IN THE COURT OF APPEALS OF MARYLAND

ADMINISTRATIVE ORDER ON STATEWIDE JUDICIARY OPERATIONS THAT MUST BE MAINTAINED DURING THE COVID-19 EMERGENCY: AS TO LAND RECORDS

WHEREAS, Pursuant to the Maryland Constitution, Article IV, § 18, the Chief Judge of the Court of Appeals is granted authority as the administrative head of the Judicial Branch of the State, including the closing of courts in the State of Maryland and non-court judicial facilities; and

WHEREAS, The Court of Appeals has approved Chapter 1000 of Title 16 of the Maryland Rules of Practice and Procedure setting forth the emergency powers of the Chief Judge of the Court of Appeals; and

WHEREAS, In instances of emergency conditions, whether natural or otherwise, that significantly affect access to or the operations of one or more courts or other judicial facilities of the State or the ability of the Judiciary to operate effectively, the Chief Judge of the Court of Appeals may be required to determine the extent to which court operations or judicial functions shall continue; and

WHEREAS, Due to the outbreak of the novel coronavirus, COVID-19, and consistent with guidance issued by the Centers for Disease Control, an emergency exists that poses a threat of imminent and potentially lethal harm to vulnerable individuals who may come into contact with a court or judicial facility and personnel; and

WHEREAS, To the extent possible, the courts and judicial offices and units have remained operational and provided scheduled and required events while balancing the health and safety needs of court visitors and personnel during the early stage of this emergency; and

WHEREAS, Escalation of the emergency has required comprehensive measures to protect the health, safety, and well-being of Maryland residents and Judiciary personnel; and

WHEREAS, The Administrative Order on Statewide Judiciary Restricted Operations Due to the COVID-19 Emergency filed March 16, 2020, authorizes the courts' consideration or resolution of matters that can be addressed without a proceeding that involves testimony or argument; and

WHEREAS, Certain civil matters involving the recording of instruments related to land records are able to be processed by the Clerks of the Circuit Courts during the pendency of the emergency,

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, do hereby order this 18th day of March 2020, as follows:

During the pendency of the emergency:

(a) The Clerks of the Circuit Courts (Clerks) shall process promptly all properly filed instruments that are required to be recorded in the Land Records Departments; and

(b) Jurisdictions with the capacity to file such instruments via the Simplifile application shall be processed electronically consistent with the protocols already adopted; and

(c) To the extent that instruments have been executed using electronic signatures in compliance with § 21-106 and § 21-110 of the Commercial Law Article of the Annotated Code of Maryland, such signatures shall be deemed properly executed and accepted; and

(d) Upon approval of the administrative judge and to the extent necessary, Clerks shall provide appointments for access to land records while maintaining the appropriate social distancing measures; and

(e) This Administrative Order will be revised as circumstances warrant.

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

Filed: March 18, 2020

/s/ Suzanne C. Johnson
Suzanne C. Johnson
Clerk
Court of Appeals of Maryland

Pursuant to Maryland Uniform Electronic Legal Materials Act
(§§ 10-1601 et seq. of the State Government Article) this document is authentic.

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Suzanne C. Johnson, Clerk