

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

IN RE: COURTHOUSE HEALTH  
AND SAFETY

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CASE NO. 8:20-mc-20-T-23

**ORDER**

This order applies to the United States courthouse in Tampa, Florida; supplements the July 9, 2020 order at 8:20-mc-20-T-23 (Doc. 3); and supersedes the order at 8:20-mc-20-T-23 (Doc. 2). To further protect health and safety in the courthouse, effective the day of this order:

1. Face covering.

- Each person entering the courthouse, including a tenant of the building, must wear a face covering over the person's nose and mouth while in any public or common area of the building, including the atrium on the first floor, an elevator, an elevator lobby, a corridor, a bathroom, a public assembly room, or the public part of an office, such as the Clerk's public access desk, unless otherwise directed by a law enforcement officer or a court official. The United States Marshal or a designee must enforce this requirement and must deny entry or continued presence in the courthouse to a person declining to wear a face covering

in a public area of the courthouse or where required by a judge or the area supervisor.

- Signs posted in the courthouse will remind the public to wear a face covering in a public area and to observe safe and accepted protocols of personal hygiene, including washing hands and maintaining six feet of separation.
- Each presiding judge will determine whether to require a face covering in the judge's courtroom and chambers. Unless otherwise authorized by the presiding judge, each trial participant and spectator must wear a face covering, and each prospective or empaneled juror and each member of the court staff must wear a face covering.
- Each supervisor will determine whether, when, and to what extent to require a face covering in a non-public area within that supervisor's control.
- A person may bring to the courthouse a face covering of the person's choice, but the court will provide a face covering, if needed. If a judge or the judge's designee, the Marshal or the Marshal's designee, or the Clerk or the Clerk's designee determines that a person's face covering of choice is inadequate, the person must wear an adequate face covering or a face covering provided by either the person or the court.

- If the Marshal or the Marshal's designee excludes from the courthouse a person declining to wear a face covering, that person may contact a representative from the person's destination in the courthouse for assistance in determining what accommodation, if any, is available to accomplish the person's business without entering the building.

2. Temperature.

- To enforce the order at 8:20-mc-20 (Doc. 3), the Marshal must test by no-contact means the temperature of each person entering the courthouse and must refuse entry into the courthouse by anyone whose temperature exceeds 100.4° F.

3. Hand sanitizer.

- Each person may bring antibacterial wipes and hand sanitizer, although a supply is available throughout the courthouse, including inside each courtroom.

4. Elevators.

- No more than four persons are permitted on a public elevator at the same time. Each person must stand in a corner of the public elevator adjacent to other riders. A sign in each elevator will remind entrants of this limit.
- The United States Marshal or his designee must enforce this limit.

5. Spacing.

- In accord with guidelines from the Centers for Disease Control, a person, when possible and excepting a brief encounter, should remain at least six feet from any other person who is not residing at the same address, who is not a lawyer or that lawyer's client or an interpreter, or who is not a provider of required assistance in movement or for another health- or disability-related reason.
- Each meeting room and courtroom will offer ample space for compliance with the CDC's six-foot-spacing guideline.
- Signs posted in the courthouse will remind visitors to maintain spacing of at least six feet.

6. Cleaning protocol.

- Before jurors assemble, the court will ensure thorough cleaning and sanitizing of the jury assembly room and any other place in which jurors deliberate or otherwise assemble.
- The court will ensure thorough cleaning and sanitizing, where needed and in accord with applicable guidelines, of each courtroom before each hearing and each trial.

7. Accommodation for a vulnerable person.

- The court upon request will implement reasonable means to eliminate or reduce the need for a vulnerable person to appear at the courthouse.

- According to the CDC, a vulnerable person is anyone:
  - A. sixty-five or older;
  - B. living in a long-term care facility; or
  - C. subject to an underlying medical condition, particularly if not well controlled, including a person:
    - i. with chronic lung disease or moderate or severe asthma,
    - ii. with a serious heart condition,
    - iii. who is immuno-compromised (many conditions can cause immuno-compromise, including cancer treatment, bone marrow or organ transplantation, immune deficiency, poorly controlled HIV or AIDS, prolonged use of corticosteroids and other immune weakening medications, or heavy cigarette smoking),
    - iv. who is severely obese (body mass index of 40 or higher),
    - v. who is diabetic,
    - vi. who is undergoing dialysis, or
    - vii. who is suffering from liver disease.

8. Public gathering.

- Except a court proceeding, any public gathering, including a seminar, an educational meeting, a legal advisory service, a tour or group visit, a moot court or mock trial, a bar or other organizational meeting or assembly, a naturalization or other ceremony, an attorney admission, and a mediation, unless the mediation is authorized by the presiding judge to occur in the courthouse, is **SUSPENDED** until the termination or expiration of this order.

9. First-floor cleaning.

- The Marshal must ensure that the atrium and entrance security area on the first floor of the courthouse are clean and sanitized regularly and thoroughly.

This order remains in effect for ninety days unless terminated earlier or extended.

ORDERED in Tampa, Florida, on September 14<sup>th</sup>, 2020.



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STEVEN D. MERRYDAY  
CHIEF UNITED STATES DISTRICT JUDGE