

**IN THE CIRCUIT COURTS OF THE TWENTY-SECOND JUDICIAL CIRCUIT  
HAMPSHIRE, HARDY AND PENDLETON COUNTIES, WEST VIRGINIA**

**IN RE:           RESUMPTION OF OPERATIONS FOR IN-PERSON HEARINGS**

**ADMINISTRATIVE ORDER**

**WHEREAS**, on May 6, 2020, the Supreme Court of Appeals of West Virginia issued an *Administrative Order Re: Resumption of Operations* and COVID-19 RESUMPTION OF OPERATIONS PROTOCOLS (“Protocols”). These Protocols establish minimum standards; however, each County is empowered to take additional steps if recommended by local health officials. The goal of the Twenty-Second Judicial Circuit is to keep everyone healthy and safe, while providing service and access to the courts. The Protocols and guidelines for the COVID-19 public health crisis are a work in progress, so your patience and understanding is appreciated.

It is **ORDERED** in regard to **IN-PERSON HEARINGS**, the following directives **shall** be followed:

- Parties and attorneys shall spread out in the courtroom to avoid having many people sit at a confined counsel table area.
- Witnesses shall keep a sufficient distance from court personnel, and testimony should not be limited to the traditional witness stand.
- Members of the public, attorneys, parties, and witnesses shall wear masks or face-coverings in this building. Any type of face covering sufficient to catch droplets leaving the nose and mouth, including homemade fabric masks or bandanas, is appropriate; medical masks or N95 masks are not required.
- Hand sanitizer, and/or washing hands with soap and hot water for at least twenty seconds, shall be used upon entrance to this building. Hand sanitizing tables will be available in each courtroom.
- If directed by a Judicial Officer, masks or face-coverings may be removed while addressing the court or testifying, assuming sufficient social distancing is maintained.
- All persons shall adhere to the six foot “safe space” lines on the floor to ensure appropriate distance is maintained.
- All persons shall adhere to the “maximum occupancy” signs posted throughout the building. These numbers are determined by the application of CDC guidelines and the Health Department Official’s requirements based on a square footage calculation. If the “maximum occupancy” has been met for any room or area of this building, persons may not be allowed entry into the building. The common areas will have designated seats for each occupant, and the courtrooms will have designated seats for the in-person attendees.
- All persons shall utilize and observe all social distancing protocols to the greatest extent possible, which includes but is not limited, to keeping at least six feet apart, coughing/sneezing into their arms/elbows, et cetera.
- Bailiffs or other court personnel, as directed by the Presiding Judicial Officer, should wipe down counsel tables, counter areas, or other surfaces between each matter with disinfectant wipes or with a CDC-recommended disinfectant solution. Bailiffs or court personnel should also frequently wipe down door handles and all other “high touch” areas in the courthouse.

It is further **ORDERED** that parties, attorneys, witnesses, and jurors **shall not** come to court if they have a fever or other COVID-19 symptoms, or if they have been directly exposed to a suspected case of COVID-19. Individuals are encouraged to contact the Circuit Clerk's office, Magistrate Clerk's office, or Judge's office for guidance if these situations occur.

It is further **ORDERED** that all persons may be subjected to remote temperature readings with no contact thermometers upon entry to this building, as recommended or directed by the County Commission and the local health department.

It is further **ORDERED** that upon entering this building, in order to prevent the spread of COVID-19, all persons may be asked the Recommended Daily Health Screening questions, as developed by the West Virginia Department of Health and Human Resources, Bureau for Public Health. The questions inquire into whether a person has had contact within the last fourteen days with any person under screening/testing for COVID-19, and whether or not a person is experiencing common symptoms of COVID-19. As a result of these screening questions and/or their personal observations, bailiffs and/or court security are hereby authorized to prohibit the entry into the building of any person with suspected COVID-19.

It is further **ORDERED** that the Family Courts and Magistrate Courts may impose additional protocols specific to their parties and proceedings.

It is further **ORDERED** that individuals who fraudulently use public health efforts to affect court proceedings for personal gain or to avoid a legal obligation may be subject to civil or criminal contempt proceedings and penalties and/or sanctions. Attorneys violating the West Virginia Rules of Professional Conduct may be subject to referral to the West Virginia Office of Disciplinary Counsel.

For further information regarding West Virginia's ongoing COVID-19 mitigation efforts, please contact the State's 24/7 COVID-19 hotline (1-800-887-4304) and the State's general information website at [www.coronavirus.wv.gov](http://www.coronavirus.wv.gov).

It is further **ORDERED** that the Clerk of the Circuit Court for each County in the Twenty-Second Judicial Circuit shall record this Order in their respective Administrative Order Book.

**ENTERED** on this 13<sup>th</sup> day of May, 2020.



H. CHARLES CARL, III, CHIEF JUDGE  
TWENTY-SECOND JUDICIAL CIRCUIT



C. CARTER WILLIAMS, JUDGE  
TWENTY-SECOND JUDICIAL CIRCUIT