

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA**

**LIMITED ACCESS TO COURTHOUSES
UNDER EXIGENT CIRCUMSTANCES
CREATED BY COVID-19 VIRUS**

**SECOND AMENDED
STANDING ORDER 20-2**

The Court, on March 13, 2020, entered Standing Order 20-2 to limit access to courthouses in the District of South Dakota to attempt to avoid the spread of Coronavirus Disease 2019 (COVID-19) in any courthouse in the District of South Dakota. In the months since entry of that Standing Order, COVID-19 has spread throughout the United States, including in South Dakota. The Centers for Disease Control (CDC) has issued guidance for wearing masks and maintaining physical distancing of six feet or more. The Court has acquired masks both for employees and for visitors, so that no one who has necessary business to conduct in the courthouse and who is asymptomatic gets turned away from their public federal courthouse simply because they lack proper apparel in the form of a mask. Many court hearings now occur by videoconference, and the Court has set up drop boxes outside of Court Security Officer (CSO) stations for people, after the filing is run through the CSO's scanner, to use to file items with the Clerk of Court. The Court has at courthouse entries devices to register the body temperature of anyone entering the courthouse. Having balanced the need to protect the safety of the public and those who work in federal courthouses against the need for continued operation of necessary judicial functions,

IT IS ORDERED:

1. Unless and until the person has completed a 14-day quarantine period, the CSOs are to stop entry into the courthouse of anyone who:
 - has contracted the COVID-19 virus and has not fully recovered for a period of at least 14 days;
 - has had contact within the past 14 days with someone who has contracted the COVID-19 virus;
 - has been directed to self-quarantine by any doctor, medical provider, hospital, or health agency;
 - has a fever (by CDC guidelines, a temperature greater than 100.4), cough, or shortness of breath; or
 - has traveled internationally within the past 14 days.

A temperature scanner exists at each public entry in courthouses to assist in determining if a person is running a fever. The CSOs are authorized to question people entering the courthouse to determine whether any person fits any of these criteria.

2. Anyone who has business to conduct in the courthouse but is unable to appear because of these restrictions should proceed as follows:

- If you are represented by an attorney, please contact your attorney;
- If you are an attorney and you are scheduled to appear in court before a judge, please contact chambers directly (contact information is on the Court's website);
- If you are scheduled to meet with a Pretrial/Probation officer, please contact the Probation office at (605) 977-8900;
- If you are a juror, please contact the Jury Administrator at (605) 330-6620;
- For Bankruptcy Court matters, please contact the Bankruptcy Clerk at (605) 357-2400;
- For all other matters, including participation in hearings remotely, please contact the District Clerk of Court at (605) 330-6600. The Court has made arrangements for members of the public to listen to hearings, and in some cases participate, by telephone.

3. The CSOs are directed to provide, free of charge and without requesting return, a mask to all those entering the courthouse without a mask or face covering to conduct business or attend any in-person hearing. All members of the public while in the courthouse must wear a mask covering the nose and mouth unless a presiding judge orders otherwise. The CSOs are authorized to instruct people on this requirement and to enforce the requirement. The wearing of a mask prevents aerosols from sneezes, coughs, or speech from spreading and protects the user from some infection, as well as reminding a person not to touch the mouth or nose. Masks are not a guarantee against infection and do not replace physical distancing and frequent and thorough hand washing as a way to reduce the spread of COVID-19.

4. Due to the fluid nature of the COVID-19 outbreak and need for flexibility in responding, the judicial officer before whom any hearing is scheduled shall determine whether and how best to conduct the hearing.

DATED this 18th day of September, 2020.



ROBERTO A. LANGE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA