IN THE COURT OF APPEALS OF MARYLAND

ADMINISTRATIVE ORDER ON THE PERMISSIVE USE OF THE MDEC SYSTEM FOR APPELLATE FILINGS DURING THE COVID-19 EMERGENCY

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

WHEREAS, electronic filing is permitted via the Maryland Electronic Courts (MDEC) system in the State courts, including the Court of Special Appeals and the Court of Appeals, in all jurisdictions except for Baltimore City, Montgomery County, and Prince George's County; and

WHEREAS, allowing voluntary electronic filing through the MDEC would assist appellate counsel and parties, facilitate the continuity of operations of the Court of Special Appeals and the Court of Appeals, and reduce the risk to counsel, parties, and personnel of exposure to the COVID-19 virus; and

WHEREAS, Maryland Rule 16-1003(a)(14) authorizes the Chief Judge of the Court of Appeals to "take any appropriate action necessary to ensure that, to the maximum extent possible, essential judicial business is effectively handled by the courts,"

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 27th day of March 2020, as follows:

(a) That counsel and self-represented parties who are registered users of the MDEC system may file, in new and pending matters before the Court of Special Appeals or the Court of Appeals, all papers through the MDEC system originating in Baltimore City, Montgomery County, and Prince George's County; and

(b) If counsel and self-represented parties in such matters are not already registered users in the MDEC system, they may register to become filers in the MDEC system as provided in Maryland Rule 20-104 using the resources available on the following webpage: www.mdcourts.gov/mdec/efiling of the Maryland Judiciary's website; and

(c) Counsel and self-represented parties who choose to become electronic filers under this Administrative Order will receive any notices, orders and other papers originating in the Court of Appeals and the Court of Special Appeals through the MDEC system, and no separate paper copies will be provided; and

(d) All other filing requirements shall remain in effect; and

(e) This Order shall take effect, *nunc pro tunc*, on March 16, 2020; and

(f) 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 27, 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.

Suzanne Johnson
2020-03-27 17:29-04:00

Suzanne C. Johnson, Clerk