

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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COURT OPERATIONS AND ACCESS DURING  
COVID-19 PANDEMIC

GENERAL ORDER NO. 155

VISITOR RESTRICTIONS

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WHEREAS, the Court continues to evaluate its response to the spread of COVID-19 and recognizes the need to assist in the preservation of public safety and health while effectively administering justice during this period of national emergency;

WHEREAS, General Order 149, dated August 3, 2021, requires, among other things, that all visitors to the United States courthouses in this District wear a mask or face covering and that masks or face coverings be worn by all individuals while in the common areas of any courthouse;

WHEREAS, on February 25, 2022, the Centers for Disease Control and Prevention (“CDC”) issued new guidance defining COVID-19 Community Levels as low, medium, and high, based upon hospital beds being used, hospital admissions, and the total number of new COVID-19 cases in the area, with uniform mask wearing indoors by all individuals only being recommended in areas designated at the high level;

WHEREAS, as of the date of this General Order, both Erie County and Monroe County (where the District’s courthouses are located) are within the medium COVID-19 Community Levels so that uniform mask wearing indoors is not recommended for all individuals;

NOW, THEREFORE, it is hereby ordered that General Order 149 is vacated and amended as follows:

IT IS HEREBY ORDERED that the provisions of General Order 149 requiring that all individuals wear masks or face coverings while in the common area of any courthouse are hereby vacated;

IT IS FURTHER ORDERED that the following persons shall not enter any United States courthouse in the Western District of New York:

1. Persons asked, required, or recommended by any doctor, hospital, health agency, or state to quarantine or isolate due to a positive COVID-19 test or COVID-19 exposure, including any person required or recommended to quarantine or isolate consistent with the most up-to-date New York State Department of Health Guidance;
2. Persons asked, required, or recommended by any doctor, hospital, health agency, or state to wear a mask or face covering while around others due to a positive COVID-19 test or COVID-19 exposure, who is not wearing such a mask or face covering;
3. Persons who have tested positive for COVID-19 and who are not fully recovered;  
or
4. Persons who are ill and who are suffering from a fever, cough, or shortness of breath;

IT IS FURTHER ORDERED that court security staff or the United States Marshals Service shall inquire of all persons seeking entry to any courthouse whether they meet any of the above criteria for restricting visitors, and if so, deny their entry;

IT IS FURTHER ORDERED that all visitors entering any courthouse must submit to a temperature scan to detect a fever and court security staff or the United States Marshals Service may deny entry to any person who registers a fever or who refuses to submit to such temperature scan;

IT IS FURTHER ORDERED that court security staff or the United States Marshals Service may also deny entry to any courthouse to any person considered a risk of carrying COVID-19;

IT IS FURTHER ORDERED that policies regarding masks or face coverings and social distancing in a courtroom, jury room, or chambers area shall be determined by the presiding judicial officer;

IT IS FURTHER ORDERED that policies regarding masks or face coverings and social distancing within the internal space of any agency or court unit shall be determined by the agency or court unit occupying that space;

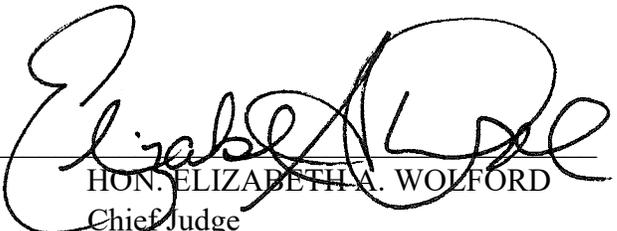
IT IS FURTHER ORDERED that any person who fails to abide by this Order may be removed from the courthouse by court security staff or the United States Marshals Service;

IT IS FURTHER ORDERED that this General Order is effective immediately and shall remain in effect until further order of the Court. The Court reserves the right to amend, modify, terminate, or extend this General Order at any time; and

IT IS FURTHER ORDERED that the previously entered provisions of the following General Orders pertaining to the COVID-19 pandemic remain in full force and effect: all provisions of General Order 152 entered on January 10, 2022; all provisions of General Order 151 entered on December 14, 2021; and the provisions of General Order 148 entered on July 14, 2021, pertaining to Naturalization Proceedings, Public and Media Access to Proceedings, Attorney Admissions, and Courthouses Remain Open.

IT IS SO ORDERED.

Dated: March 1, 2022  
Rochester, New York

  
HON. ELIZABETH A. WOLFORD  
Chief Judge  
United States District Court