

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY**

**In Re: THIRTEENTH SUPPLEMENTAL ORDER
CONCERNING COURT OPERATIONS
RELATED TO COVID-19**

**GENERAL ORDER
NO. 22-02**

* * *

Over the course of the COVID-19 pandemic, this Court has closely monitored the evolving guidance from the Centers for Disease Control and Prevention (CDC), as well as state and local health authorities. Based on the prevailing recommendations, the Court has implemented health and safety precautions to be followed within its Courthouses, including the use of face masks.¹

On February 25, 2022, the CDC revised its guidance regarding the use of face masks to accord with new metrics known as “COVID-19 Community Levels.” Under this approach, the CDC will evaluate a combination of three metrics- new COVID-19 admissions per 100,000 population in the past 7 days, the percent of staffed inpatient beds occupied by COVID-19 patients, and total new COVID-19 cases per 100,000 population in the past 7 days- to determine each county’s COVID-19 Community Level, classifying each county as having a High, Medium, or Low COVID-19 Community Level.²

Only in areas with High COVID-19 Community Levels does the CDC recommend that everyone wear face masks indoors.³ At present, all four Courthouses in the Western District of Kentucky are located in counties with Medium COVID-19 Community Levels.⁴

Based upon the forgoing, it is hereby **ORDERED** that the following restrictions shall apply to all Courthouses within the Western District of Kentucky:

1. COURTHOUSE ACCESS. All persons over two years of age, regardless of their vaccination status, shall wear a face covering or mask at all times within all public areas of any Courthouse located in a county with High COVID-19 Community Levels. All persons who have been exposed to an individual who has tested positive for COVID-19 shall wear a face covering

¹ See *In Re: Court Operations Related to COVID-19*, General Order No 20-03 (March 20, 2020); *In Re: Second Supplemental Order Concerning Court Operations Related to COVID-19*, General Order No 20-11 (May 27, 2020); *In Re: Tenth Supplemental Order Concerning Court Operations Related to COVID-19*, General Order No 21-11 (May 14, 2021); and *In Re: Twelfth Supplemental Order Concerning Court Operations Related to COVID-19*, General Order No 21-16 (August 2, 2021).

² See CDC’s [COVID-19 Community Levels](#). Updated March 3, 2022

³ *Id.*

⁴ See CDC’s [COVID-19 by County](#). Updated March 3, 2022.

or mask regardless of the COVID-19 Community Levels and in accordance with the CDC's recommendations for the use of face masks following exposure.⁵ Those with COVID-19 symptoms or a confirmed case of COVID-19 shall not enter any Courthouse within the Western District.

2. COURTROOM ACCESS. The use of face coverings and masks within Western District Courtrooms shall be subject to the discretion of the presiding judge, regardless of the current COVID-19 Community Levels.

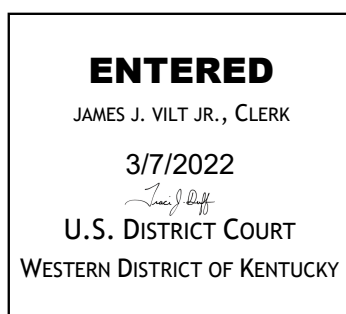
3. WEEKLY MONITORING OF PUBLIC HEALTH CONDITIONS. The CDC will release updated county-by-county risk levels weekly on its website which sets forth recommended prevention measures, including the use of face masks, for each community based on the latest data.⁶ The Clerk is directed to check the CDC's COVID-19 Community Level data tracker each week and to promptly notify the Chief Judge of the COVID-19 Community Levels within each of the Court's divisions.

4. NOTICE. Due to anticipated variations in COVID-19 Community Levels of the counties comprising each of the Western District's divisions, the Court shall communicate this Order's current applicability within each of its divisional courthouses by way of posted notices in said courthouses as well as notice posted prominently on its website at www.kywd.uscourts.gov.

5. USE OF FACEMASKS IN COURTHOUSES LOCATED IN AREAS WITH MEDIUM OR LOW COVID-19 COMMUNITY LEVELS. Nothing in this Order shall be deemed to prevent those entering Courthouses located in areas with Medium or Low COVID-19 Community Levels from wearing a face mask if they so choose.

This Order shall be effective upon entry. All provisions of previous General Orders concerning Courthouse Access are hereby superseded. All provisions of previous General Orders regarding court operations that are not inconsistent with this Order shall remain in effect.

DATED: March 7, 2022



Greg N. Stivers, Chief Judge
United States District Court

⁵ See [CDC's Guidelines Re Quarantine and Isolation](#). Updated January 27, 2022.

⁶ See *supra* note 4.