

FILED

MAY 19 2020

JACQUELINE BRYANT, CLERK
By:  DEPUTY CLERK

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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
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10 IN THE ADMINISTRATIVE MATTER OF:
11 TEMPORARILY CLOSING IN-PERSON
12 PUBLIC ACCESS TO THE SECOND
13 JUDICIAL DISTRICT COURT

14 **ADMINISTRATIVE ORDER 2020-05(A)**

15 WHEREAS, the Second Judicial District Court (“District Court”) Chief Judge has
16 authority to make administrative decisions pertaining to the business of the court (WDCR 2(2),
17 NRS 3.025(2)(C));

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19 WHEREAS, Administrative Order 2020-05 was entered by Chief Judge Scott N.
20 Freeman on March 18, 2020;

21 WHEREAS, on March 12, 2020, Governor Steve Sisolak (“Governor Sisolak”) issued a
22 Declaration of Emergency in Nevada to facilitate response to the Coronavirus Disease (COVID-
23 19) pandemic. Governor Sisolak has issued subsequent Directives.

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25 WHEREAS, during this time, it is critical to prevent the spread of COVID-19 among
26 members of the court, counsel, staff, the public, and our valuable community partners;
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1 WHEREAS, to prevent the spread of disease, the national Centers for Disease Control
2 and Prevention (CDC) recommends maintaining a minimum distance of six feet between persons
3 who do not reside in the same household and recommends individuals do not gather in groups;
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5 WHEREAS, the CDC recommends all persons wear a face covering when in public;

6 WHEREAS, on May 12, 2020, the Statement from the National Council of Juvenile and
7 Family Court Judges Regarding Safe Courts and Access to Justice During COVID-19 (NCJFCJ
8 Statement) was issued. The NCJFCJ Statement urges all court systems to adopt the following
9 protective guidelines as courthouses consider how to reopen to public in-person access:
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- 11 1. No court should return to full operation until prevailing science and local health
12 authorities say it is safe to do so.
- 13 2. Video and telephonic hearings should be encouraged whenever possible in the
14 interest of justice so that all parties and witnesses can participate. Judicial officers
15 and court staff should be trained and supported to conduct such hearings.
- 16 3. Courts are encouraged to enter stipulated orders without a hearing when counsel
17 have signed written stipulations and waivers of the right to appeal.
- 18 4. Courts are encouraged to make information about how to access court remedies
19 easily accessible to the public and stakeholders.
- 20 5. When any court re-opens, it should follow the Centers for Disease Control and
21 Prevention (CDC) recommendations for distancing, including in elevators,
22 wearing masks or other personal protective equipment, and regularly disinfecting
23 all areas of the courthouse for all staff and the public. If local health requirements
24 are more strict (which could be due, for example, to a location being an infection
25 “hot spot”) courts should follow the more stringent rules.
- 26 6. Physical distancing measures should be in effect and enforced for the foreseeable
27 future until testing has been deemed sufficient to allow contact tracing, or a
28 vaccine has been developed, is available, and has been given to the requisite
percentage of the population. This is the only way we will know whether someone
entering our busy courthouses has the virus or has been exposed to it.
7. Courts and/or local officials should provide personal protective equipment,
including but not limited to masks, gloves, and hand sanitizer, to judicial officers
and court staff.
8. Criminal defendants, juvenile offenders, parents in dependency cases, parties,
victims, witnesses, counsel, and jurors are ordered to appear in court. They cannot
“opt-out.” Therefore, courts and/or local officials should provide personal
protective equipment to anyone who enters a courthouse until they are deemed
unnecessary by local health authorities.

1 9. Court dockets and schedules should be staggered or otherwise organized to
2 minimize crowding (e.g., time certain case management).

3 [NCJFCJ.org/wp-content/uploads/2020/05/NCJFCJ_Statement_Regarding_Court_](https://www.ncjfcj.org/wp-content/uploads/2020/05/NCJFCJ_Statement_Regarding_Court_Safety_COVID-10_Final.pdf)
4 [Safety_COVID-10_Final.pdf](https://www.ncjfcj.org/wp-content/uploads/2020/05/NCJFCJ_Statement_Regarding_Court_Safety_COVID-10_Final.pdf) (last accessed 5/19/2020).

5 WHEREAS, on May 14, 2020, the judges of the Second Judicial District Court voted to
6 adopt the NCJFCJ protective guidelines to determine how and when to reopen its locations to in-
7 person public access in a safe and responsible manner.

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9 **Accordingly, after review, and good cause appearing therefor, this supplemental**
10 **Administrative Order 2020-05(A) follows:**

11 This order is intended to be consistent with the Declaration of Emergency in Nevada and
12 to effectuate Governor Sisolak's issued Directives resulting from the Declaration of Emergency,
13 recommendations from the CDC and NCJFCJ guidelines.

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15 The Second Judicial District Court shall remain closed to in-person public access until it
16 is determined the Court has safeguards in place necessary to comply with issued Directives,
17 CDC recommendations, and NCJFCJ protective guidelines. Such safeguards include, but are not
18 limited to, proper sanitation protocols as prescribed by the CDC and procurement of necessary
19 personal protective equipment for both employees and members of the public.

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21 This order applies to the General Jurisdiction Division Courthouse, located at 75 Court
22 Street and the Family Division Courthouse, located at 1 So. Sierra.

23 This order shall be reviewed no later than every 30 days and shall continue until modified
24 or rescinded by a subsequent order.

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26 All provisions of Administrative Order 2020-05 shall remain in full force and effect
27 except as specifically modified or supplemented here.

1 This order shall be reviewed no later than every 30 days and shall continue until modified
2 or rescinded by a subsequent order.

3 DATED this 19th day of May, 2020.

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7 SCOTT N. FREEMAN
8 CHIEF JUDGE
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