



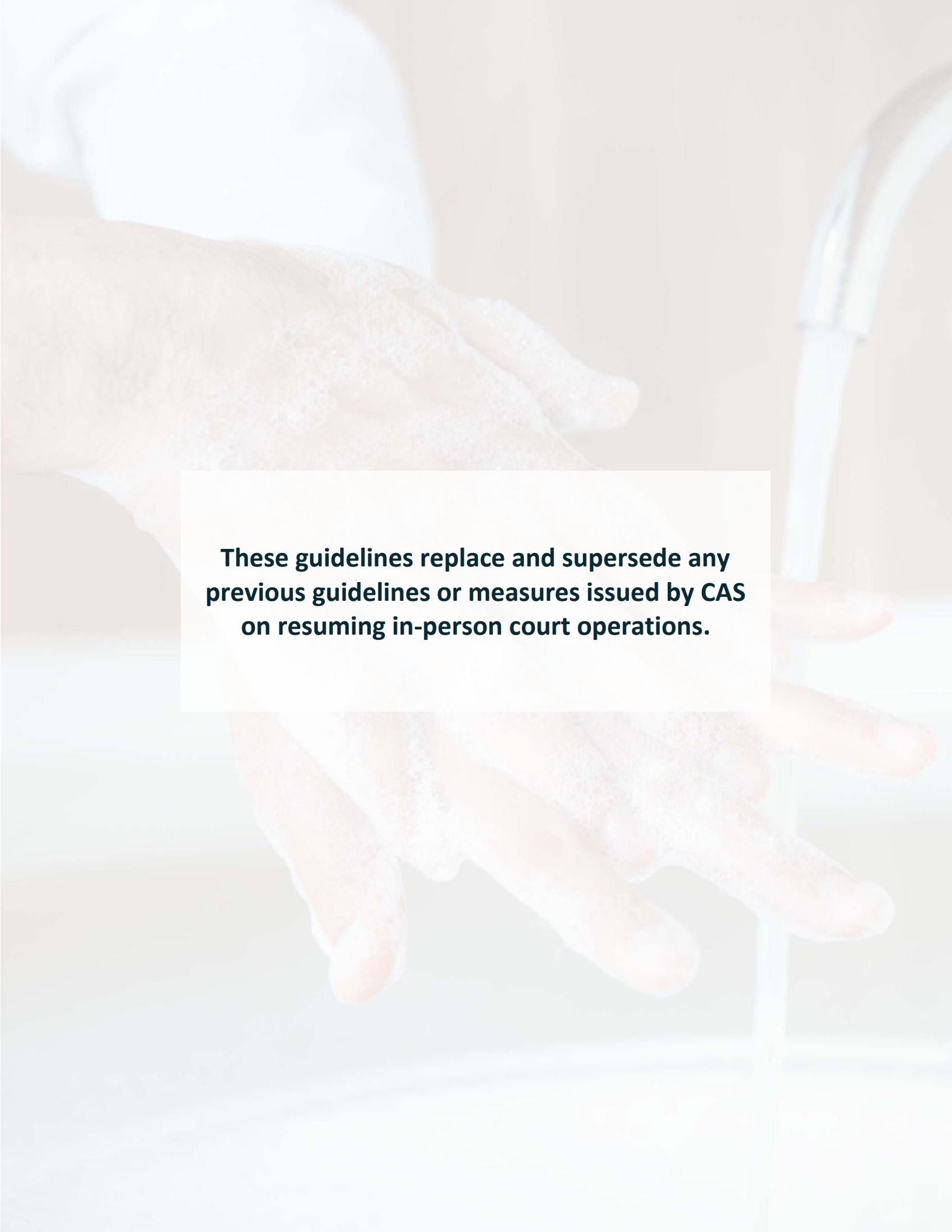
Courts Administration
Service

Service administratif des
tribunaux judiciaires

COVID-19: SAFETY MEASURES

**Guidelines for Safe Court Facilities
and Courtrooms operations during
the COVID-19 pandemic**

UPDATED: JUNE 2022

A close-up photograph of a person's hands being washed in a sink. The hands are covered in white soap suds. Water is running from a silver faucet on the right side of the frame. The background is a plain, light-colored wall.

These guidelines replace and supersede any previous guidelines or measures issued by CAS on resuming in-person court operations.

KEY CHANGES SINCE THE LAST PUBLISHED VERSION

▶ COURTROOMS

- Reinstating full capacity
- Reinstating public seating to full capacity with mandatory masking
- Discontinuing disinfection of courtrooms between court hearings

▶ OTHERS

- Reinstating full capacity in common areas (breakout rooms, waiting areas, etc.) with mandatory masking

▶ Maximizing physical distance, where possible

▶ Updated COVID-19 screening question



TABLE OF CONTENTS

INTRODUCTION.....	5
HEALTH AND SAFETY MEASURES.....	5
<i>MAXIMIZING PHYSICAL DISTANCING MEASURES, WHERE POSSIBLE.....</i>	6
<i>ENGINEERING CONTROLS.....</i>	6
• Plexiglas.....	6
• Hand sanitizer stations.....	6
• Sharing documents or exhibits.....	7
• Ventilation.....	7
<i>ADMINISTRATIVE CONTROLS.....</i>	7
• Screening.....	7
• Mandatory masks.....	7
• Cleaning and disinfection.....	7
• Training of court personnel.....	8
ENTERING COURT FACILITIES.....	8
• COVID-19 screening.....	9
• Security screening.....	10
<i>IN THE COURTROOM.....</i>	10
• Masks.....	10
• Sanitary measures.....	11
• Physical distancing and other measures.....	11
• Sharing of documents or exhibits.....	11
<i>REGISTRY COUNTER.....</i>	12
Sharing of documents.....	12
• Payments at the counter.....	12
<i>ELEVATORS, ESCALATORS AND WASHROOMS.....</i>	12
• Elevators.....	12
• Escalators.....	13
• Public washrooms.....	13
SECURITY AND ENFORCEMENT OF MEASURES.....	13

INTRODUCTION

After more than two years into the COVID-19 pandemic, we continue to review the measures put in place to safeguard the health of everyone entering our court facilities and courtrooms across Canada while ensuring access to justice and continuing court operations as effectively and as efficiently as possible.

These measures take into account the expert health advice we have received from the Public Health Agency of Canada, along with advice and guidance from the Public Service Occupational Health Program (a part of Health Canada) and Treasury Board Secretariat.

We continue to provide innovative ways of delivering services remotely and online to ensure access to justice as we begin to reopen our court facilities for in-person hearings.

In this document:

“Court facility or facilities” refers to any place where court hearings are held or court services are performed or delivered, including common areas (such as foyers, washrooms, seating areas, and cafeterias) and alternate facilities used by court personnel and court users. It includes courtrooms and court registries.

“Court personnel” refers to people involved in the operation of a court, including court security staff, and administrative officials, CAS employees; and

“Court users” refers to anyone who accesses court facilities, including litigants, lawyers, witnesses, members of the public, and any persons who perform related services within court facilities.

HEALTH AND SAFETY MEASURES

Measures are in place to protect the health and safety of everyone who attends our court facilities including members of the Courts, lawyers, litigants, staff and members of the public. We have implemented a multi-layered approach aimed at reducing the risks of COVID-19 transmission.

Measures include maximizing physical distancing, which is complemented by administrative and engineering controls, and the mandatory use of blue disposable procedural masks provided by CAS in all of our court facilities. These measures apply to all court users from the time they enter the court facility until they exit.

MAXIMIZING PHYSICAL DISTANCING MEASURES, WHERE POSSIBLE

Distancing measures are maximized in all of our court facilities to maintain, where possible, a distance of two metres between individuals; these measures include:

- The layout in court facilities
- Signage encouraging individuals to maintain physical distancing
- Remote and technological alternatives for court users and court personnel when possible, including virtual hearings, and virtual services including phone or online assistance and electronic filing

ENGINEERING CONTROLS

Engineering controls are implemented to reduce inherent risks of exposure due to various modes of transmission, such as aerosols, close contacts, or contamination of high-touch or common surfaces. We conduct ongoing in-depth floor inspections by qualified Health and Safety professionals to validate these measures.

► Plexiglas

Plexiglas barriers can be found in designated areas in our court facilities, including at our security and registry counters, when a distance a two metres is not possible:

- Plexiglas barriers may be found in the following areas* in our courtrooms, if a distance of two metres is not possible:
 - Where the judge sits
 - Witness stands
 - Counsel tables
 - Court personnel work stations

*No Plexiglas barriers are installed in the public seating area of each courtroom; individuals sitting in this section are required to wear a blue disposable procedural mask.

► Hand sanitizer stations

Court facilities are equipped with hand sanitizing stations, including at entrances of courtrooms, in the washrooms, prior to entering the screening site and at the entrance of all elevators.

► **Sharing documents or exhibits**

Exchange of documents should be kept to a minimum and guidelines are provided according to the circumstance. Please note below the guidelines on sharing documents and exhibits at the registry counters.

- We have implemented no contact document drops
- Court users should also refer to the appropriate court's practice directions

► **Ventilation**

We have taken the following measures to ensure effective ventilation in indoor spaces:

- The HVAC systems in all court facilities meet or exceed *American Society of Heating, Refrigerating and Air-Conditioning Engineers standards*
- Air quality sensors have been installed throughout our facilities, including in all of our courtrooms
- Ongoing air quality monitoring is conducted

ADMINISTRATIVE CONTROLS

We have altered work practices, policies and procedures as needed to help communicate, reinforce, and maximize physical distancing and other environmental adjustments, including:

► **Screening**

We conduct screening for COVID-19 symptoms or exposure prior to entering our court facilities. We also support local public health authorities' contact tracing efforts by collecting basic information on all people who enter the court facilities, including their name and contact information, the date and time of their visit, and the place they visited (ex: courtroom, court registry).

► **Mandatory masks**

Everyone is required to wear a blue disposable procedural mask provided by CAS covering their nose, mouth and chin at all times, even if they are fully vaccinated.

► **Cleaning and disinfection**

We will continue regular cleaning. High-touch areas are cleaned with Health Canada approved disinfectant cleaners two times a day, in particular:

- Washrooms
- Common Areas (under the landlord's responsibility):

- Touch points, doors, light switches
 - Stairwell handrails
 - Light switch plates/door handles/thermostats
 - Escalator handrails
 - Passenger elevators
 - Elevator push buttons
 - Escalator handrails
 - Water fountains
 - Lobby reception areas/security stations/public waiting areas
- Courtrooms, conference and interview rooms are cleaned on a daily basis; and disinfecting wipes are provided on tables for court users to clean their own work surfaces or other surfaces/objects (e.g. armrests).

► Training of court personnel

We have communicated workplace policies to request employees to stay home if they are sick or if they have been advised by a Public health authority to stay home or to self-isolate (e.g., caring for individuals who have been diagnosed with COVID-19, or awaiting test results).

Court personnel are trained on essential safety measures and practices.

ENTERING COURT FACILITIES

The first level of responsibility in the defence against the virus lays with each court user. Court users should stay home if they:

- Are experiencing any symptoms associated with COVID-19 (even if mild)
- Have tested positive on a PCR or rapid test or been presumed positive for COVID-19 in the past 7 day; or,
- Have been instructed by public health authorities or a health care provider to quarantine or isolate for any reason

In addition, every court user must adopt the following health and safety practices at all times (even if they are vaccinated) in particular:

- Wear a blue disposable procedural mask that covers the mouth, nose and chin at all times
- When possible, respect the 2-metre physical distancing rule
- Avoid gatherings

- Follow signage
 - Avoid touching your eyes, nose and mouth with unwashed hands
 - Sneeze or cough into a tissue, or the inside of their elbow
 - Avoid close contact with people who are sick
 - Avoid shaking hands with anyone, and consider instead alternative forms of greeting that person
- If you think you might be experiencing COVID-19 symptoms, contact your local health authority as soon as possible
 - Every court user and court personnel must clean their hands when entering the court facility and before leaving, using the alcohol-based hand sanitizer dispenser
 - We encourage vaccination, as it is one of the most effective ways to protect everyone against COVID-19

► COVID-19 screening

When you arrive at our court facilities, we will:

- ask you questions related to the purpose of your visit
- inform you of other ways you might be able to handle your matter, such as online filing, filing by email; and
- provide you with a blue disposable procedural mask that you must wear

We will tell you about the safety measures in place and ask you to follow them while inside the court facilities.

Prior to entering a courtroom or a registry counter, we will ask you the following questions:

Regardless of your vaccination status for COVID-19:

1. Are you experiencing any symptoms associated with COVID-19 (even if mild)?

- sore throat
- runny nose
- sneezing
- new or worsening cough
- shortness of breath or difficulty breathing
- temperature equal to or more than 38°C
- feeling feverish
- chills
- fatigue or weakness
- muscle or body aches
- new loss of smell or taste

- headache
 - abdominal pain, diarrhea and vomiting
 - feeling very unwell
2. Have you tested positive on a PCR or rapid test or been presumed positive for COVID-19 in the past 7 days?
 3. Have you been instructed by public health authorities or a health care provider to quarantine or isolate for any reason?

Access to our court facilities may be denied at the discretion of the security personnel or the court based on health and safety considerations. There may be delays entering the court facilities so please give yourself enough time.

► Security screening

You will be asked to show court staff your belongings, deposit them in a bin for screening or place them on an examination table.

- Court users must maintain the two-metre physical distancing during the security screening process
- Every court user must manipulate their belongings for screening, place them in bins and expose them on the examination table, as required by the Court Security Officer
- The Court Security Officer operating the walk-through metal detector (WTMD) will stand behind a standing Plexiglas barrier
- If there is no alarm, proceed. In cases where the WTMD indicates an alarm, the Court Security Officer will ask the individual to examine themselves for metal and proceed through the WTMD again. If the cause of the alarm cannot be identified, the Court Security Officer will use the handheld metal detector (HHMD)
- HHMD as well as the bins will be cleaned and disinfected between each usage

IN THE COURTROOM

Prior to entering the courtroom, all court users are required to clean their hands with the alcohol-based hand sanitizer provided on site.

► Masks

All attendees are required to wear a blue disposable procedural mask in the courtroom, unless directed otherwise by the presiding judge. The presiding judge may also direct other health and safety measures depending on the circumstances. Attendees who have concerns about the use/non-use of masks or other health and safety measures in the courtroom should raise them as soon as possible with the presiding judge.

If a hearing participant (counsel, party, or witness) has an accommodation need which precludes the wearing of a blue disposable procedural mask in the courtroom during a hearing, then counsel, the party, or the party calling the witness must advise the Registry of the general requirements of the accommodation in writing as soon as possible in advance of the hearing. Please note that each court may specify additional measures or guidance.

► **Sanitary measures**

Wipes, hand sanitizers and additional blue disposable procedural masks are provided at appropriate locations in the courtroom, such as counsel table, registry desk and witness stand to ensure they are available for use, if required.

► **Physical distancing and other measures**

Plexiglas barriers are installed where a distance of two metres cannot be maintained by court users (e.g., members of the court, lawyers, litigants, parties, witnesses).

No plastic or personal gloves of any type or outdoor clothing (coats, jackets, scarves, etc.) are allowed in the courtroom.

Coat racks or cubbies are provided outside the courtroom.

No bags other than briefcases and documents that lawyers or litigants require are allowed in the courtroom. Valuables that should not be left in cubbies can be brought in the courtroom.

Water pitchers and glasses are not provided to court users. Disposable water bottles will be provided when possible.

The court usher works in collaboration with the Court Security Officer to ensure compliance with all requirements in the Courtroom.

► **Sharing of documents or exhibits**

Those involved in the transmission of documents in the courtroom must use an alcohol-based hand sanitizer to clean their hands before and after handling documents.

Physical distancing is maximized during the transmission of exhibits or documents, parties may use a bin/or trolley to transmit documents. Consequently, parties may be invited to place them in the bin or trolley and return to their seat. The usher or court registrar will then retrieve the court documents or other exhibits.

REGISTRY COUNTER

Prior to entering the Registry counter all court users must clean their hands with an alcohol-based hand sanitizer provided on site. All court users and court personnel are required to wear a blue disposable procedural mask that covers the mouth, nose and chin at all times.

► Sharing of documents

Those involved in the transmission of documents must use an alcohol-based hand sanitizer to clean their hands before and after handling documents

The exchange of paper with the registry personnel at the counter should be kept to a minimum (e.g., electronic signature, if possible).

- Documents should be placed on a clean surface for purposes of receipt and transfer, while respecting the two-metre distance between individuals, if possible
- Court users are encouraged to use their own pen; however, pens will be provided as necessary, for the purposes of signing documents. After being handled, provided pens are cleaned with a disinfecting wipe.
- Received documents should be placed and carried in an envelope or boxes

We encourage court users to submit documents using the online platform when available.

► Payments at the counter

In situations involving payments at the Registry counters, court users must always:

- Maintain a two-metre distance with all individuals, if possible
- When possible, avoid hand-to-hand exchange of money, bank or credit cards
- Clean their hands with an alcohol-based hand sanitizer provided on site before and after every transaction
- Avoid placing personal items on the counter/table (e.g. purse, wallets, hats)

ELEVATORS, ESCALATORS AND WASHROOMS

► Elevators

When there are two or more people in the elevator, try to:

- stay two metres apart
- face the other way
- use a pen, key or something else to press buttons regardless of the number of people in the elevator

► Escalators

When you use an escalator, try to:

- stay two metres from other people
- avoid touching handrails, unless you need to for safety

► Public washrooms

Public washrooms will be disinfected twice a day.

To maximize physical distancing:

- signs are posted to remind you to practise physical distancing and to clean your hands

SECURITY AND ENFORCEMENT OF MEASURES

A Court Security Officer will ensure compliance with all these measures in all our court facilities

If you have a health and safety concern while attending our court facilities, please raise it with one of our Court Security Officers as soon as possible.

