

EFFECTIVE
March 2, 2022

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

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

ADMINISTRATIVE ORDER 2022-01

The Court has previously issued Administrative Orders¹ designed and intended to combat and contain the spread of coronavirus 2019 (“COVID-19”). Among other things, those Administrative Orders required people entering the U.S. Bankruptcy Court for the District of Nevada, whether in the Foley Federal Building and U.S. Courthouse in Las Vegas or in the C. Clifton Young Federal Building and U.S. Courthouse in Reno (collectively the “Courthouses”), to wear a face covering under most circumstances. The face covering requirement under those prior Administrative Orders was derived in significant part from then-current guidance and recommendations issued by the Centers for Disease Control and Prevention (“CDC”) to quell the COVID-19 pandemic.

Following the development of the various effective COVID-19 vaccines which have been readily available to the general public without cost for many months, and in keeping with current COVID-19 data, the CDC recently updated its face covering guidance. In doing so, the CDC has adopted a new, three-tiered approach to face covering practices that considers not only on the level of COVID-19 community transmission in a particular county, but also on COVID-19 related hospitalizations,

¹ See, e.g., Administrative Orders 2021-11 and 2021-12.

1 deaths, and hospital capacity.² Washoe County and Clark County, where the
2 Courthouses are located, are currently designated “Medium” risk, so the CDC now
3 recommends that face coverings be worn indoors only by high-risk groups in those
4 counties.³

5 The issuance of the CDC’s updated guidance and relaxed recommendations
6 regarding face covering requirements in public settings spawned the question of
7 whether to adopt and follow the CDC’s updated guidance and relaxed recommendations
8 regarding face covering requirements in public settings in conducting bankruptcy court
9 operations in the Courthouses. The Court is mindful of the importance of supporting
10 earnest efforts of state and federal government authorities to reopen the State of
11 Nevada, so that it can continue its pursuit of a robust recovery from the COVID-19
12 pandemic. The Court is also cognizant of the importance of striking a reasoned balance
13 between providing access to justice through the bankruptcy system on the one hand,
14 with vigilance in monitoring current COVID-19 data and related guidance in order to
15 protect the health and safety of those who come to, and work within, the Courthouses
16 on the other.

17 The decision as to whether the CDC’s recently updated guidance and relaxed
18 recommendations regarding face covering requirements in public settings should be
19 adopted and implemented at the Courthouses has a direct impact upon all tenants within
20 the Courthouses, not just the Court. As a result, the question of whether the CDC’s
21 recently updated guidance and relaxed recommendations regarding face covering
22 requirements in public settings should be adopted and implemented at the Courthouses
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24 ² See CDC, *Use and Care of Masks* (updated Feb. 25, 2022),
25 <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/about-face-coverings.html>.

26 ³ See CDC, *COVID-19 Community Levels* (updated Feb. 25, 2022),
27 <https://www.cdc.gov/coronavirus/2019-ncov/science/community-levels.html>.

1 was recently directed to the Facility Security Committees for each of the Courthouses
2 (collectively “FSCs”). The FSCs were asked to consider and vote on that question. Both
3 FSCs have done so. Both FSCs have voted to follow the CDC’s updated guidance and
4 relaxed recommendations regarding face covering requirements in each of the
5 Courthouses.

6 Based upon the facts and information set forth above, as of the effective date of
7 this Administrative Order:

- 8 •Administrative Orders 2021-11 and 2021-12 are **RESCINDED**, and of no further
9 force or effect;
- 10 •Face coverings **ARE NO LONGER REQUIRED** in order to gain access to, or to
11 be present in the public spaces within, the Courthouses; and
- 12 •Face coverings are **NOT REQUIRED** to attend or participate in court
13 proceedings conducted within the Courthouses unless the presiding judge in the
14 relevant proceeding orders otherwise.

15 For clarity and avoidance of doubt, notwithstanding the provisions of this
16 Administrative Order, individuals may choose to wear a face covering when: (a) entering
17 the Courthouses, (b) while in the public spaces within the Courthouses, and (c) while
18 attending or participating in court proceedings within the Courthouses, unless the
19 presiding judge in the relevant proceeding orders otherwise.

20 Notwithstanding the provisions of this Administrative Order, individual tenants
21 may adopt and apply other and different requirements within their leased Courthouse
22 space.

23 This Administrative Order 2022-01 is effective until further notice.

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2 **DATED** this 2nd day of March, 2022.

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7 August B. Landis, Chief Judge
8 UNITED STATES BANKRUPTCY COURT
9 DISTRICT OF NEVADA
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