

IN THE COURT OF APPEALS OF MARYLAND
ADMINISTRATIVE ORDER ON THE CLOSURE DUE TO EMERGENCIES OF
NON-COURT JUDICIAL FACILITIES LOCATED IN ANNE ARUNDEL COUNTY

WHEREAS, Pursuant to the Maryland Constitution, Article IV § 18, and Maryland Rule 16-101(a), the Chief Judge of the Court of Appeals is granted the authority to close non-court judicial facilities in the event of an emergency; and

WHEREAS, Consistent with Maryland Rule 16-101(a)(1)(C), it may be necessary to delegate the authority to close non-court judicial facilities in instances of emergency conditions,

NOW THEREFORE, I, Mary Ellen Barbera, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution and Maryland Rule 16-101(a), do this 15th day of January 2016 order as follows:

- (a) Applicability. This Order applies to the non-court facilities of the Administrative Office of the Courts (AOC), District Court Headquarters (DCHQ), and all court related agencies, as defined by Maryland Rule 16-101(e), referred to herein collectively as “Judiciary Offices,” located within Anne Arundel County.
- (b) Emergency Condition. Emergency Condition includes:
 - (1) Declared State of Emergency. A “Declared State of Emergency” is a disaster of such magnitude and/or scope that the welfare or safety of the citizens and court staff are seriously endangered. During a Declared State of Emergency, communications may be limited or unavailable, and a Continuity of Operations (COOP) plan may be in effect.
 - (2) Weather Related Emergency. A “Weather Related Emergency” is an event of nature that causes, or threatens to cause, serious injury, death, or extensive property damage and prevents the operation of the Judiciary Offices. Such events include floods, fires, tornadoes, hurricanes, major winter storms, and other similar events.

- (3) Emergency Facilities Condition. An “Emergency Facilities Condition” includes the breakdown of major systems such as electric, HVAC, lighting, water, and sewer directly impeding the operation of Judiciary Offices that cannot be addressed or rectified through alternate systems or processes.
 - (4) Other Emergency Conditions. An “Other Emergency Condition” is any other condition involving the threat of imminent and severe bodily harm of individuals within Judiciary Offices or any other condition involving the imminent destruction of all or part of a Judiciary facility.
- (c) Considerations. Every effort should be made not to close any or all of the Judiciary Offices unless necessary to do so and to reopen as soon as is practicable, even in a limited capacity.
- (d) Authority.
- (1) State of Emergency. In the event a State of Emergency is declared by the Governor, the Chief Judge of the Court of Appeals will determine to what extent administrative operations shall continue, conferring as necessary with the State Court Administrator and the Chief Judge of the District Court.
 - (2) All Other Emergency Conditions.
 - (A) For all other emergency conditions, the authority to close the Judiciary Offices is delegated to the State Court Administrator and the Chief Judge of the District Court, who shall exercise this authority together unless one or the other is not able to be reached.
 - (B) For any emergency condition not affecting the collective Judiciary Office facilities, the State Court Administrator is delegated closure authority for AOC stand-alone facilities and court related agencies and the Chief Judge of the District Court is delegated closure authority for DCHQ stand-alone facilities.
 - (C) This delegated authority shall be exercised, whenever possible, in consultation with the Chief Judge of the Court of Appeals.

- (D) The Chief Judge of the Court of Appeals retains the authority under the Constitution and Rule 16-101(a) to determine that some or all of the Judiciary Offices will remain open or are to re-open.
- (e) Reporting Closures and Notice. So that there will be a central source of information with respect to closures, all decisions to close any or all of the Judiciary Offices shall be communicated to the Office of Communications and Public Affairs within the Administrative Office of the Courts.

/s/ Mary Ellen Barbera
Mary Ellen Barbera
Chief Judge
Court of Appeals of Maryland

Filed: January 15, 2016

/s/ Bessie M. Decker
Bessie M. Decker
Clerk
Court of Appeals of Maryland