senior Resident Superior Court Judge



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The Honorable Elizabeth Trosch  
Chief District Court Judge