

1  
2  
3 **UNITED STATES BANKRUPTCY COURT**  
4 **DISTRICT OF NEVADA**

**EFFECTIVE**  
*June 15, 2021*

5  
6 IN RE: ADDITIONAL REQUIREMENT OF  
7 FACE COVERINGS FOR ACCESS TO THE  
8 BANKRUPTCY COURTHOUSES DUE TO  
9 CIRCUMSTANCES CREATED BY COVID-  
10 19 AND RELATED CORONAVIRUS

**ADMINISTRATIVE ORDER 2021- 11**

11  
12 The Court previously issued a series of Administrative Orders designed and  
13 intended to combat and contain the spread of coronavirus 2019 (“COVID-19”). Among  
14 other things, those Administrative Orders required people entering the U.S. Bankruptcy  
15 Court for the District of Nevada, whether in the Foley Federal Building and U.S.  
16 Courthouse in Las Vegas or in the C. Clifton Young Federal Building and U.S.  
17 Courthouse in Reno (collectively the “Courthouses”), to wear a face covering under most  
18 circumstances. The face covering requirement for the Courthouses under the Court’s  
19 prior Administrative Orders has been in effect since May 14, 2020. The face covering  
20 requirement was derived in significant part from then-current guidance and  
21 recommendations issued by the Centers for Disease Control and Prevention (“CDC”) to  
22 quell the COVID-19 pandemic.

23 Under the Court’s prior Administrative Orders, bankruptcy court hearings and  
24 creditor meetings which had required people to gather in the Courthouses in groups  
25 prior to the COVID-19 pandemic, continue to be conducted remotely. At present,  
26 parties, witnesses, and their counsel are not required to appear at the Courthouses in  
27 connection with a bankruptcy hearing absent an order of the presiding judge assigned  
to the pertinent case. No presiding bankruptcy judge in the District of Nevada has issued

1 an order requiring an in-person hearing following the onset of the COVID-19 pandemic.  
2 Most bankruptcy court personnel continue to telework at the present time.

3 It is exceedingly rare for a bankruptcy court to conduct a jury trial. Members of  
4 the public are almost never compelled to appear at the Courthouses for jury selection  
5 related to a bankruptcy case. Bankruptcy courts also lack jurisdiction over criminal  
6 matters. Resultantly, initial appearances, detention hearings, preliminary hearings, the  
7 convening of grand juries, and speedy trial concerns do not require parties, attorneys,  
8 witnesses, or the general public to gather in the Courthouses in connection with  
9 bankruptcy court cases. Bankruptcy court operations in the Courthouses at the present  
10 time are readily distinguishable from air travel and public transit settings where members  
11 of the general public necessarily gather in large numbers and in close proximity for  
12 extended periods of time.

13 With the development of the various effective COVID-19 vaccines which are now  
14 readily available to the general public without cost, and in keeping with current COVID-  
15 19 data, the CDC recently updated its guidance and recommendations regarding face  
16 coverings in public settings for people fully vaccinated against COVID-19 (the “Updated  
17 CDC Guidance”).<sup>1</sup> Soon thereafter, in keeping with the Updated CDC Guidance and  
18 current COVID-19 data, Nevada state and federal government authorities took steps to  
19

---

20  
21 <sup>1</sup> See Centers for Disease Control and Prevention (“CDC”), *Interim Public Health*  
22 *Recommendations for Fully Vaccinated People* (Last Visited June 15, 2021),  
<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>.

23 In general, according to the Updated CDC Guidance, people are considered “fully  
24 vaccinated” two weeks after their second dose in a two-dose series, such as the Pfizer or  
25 Moderna vaccines, or two weeks after a single-dose vaccine, such as Johnson &  
26 Johnson’s Janssen vaccine. If you don’t meet these requirements, regardless of your  
27 age, you are NOT fully vaccinated. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>.

1 relax face covering requirements for those people who are fully vaccinated against  
2 COVID-19.<sup>2</sup>

3 The issuance of the Updated CDC Guidance spawned the question of whether  
4 to adopt and follow the Updated CDC Guidance in carrying out bankruptcy court  
5 operations in the Courthouses. The Court is mindful of the importance of supporting the  
6 aforementioned and earnest efforts of state and federal government authorities to  
7 reopen the State of Nevada so that it can begin to recover from the COVID-19 pandemic.  
8 The Court is also cognizant of the importance of access to justice through the bankruptcy  
9 courts as state and federal eviction moratoriums expire. Further, the Court is keenly  
10 aware of the need to remain vigilant in monitoring current COVID-19 data and  
11 recommendations in order to protect the health and safety of those who come to the  
12 Courthouses seeking access to justice through the bankruptcy courts, as well as the  
13 health and safety of all of those who work within the Courthouses.

14 The decision as to whether the Updated CDC Guidance should be adopted and  
15 implemented at the Courthouses directly impacts all tenants within the Courthouses, not  
16 just the Court. As a result, the question of whether the Updated CDC Guidance should  
17 be adopted and implemented at the Courthouses was recently directed to the Facility  
18 Security Committee for each of the Courthouses (collectively “FSCs”). The FSCs were  
19 asked to consider and vote on that question. Both FSCs have done so. The FSCs  
20 voted to adopt and implement the Updated CDC Guidance at the Courthouses.

21 Based upon the facts and information set forth above, and in keeping with the  
22 Updated CDC Guidance, as of the effective date of this Administrative Order, those  
23 individuals who are fully vaccinated against COVID-19 are no longer required to wear

---

24  
25 <sup>2</sup>See, e.g., Meghin Delaney, *Nevada Adopts Updated CDC Mask Guidance* (May  
26 13, 2021), <https://nvhealthresponse.nv.gov/wp-content/uploads/2021/05/5.13.21-CDC-Mask-Update.pdf>.

1 face coverings when entering the Courthouses or while present within the common  
2 areas of the Courthouses.<sup>3</sup> Those individuals who are not fully vaccinated against  
3 COVID-19 must still wear face coverings when entering the Courthouses and while  
4 present within the common areas of the Courthouses.

5 Notwithstanding the provisions of this Administrative Order, individual tenants  
6 may adopt and apply other and different requirements within their leased Courthouse  
7 space.

8 This Order is effective until further notice.

9 DATED this 15th Day of June 2021.

10  
11   
12

13 \_\_\_\_\_  
14 August B. Landis, Chief Judge  
15 UNITED STATES BANKRUPTCY COURT  
16 DISTRICT OF NEVADA  
17  
18  
19  
20  
21  
22  
23  
24

25 \_\_\_\_\_  
26 <sup>3</sup> For clarity and avoidance of doubt, individuals who are fully vaccinated against  
27 COVID-19 may choose to wear a face covering when entering the Courthouses, and/or  
while present within the common areas of the Courthouses, should they wish to do so.