

**Rule 4-410. Courthouse closure.****Intent:**

To establish protocols surrounding the closure of a court's physical building or operations in the event that extreme weather, cybersecurity, or other emergency situation prevents the safe arrival to, or the ability to safely conduct business in, the courthouse, or the operational integrity of court systems.

**Applicability:**

This rule applies to courts of record and not of record.

**Statement of the Rule:****(1) Definitions.****(1)(A) ~~C~~In courts of record.:**

(1)(A)(i) "Presiding ~~J~~judge" refers to the judge who presides over the district or court level.

(1)(A)(ii) "Court ~~E~~xecutive" ~~refers to the trial court executive in the district and juvenile courts and the Appellate Court Administrator in the appellate courts~~ means the same as that term is defined in Rule 1-101.

**(1)(B) ~~C~~In courts not of record.:**

(1)(B)(i) "Presiding ~~J~~judge" refers to the local justice court presiding judge, not the district level justice court presiding judge.

(1)(B)(ii) "Court ~~E~~xecutive" refers to the local justice court administrator.

(2) **Core mission.** In the event the ~~P~~residing ~~J~~judge determines that a courthouse is not safe or is not capable of supporting the core mission of the court due to extreme weather conditions or other emergency situation, the ~~P~~residing ~~J~~judge has the discretion to determine, in consultation with the ~~C~~ourt executive, court security, and authority responsible for the ~~building~~ court's operation and maintenance, how to continue supporting the core mission of the court.

(3) **Closure order.** The ~~P~~residing ~~J~~judge(s) may order:

(3)(A) the time-limited partial closure of the courthouse or court operations;

(3)(B) the time-limited complete closure of the courthouse or court operations; or

(3)(C) the indefinite complete closure of the courthouse or court operations.

(4) **Alternate location.** If the ~~P~~residing ~~J~~judge orders a complete or partial building or operational closure that in any way affects the public's ability to conduct court business in that

51 location, ~~(4)(A)~~ the Presiding Judge may order that operations resume in an alternate  
 52 location; ~~and~~

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 54 ~~(54)(B)~~ **Public notice.** ~~T~~he Presiding Judge ~~must~~shall ensure that public notice is posted as  
 55 soon as reasonably possible in at least two conspicuous places informing the public of:

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 57 ~~(54)(A)(i)~~ the building's physical or operational closure;

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 59 ~~(54)(B)(ii)~~ the anticipated length of time the building will be closed or operations may be  
 60 suspended; and

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 62 ~~(54)(C)(iii)~~ the procedures for conducting court business, including where cases will be  
 63 heard and how to file court documents.

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 65 ~~(65)~~ **Communication** ~~of decision to close the courthouse or court operations.~~

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 67 ~~(65)(A)~~ **C**~~in courts of record.~~ ~~T~~he Presiding Judge ~~shall~~will, as soon as possible,  
 68 inform the State Court Administrator, the ~~Chief Justice~~Presiding Officer, the Court  
 69 Communications Director, the Court Security Director, the Court Facilities Director, ~~the~~  
 70 Chief Information Officer, the Sheriff whose jurisdiction covers the affected courthouse,  
 71 and ~~the~~ other organizations or lessees occupying the building, of the Presiding Judge's  
 72 decision to close the courthouse.

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 74 ~~(65)(B)~~ **C**~~in courts not of record.~~ ~~T~~he Presiding judge ~~shall~~will, as soon as possible,  
 75 inform ~~the State Court Administrator, the Presiding Officer, the Court Executive, the~~  
 76 Justice Court Administrator, the Court Communications Director, the Court Security  
 77 Director, the Chief Information Officer, the law enforcement agency whose jurisdiction  
 78 covers the affected courthouse, and ~~the~~ other building occupants, of the Presiding  
 79 Judge's decision to close the courthouse.

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 81 ~~(76)~~ **Communications Director.** The Court Communications Director ~~shall~~will immediately  
 82 inform the media and public of the closure.

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 84 ~~(87)~~ **Extensions.** If the Presiding Judge determines that there is a need to extend a court  
 85 closure order, the Presiding Judge ~~shall~~will so order and the steps ~~in~~ paragraphs (1)  
 86 through (4) ~~shall~~will repeat.

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 88 ~~(98)~~ **Consensus.** For all courthouses that house more than one level of court, the Presiding  
 89 Judges of each court level ~~shall~~will confer and come to a consensus ~~decision~~ regarding action  
 90 pursuant to ~~subsection paragraph~~ (3) above.

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 92 ~~(98)(A)~~ In the event that a closure is ordered by consensus, the Presiding Judges of  
 93 the closed courthouse ~~shall~~will ~~all~~ sign the closure order.

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 95 ~~(98)(B)~~ In the event there is not a consensus among the Presiding Judges, the  
 96 Presiding Officer ~~Chief Justice~~ ~~shall~~will determine whether to issue and sign the closure  
 97 order.

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 99 ~~(109)~~ **Retention.** Each Presiding Judge and the Administrative Office ~~of the Courts~~ ~~shall~~will  
 100 retain a copy of the order.

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(11) Availability.

(11)(A) **Courts of record.** In the event the Presiding Judge is not available during an emergency, the associate presiding judge will make any determinations as provided for in this Rule. In the event the Presiding Judge and the associate presiding judge are not available, the most senior judge available will make any determinations as provided for in this Rule.

(11)(B) **Courts not of record.** In the event the Presiding Judge is not available during an emergency, a judge of the local court, which may include a designee or senior judge, will make any determinations as provided for in this Rule. In the event the Presiding Judge and a judge of the local court are not available, the district level justice court presiding judge, or associate presiding judge, will make any determinations as provided for in this Rule.

Effective: ~~4/27/2020~~May 1, 2026