

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS

IN RE: GUIDANCE ON USE OF MASKS OR FACE COVERINGS IN COURTHOUSES  
DURING THE COVID-19 PANDEMIC.

**ADMINISTRATIVE ORDER NO. 2021-6**

In response to the ongoing pandemic caused by the Coronavirus Disease 2019 (COVID-19) and the recommendations from the Centers for Disease Control and Prevention (CDC), on July 24, 2020, the Court signed Administrative Order No. 2020-10 requiring individuals to wear masks and to physically distance when entering the Courthouses in the Western District of Arkansas. On May 13, 2021, the CDC revised its guidance regarding fully vaccinated individuals within Judiciary facilities. Thereafter, on May 26, 2021, the Court signed Administrative Order No. 2021-5, revising its mandate that masks be worn in all common areas of the Courthouses to now apply only to those who are not fully vaccinated for COVID-19. In order to comply with this revised mandate, the following Order will be implemented in all divisions in the Western District of Arkansas:

1) The mandate that masks be worn in all common areas of the Courthouses shall now apply only to those who are not fully vaccinated. The Court Security Officers (CSOs) shall notify those entering the Courthouses that, if not fully vaccinated, they must wear a mask while in the Courthouse, and the CSOs should continue to furnish a mask to anyone who does not have one. Anyone who falsely claims to be fully vaccinated and goes without a mask may be subject to contempt of court proceedings for violating this Order.

2) All individuals who are not fully vaccinated, including jurors, court employees, witnesses, CSOs, United States Marshals Service personnel, parties and attorneys, shall continue to wear a

mask within all common areas of the district's Courthouses, including within the courtrooms. Mask wearing within the common areas of the Courthouses, including any courtrooms, is optional for those who are fully vaccinated.

3) It is within the discretion of the presiding judge in any court proceeding to require individuals to wear a mask despite his/her vaccination status.

4) Entry into the Courthouses will be denied to anyone who;

- has contracted the COVID-19 virus and has not fully recovered for a period of at least 14 days;
- is unvaccinated and 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 temperature of greater than 100.4 degrees; or
- is unvaccinated and has traveled internationally within the past 14 days.

The CSOs are authorized to question individuals entering the Courthouses to determine whether they fit any of these criteria. Asking a person whether they have been vaccinated is not a violation of the Health Insurance Portability and Accountability Act or other law, however, an individual may refuse to answer and may then enter the Courthouse if, and only if, they are wearing a mask.

5) Anyone who has business within a Courthouse but is unable to appear because of these restrictions should proceed as follows:

- If you are represented by an attorney, contact your attorney;

- If you are an attorney and you are scheduled to appear before a judge, contact the judge's Courtroom Deputy;
- If you are scheduled to meet with a Probation Officer, contact the Probation Office;
- If you are a juror, contact the Jury Administrator.

6) This Order is effective immediately and shall remain in effect until further Order of the Court.

**IT IS SO ORDERED** this 26<sup>th</sup> day of May, 2021.

  
SUSAN O. HICKEY  
CHIEF UNITED STATES DISTRICT JUDGE