



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Office of the District Court Executive

LAURA TAYLOR SWAIN
Chief Judge

EDWARD A. FRIEDLAND
District Court Executive

MEMORANDUM

TO: All SDNY Employees
FROM: COVID-19 Response Team
DATE: March 13, 2023
SUBJECT: COVID-19 Guidance

The COVID-19 Response Team continues to evaluate existing measures in place at the courthouses and adjust them as needed, as we have done since the beginning of the pandemic. With the high rate of immunity among the general population, and more therapeutics readily available to protect people from serious illness, the time has come to ease many of the restrictions we have had in place. These modifications are being made in consultation with Dr. Roess and in consideration of recent changes to CDC, state and local public health guidance, as well as President Biden's announcement that he intends to end the national emergency and public health emergency declarations on May 11, 2023.

Vaccinations

Vaccination against COVID-19 is now optional for current and prospective judicial officers and court employees. Those who have been granted exemptions from the vaccine mandate are not required to renew their exemptions annually. CDC recommends that everyone stay up to date with COVID-19 vaccines for their age group. We will continue to evaluate whether there is a need to reimplement the COVID-19 vaccine mandate at some future time.

Symptoms

Individuals are no longer required to stay away from the courthouses because they are experiencing or have experienced certain symptoms. However, we strongly encourage anyone experiencing fever, shortness of breath, vomiting, or diarrhea to stay away from the courthouses. More details can be found here: [COVID-19 Protocols Following Positive Diagnosis, Symptoms or Exposure](#).

Masks

Currently, masks are only mandatory if required by individual judicial officers in their courtrooms or by the Court's protocols following positive diagnosis, as set forth in [COVID-19 Protocols Following Positive Diagnosis, Symptoms or Exposure](#). KN95, N95 and KF94 are proven to be superior to other types of masks in preventing COVID-19 transmission. We encourage judicial officers to consider current COVID conditions and length of trial in deciding whether to require that masks be worn by sitting jurors for the duration of their jury service.

Masks are available for courthouse staff and for use in the courtrooms upon request to the District Executive's Office.

Distancing

Currently, distancing is not required for any space in the courthouse, except that a judicial officer presiding over a proceeding has the discretion to require that participants maintain at least a three-foot distance from one another in the courtroom and adjacent areas, including the jury deliberation room.

Requests from sitting jurors for distanced seating at other times throughout their service should be accommodated if feasible.

Testing

Testing is no longer a mandatory condition for returning to in-person work at the courthouse following positive diagnosis, symptoms or exposure. However, testing is strongly encouraged under certain conditions, as set forth in the revised [COVID-19 Protocols Following Positive Diagnosis, Symptoms or Exposure](#).

The District Executive's Office has both antigen and molecular diagnostic tests that can be made available in the event that trial participants have been exposed during the course of a trial.

We urge those who are at higher risk for serious illness to continue to take prudent steps to protect themselves, such as distancing and masking whenever possible.

Thank you for your continued compliance with the Court's protocols and guidance.