

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN RE COVID-19 §
PRECAUTIONARY MEASURES §

ORDER

This 9th day of March 2020, it appears to the Supreme Court of Delaware that:

WHEREAS, the Centers for Disease Control and Prevention has determined that a novel coronavirus (“COVID-19”) presents a serious public health threat;

WHEREAS, the President of the United States has issued Proclamations prohibiting travel to the United States by foreign nationals who recently visited areas acutely impacted by COVID-19; the Department of State has issued Level 3 and Level 4 Travel Advisories for certain affected countries; and domestic and foreign health authorities have issued guidance to citizens within their respective jurisdictions, both recommending and mandating precautionary measures to defend against the spread of COVID-19;

WHEREAS, the Supreme Court of Delaware has issued a statement advising that members of the public who are experiencing symptoms such as cough, fever or other respiratory problems should stay home and, if they have a court date scheduled, that they should notify the appropriate parties;

WHEREAS, the Supreme Court of Delaware regularly conducts oral arguments involving the attendance of litigants, practitioners, and other interested persons from around the United States and other countries; and

WHEREAS, in the interest of protecting the foregoing individuals, court staff, and the public, the Supreme Court of Delaware will implement certain precautionary measures.

NOW, THEREFORE, IT IS ORDERED that the following precautionary measures will remain in place until further order of the Supreme Court of Delaware:

1. With respect to oral arguments, the following procedures shall be followed:

(a) Any attorney in an appeal shall promptly provide written notice to the other counsel appearing in such case, if such attorney or party reasonably

believes that a scheduled oral argument may require or cause the presence of an individual who (i) may be infected with COVID-19 or (ii) has been in contact within the past fourteen (14 days) with an individual who may be infected by COVID-19.

(b) If notice is given pursuant to subsection (a), the parties shall promptly confer regarding whether an alternative attorney is available without conflicting with subsection (a); and whether a delay in oral argument would be appropriate, and if so, what is the least amount of delay necessary.

(c) Within three (3) days of any notice given pursuant to subsection (a), the parties shall file a joint letter or joint motion with the Court that (i) identifies the concern that was the subject of the notice; (ii) explains the steps the parties have agreed upon and implemented to alleviate such concern; (iii) sets forth any relief requested from the Court to address such concern; and (iv) sets forth any disagreements among the parties, including alternative proposals not mutually agreed upon.

FOR THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice