

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

General Order 21-009

ORDER Regarding Masking, Vaccination, and COVID-19 Self-Certification

*** This Order Supersedes General Order 21-006 ***

In response to current data regarding COVID-19 infection rates, and in accordance with guidance from the Centers for Disease Control and Prevention, state and local public-health authorities, the *Federal Judiciary COVID-19 Recovery Guidelines*, and the United States Courts *Safe Return to the Workplace Handbook*,

It is hereby ORDERED that:

This order supersedes General Order 21-006, entered on July 22, 2021.

Effective immediately, all persons seeking entry to any office, room, or facility of the United States Court of Appeals for the Seventh Circuit at the Dirksen United States Courthouse shall comply with the following requirements:

MASKING AND SOCIAL DISTANCING:

In accordance with Chief Judge Pallmeyer's Order dated May 26, 2021, generally applicable to areas within the Dirksen Courthouse, all persons, regardless of vaccination status, must wear a face covering or mask in this court's public areas, including the lobby, elevator banks, public corridors, public restrooms, the Clerk's Office front desk, and the library, except as specified below.

VACCINATION REQUIREMENTS:¹

Vaccination Requirement for In-Person Argument: Lawyers appearing for in-person oral argument on and after October 4, 2021, must be fully vaccinated against COVID-19.

¹ Persons are considered fully vaccinated against COVID-19 two weeks after they have received the second dose in a two-dose series or two weeks after they have received a single-dose vaccine.

Lawyers who are not fully vaccinated must present argument telephonically or by a video-communications platform approved by the court.

To facilitate the effective administration of this requirement, all vaccinated lawyers must submit proof of vaccination not later than 14 days before the argument date. The Clerk's Office will provide instructions for submitting proof of vaccination.

After timely submitting proof of vaccination, lawyers appearing for in-person oral argument are not required to wear a face mask in the courtroom or lawyers' lounge.

Vaccination Requirement for Court Staff: Court employees must be vaccinated against COVID-19.² Fully vaccinated employees are not required to wear a face mask in the courtroom or in the court's nonpublic areas, including employee offices, nonpublic corridors and restrooms, and conference rooms.

Employees who are not fully vaccinated must wear a face mask and observe social distancing at all times while in the workplace and test twice a week for COVID-19 (by PCR test). The Northern District of Illinois currently conducts non-invasive COVID-19 testing in the Dirksen Courthouse through the University of Illinois SHIELD testing program. This testing service is available to staff of the court of appeals, but local funding for it expires at the end of September. If the Administrative Office does not provide funding to continue this testing service, employees who are not fully vaccinated will be required to secure PCR testing at their own expense.

To facilitate the effective administration of the vaccination, testing, masking, and social-distancing requirements, court-unit executives and supervisors shall ascertain the vaccination status of employees under their supervision, obtain proof of vaccination, and collect COVID-19 test results from employees who are not fully vaccinated.

Judges establish the masking and social-distancing requirements for their own chambers.

² Exemptions from the vaccine requirement will be considered for employees with a medical condition that prevents them from being vaccinated or a sincerely held religious objection to vaccination. Exemption requests must be submitted in writing to the employee's supervisor. A request for a medical exemption must include supporting documentation from the employee's medical provider. Exemptions must be approved by the employee's supervisor, the circuit executive, and the chief judge. Employees with approved exemptions must comply with any mitigation measures established in the written notice of approval, including, but not limited to, masking and testing requirements.

SELF-CERTIFICATION REGARDING COVID-19 SYMPTOMS:

By entering any of this court's offices, rooms, or facilities in the Dirksen Courthouse, a person certifies that he or she:

- Has not tested positive for COVID-19 within the previous 10 days or been asked or required to self-quarantine due to exposure to COVID-19;
- Has not within the previous 14 days had known close contact with a person who has COVID-19 or with a person who has been asked or required to self-quarantine due to exposure to COVID-19; and
- Has not within the previous 14 days experienced symptoms consistent with COVID-19, including a temperature of more than 100.4 degrees Fahrenheit, cough, sore throat, shortness of breath, difficulty breathing, chills, muscle or body aches, nausea or vomiting, or new loss of taste or smell.

For the Court:



Diane S. Sykes, Chief Judge

Dated at Milwaukee, Wisconsin, this 13th day of August, 2021.