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FOR IMMEDIATE RELEASE

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Maine Judicial Branch Releases Revised COVID-19 Phased Management Plan and Issues Order Regarding Trial Court Remote Proceedings and Public Access

July 30, 2020, Portland, Maine. The Maine Judicial Branch released its Revised COVID-19 Phased Management Plan ("Plan").

Face coverings: The revisions include updated guidance from the CDC and requires that any person entering a courthouse must wear a cloth face covering that covers the nose and mouth. Face shields are no longer permitted as a substitute.

Jury trials: Due to the anticipated inability of the Judicial Branch to effectively conduct jury trials in September while satisfying current CDC health and safety requirements, the starting date for Phase 5 has been revised to begin on October 19, 2020. The Judicial Branch continues its efforts to formulate plans for the conduct of jury trials, but it is clear that existing resources and facilities will not be satisfactory during the month of September.

The Supreme Judicial Court has approved two or more pilot plan jury trials to take place during the month of September at the Capital Judicial Center and the Penobscot Judicial Center for the purposes of studying the unique needs and processes for jury trials during the COVID era. The Chief Justice of the Superior Court will supervise the planning and execution of the pilot projects.

Case scheduling in certain case types during Phase 4: Due to the extensive efforts to resume FED (eviction) cases in Phase 4, scheduling of the following case types will be deferred until further notice:

- Disclosures
- Foreclosures
- Small claims
- Land Use Violations 80(K)

The court will continue to review its readiness to address these case types during Phase 4 and will issue updates as docket conditions evolve. In any matter that is not being scheduled or heard during this phase of the pandemic management, a request can be made for the scheduling of the matter as set forth in PMO-SJC-1.

The Maine Judicial Branch also released PMO-SJC-7 today regarding remote court proceedings and public access. Given the Court's ongoing concerns for the health of both Judicial Branch employees and members

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of the public, the Supreme Judicial Court has determined that almost all trial court proceedings must be conducted remotely while the Judicial Branch COVID-19 Phased Management Plan ("Plan") is in effect.

Remote Proceedings: Today's order provides that except for certain proceedings listed in the order, or unless otherwise ordered by a court, all proceedings in Maine's trial courts shall be conducted remotely, by video or telephone. Cases will continue to be scheduled subject to available court resources, including technology. A party may file a motion to request an in-person proceeding if there are special circumstances. Factors to be considered by the court include the health and safety of court staff, parties, and witnesses; the ability of parties to participate remotely; and Judicial Branch resources, including courtroom space, technology assistance, and clerical assistance. The order also outlines the process for conducting remote proceedings.

Public Access: Courtrooms in use for non-confidential proceedings shall remain open to the public during hours of operation. Any member of the public or media wishing to attend a non-confidential court proceeding may do so in person and subject to the required conditions set forth in the Plan.

Administrative Order JB-05-15 shall apply to media coverage of remote court proceedings during the pandemic. Members of the media may request direct access to cover a public but remote court proceeding being conducted solely by video or telephone and access a recording of or live audio stream of a court proceeding by submitting the Media Notification-Requested Coverage form.

Members of the public who wish to observe or listen to remote court proceedings should contact the clerk of the court where the hearing is being held. A listing of court locations and contact information is appended to PMO-SJC-7.
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