

IN THE COURT OF APPEALS OF MARYLAND  
FINAL ADMINISTRATIVE ORDER  
ON JURY TRIALS AND GRAND JURIES  
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, Chapter 1000 of Title 16 of the Maryland Rules of Practice and Procedure sets forth the emergency powers of the Chief Judge of the Court of Appeals; and

WHEREAS, In instances of emergency conditions, whether natural or otherwise, that significantly disrupt access to or the operations of one or more courts or other judicial facilities of the State or the ability of the Judiciary to operate effectively, the Chief Judge of the Court of Appeals may be required to determine the extent to which court operations or judicial functions shall continue; and

WHEREAS, Due to the outbreak of the novel coronavirus, COVID-19 and its variants and consistent with guidance issued by the Centers for Disease Control and Prevention (CDC) and the Maryland Department of Health (MDH), an emergency existed for which measures were required to mitigate potential for exposure for individuals visiting a court or judicial facility and for judicial personnel including the suspension of grand juries and jury trials statewide; and

WHEREAS, Clarification as to certain suspension end dates and their impact upon certain deadlines previously having been provided; and

WHEREAS, The *Administrative Order Lifting the COVID-19 Health Emergency as to the Maryland Judiciary*, having been filed March 28, 2022, amendments are necessary,

NOW, THEREFORE, I, Joseph M. Getty, 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 28th day of March 2022, effective April 4, 2022, that:

- (a) Grand juries, previously having been suspended by order of the Chief Judge of the Court of Appeals due to the COVID-19 emergency and having resumed, shall proceed to normal operations; and
- (b) All criminal jury trials in the Circuit Courts throughout the State of Maryland scheduled to begin during periods in which jury trials were suspended (March 16, 2020 through October 5, 2020; November 16, 2020 through April 23, 2021; and December 29, 2021 through March 6, 2022), if not yet rescheduled, shall be rescheduled as promptly as feasible, pending further order of the Chief Judge of the Court of Appeals; and
- (c) All civil jury trials in the Circuit Courts throughout the State of Maryland shall, consistent with the *Administrative Order Lifting the COVID-19 Health Emergency as to the Maryland Judiciary*, filed March 28, 2022, be subject to priority being given to criminal trials and other urgent actions; and
- (d) For any previously scheduled criminal jury trial that was ordered to be suspended consistent with Section (b) of this Order, the number of days that jury trials were suspended shall be included in the calculations of new statutory and rules deadlines in Sections (e) and (f) of this Order; and
- (e) In tolling the statutory and rules deadlines related to the start of criminal jury trials and other criminal matters, the *Administrative Order on Expanding the Statewide Suspension of Jury Trials and Suspending Grand Juries*, filed April 3, 2020, provided that statutory and rules deadlines related to the adjudication of

- pending criminal matters were to be suspended and extended by the number of days that the courts were closed to the public; and
- (f) For the purposes of this Order, “tolled or extended by the number of days that the courts were closed” means that the days that jury trials were not able to be offered to criminal defendants due to the COVID-19 emergency during the periods beginning March 16, 2020, through October 4, 2020; November 16, 2020, through April 25, 2021; and December 29, 2021 through March 6, 2022, pending further Order of the Chief Judge of the Court of Appeals, do not count against the time remaining for the start of a criminal jury trial; and
  - (g) The resumption date of criminal jury trials further shall serve as the resumption date for days to be counted toward any adjusted deadline for the start of any trial pursuant to Section 6-103 of the Criminal Procedure Article and Rule 4-271(a)(1), commonly known as the *Hicks* date; and
  - (h) There further shall be an additional tolling of thirty days from the time that jury trials resumed on October 5, 2020, ending on November 4, 2020, for criminal cases that were pending in the Circuit Courts on March 12, 2020, or initiated prior to the resumption of jury trials on October 5, 2020, to allow the Circuit Courts to conduct status hearings and reschedule jury trials as appropriate; and
  - (i) For all criminal cases that were pending or initiated on March 16, 2020, through July 30, 2020, the deadline to conduct preliminary hearings in the District Court pursuant to Maryland Rule 4-221(b) previously was extended by Order to August 30, 2020, consistent with Phase III; and
  - (j) For all criminal cases that were pending or initiated on November 16, 2020, through February 26, 2021, the deadline to conduct preliminary hearings in the District Court pursuant to Maryland Rule 4-221(b) previously was extended by Order to April 16, 2021; and

- (k) For all criminal cases that were pending or initiated on December 29, 2021, through March 6, 2022, the deadline to conduct preliminary hearings in the District Court pursuant to Maryland Rule 4-221(b) previously extended to April 15, 2022, pending further Order, shall stand; and
- (l) *The Sixth Amended Administrative Order on Lifting the Statewide Suspension of Jury Trials and Maintaining Grand Juries*, filed March 1, 2022, shall be and hereby is rescinded, effective midnight, April 3, 2022; and
- (m) To the extent that this Administrative Order conflicts with extant Administrative Orders, this Administrative Order shall prevail; and
- (n) This Administrative Order will be revised as circumstances warrant.

/s/ Joseph M. Getty  
Joseph M. Getty  
Chief Judge  
Court of Appeals of Maryland

Filed: March 28, 2022

/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 C. Johnson, Clerk