IN THE TRIAL COURT FOR THE STATE OF ALASKA

In the Matter of:	)
	)
COVID-19 PRECAUTIONS	)
	)
	)
	)

PRESIDING JUDGES' STATEWIDE ADMINISTRATIVE COVID-19 PRECAUTIONS ORDER

The Alaska Supreme Court, the Chief Justice of the Alaska Supreme Court, and the presiding judges have issued orders in response to the COVID-19 pandemic. Chief Justice Order No. 8149 was issued on May 20, 2020 and in part requires that: "All visitors to Alaska Court System courthouses must take precautions to keep other members of the public and court staff safe"; "Visitors are strongly encouraged to wear a mask or other face covering"; and, "The presiding judge may make these policies mandatory for any court location or district."

The undersigned, in consideration of the present COVID-19 related circumstances in the State of Alaska and the expert health advice that the Alaska Court System has received, orders the following:

1. All persons in Alaska Court System facilities shall comply with the Alaska Court System statewide COVID-19 precautions, including social distancing, any health screening in effect, and the requirements of related signage. The Alaska Court System's COVID-19 precautions are subject to change and are posted on the Alaska Court System's website. "Court facilities" includes off-site locations used to conduct court proceedings.
2. All persons in Alaska Court System facilities must also comply with all applicable statewide COVID-19 mandates imposed by the Governor and all applicable local COVID-19 mandates.

3. All visitors to Alaska Court System facilities must wear a face covering or mask which covers the person's mouth and nose unless a stated exemption applies. "Visitors" includes, but is not limited to: attorneys, parties, witnesses, other participants in the proceeding, persons qualifying as victims under Alaska statute, persons conducting business at a Court Clerk's Office, and members of the public.

4. All persons attending a court proceeding in person must wear a face covering or mask that covers the person's nose and mouth, including the judicial officer and in-court clerk, unless a stated exemption applies. The judicial officer presiding over a court proceeding with persons attending in person may authorize the removal of a face covering or mask in accordance with section 5 of Chief Justice Order No. 8149.[1]

5. Court Clerk offices in each court location shall make face coverings or masks available to visitors upon request.

6. The following persons are exempt from the face covering or mask requirements:

   a. Any child under two years of age;

   b. Any individual who has a mental or physical disability that prevents the person from being able to wear or remove a face covering or mask, provided the person is able to maintain required social distancing while in the court facility; and

   c. Any individual who has trouble breathing, is unable to remove a face covering or mask without assistance, or has been advised by a medical professional that wearing a face

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[1] Special Order of the Chief Justice No.8149 Regarding COVID-19 Visitor Health Precautions, (d)(5): "During courtroom proceedings, the judge may authorize removal of masks or face coverings as necessary, including for purposes of witness testimony, defendant identification, or making an appropriate record, provided that appropriate social distancing or other protective measures are followed."

covering or mask may pose an unreasonable risk to that person, provided the person is able to maintain required social distancing while in the court facility.

7. A person who is not in compliance with the foregoing requirements, including the face covering or mask requirement, will be excluded from the court facility. Judicial Service Officers shall enforce the exclusion.

8. A person excluded from a court proceeding may participate in or otherwise attend the court proceeding by teleconference, or by videoconference if reasonably available, provided that the court proceeding is not a confidential proceeding that the person is not privileged to attend.

9. The Court Clerk for each court location shall prominently place signage at that court facility informing visitors of the foregoing.

10. The presiding judges are continuing to monitor the COVID-19 situation and additional precaution orders will be issued as warranted. A presiding judge for a District may issue an order for that District or any court location(s) in the District with regards to the face covering or mask requirements based on the COVID-19 circumstances that then exist in the District as a whole or at particular court location(s) in the District.

IT IS SO ORDERED.

Dated at Kotzebue, Alaska this 1st day of June 2020.

M. Mindell for

Paul Roetman
Presiding Judge – Second Judicial District

Dated at Fairbanks, Alaska this 1st day of June 2020.

M. MacDonald

Michael MacDonald
Presiding Judge – Fourth Judicial District

Dated at Anchorage, Alaska this 1st day of June 2020.

M. MacDonald for

William Morse
Presiding Judge – Third Judicial District

Dated at Ketchikan, Alaska this 1st day of June 2020.

M. MacDonald for

Trevor Stephens
Presiding Judge – First Judicial District

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