

## Minimum Standard Health Protocols for the 29<sup>th</sup> Judicial District – Wyandotte County

As required under 2021-PR-48 this document sets forth the minimum standard health protocols developed for the 29<sup>th</sup> Judicial District by Chief Judge Robert P. Burns in consultation with Dr. Allen Greiner, Chief Medical Officer for Wyandotte County, Kansas. This protocol will be effective June 1, 2021.

### Section A: Definitions

“Fully vaccinated” means two weeks after a person receives the second dose in a two-dose series of the Pfizer-BioNTech or Moderna vaccine, or two weeks after a person receives a single dose of the Johnson & Johnson Janssen vaccine.

“Physical distancing” means keeping 3 feet of distance between yourself and other people who are not members of your household.

### Section B: Screening

The following will be posted or otherwise made known to members of the public, staff, and judicial officers entering the Wyandotte County Courthouse, the Wyandotte County Correctional and Court Services Building and the Wyandotte County Juvenile Services Center.

If you **answer yes** to question 1, or 2, you **must not enter** court offices or court proceedings.

1. In the past 48 hours, have you had a fever at or over 100.4°F?
2. In the past 48 hours have you had two or more COVID-19 symptoms from the CDC list? [www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html](https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html)

If you **answer yes** to question 3 or 4, you **must not enter** court offices or court proceedings unless you are fully vaccinated, and you have had no signs of illness since traveling or having contact with someone who may have COVID-19.

3. In the last 14 days, have you been in close contact with someone who has or might have COVID-19?

4. In the last 14 days, have you traveled:

- Anywhere on the quarantine list from the Kansas Department of Health and Environment at [www.coronavirus.kdheks.gov](http://www.coronavirus.kdheks.gov); or
- to an international location with a COVID-19 risk level of 3 or 4 from the Centers for Disease Control and Prevention map at [www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notices.html](http://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notices.html)

Phone and email addresses will be posted so those who cannot enter may conduct their business or receive information about rescheduling a court appearance.

### **Section C: Physical Distancing**

The public, court users, staff, and judicial officers should keep 3 feet of distance between themselves and anyone who is not a family member when in any court office, courtroom, or other portion of the facility, including elevators. This requirement will not apply if:

1. all persons are fully vaccinated and no person objects; or
2. plexiglass or a similar barrier supplies separation.

### **Section D: Face Masks**

- (a) Face masks or other face coverings are required for the general public to enter the Wyandotte County Courthouse, the Wyandotte County Correctional and Court Services Building and the Wyandotte County Juvenile Services Center or other office covered by this protocol regardless of a person's vaccination status, unless one of the exceptions in (e) applies.
- (b) District Court employees who are fully vaccinated are not required to wear a mask or other face covering. Fully vaccinated persons may continue to wear masks if they feel more comfortable doing so.
- (c) Persons who are unvaccinated, for any reason, must continue to wear a mask or other face covering and social distance for their own health and safety and the health and safety of the public. It is expected that all District Court employees will follow mask policies with honesty and integrity.
- (d) It is at the discretion of the presiding judge whether to require the wearing of masks or other face coverings within the courtroom or other hearing room over which the judge is presiding. Absent constitutional concerns, judges should permit individuals to wear masks if they feel more comfortable doing so.

(e) The following people are exempt from the requirement to wear a mask or other face covering:

- Persons aged 5 years or younger. Children aged 2 years and under in particular should not wear a face covering due to risk of suffocation.
- Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without help.
- Persons who are deaf or hard of hearing or communicating with a person who is deaf or hard of hearing, where the ability to see the mouth is essential for communication.

### **Section E: Jury Trials**

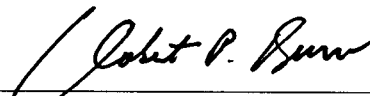
The Chief Judge will modify the 29<sup>th</sup> Judicial District's jury trial plan previously approved by the Office of Judicial Administration and the Kansas Supreme Court. Said modifications will be developed in consultation with Dr. Allen Greiner and shall consider the guidance set forth in the "Supreme Court Guidance Regarding Conducting Jury Proceedings". The jury trial plan may be further modified as deemed appropriate upon the resumption of jury trials which are scheduled to resume on June 7, 2021.

All jury trials will be conducted in-person.

### **Section F: Remote/In-Person Appearances**

The decision whether a hearing or docket shall be conducted in-person or by remote hearing shall be at the discretion of the presiding judge or hearing officer. All judges should continue to consider the use of remote hearings when appropriate.

Upon request and good cause shown by a court participant, a court will permit that person to participate remotely. When good cause is shown to the presiding judge and remote participation is not practical and/or possible, the presiding judge should consider the postponement of said hearing absent any constitutional or statutory concerns.

  
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**ROBERT P. BURNS**  
**CHIEF JUDGE**  
**29<sup>TH</sup> JUDICIAL DISTRICT**