

COVID-19

EMERGENCY RESPONSE: COURTS

Judges and Court Officials should take the following actions to end the spread of COVID-19 within their communities while there is a pandemic:

- Follow [these guidelines](#) for keeping the community safe, both in and out of jail, when considering bail applications and post-conviction motions to modify sentences.
- Default to noncustodial sentences wherever possible, including resolutions that avoid immigration detention where outbreak potential is highest.
- Decline to issue “failure to appear” warrants or “bench warrants.”
- If requested by defense counsel, agree to waive clients’ appearance for status court dates (for people both in and out of custody).
- Cancel all probation, parole, and pretrial meetings; court-ordered classes; in-person drug testing; collection of court debt; and modify all reporting conditions to phone-reporting.
- Cancel probation or parole revocation hearings based on technical violations upon request of defense counsel and release those held in custody pending hearings on signature bonds.
- Ensure that people in custody receive a constitutionally-mandated speedy trial.
- Direct any failures to comply with local quarantine orders to the civil court system, not the criminal court system.
- Press prosecutors for a public health/COVID-19-informed justification for any actions/requests that would bring folks into courthouses, jails, and prisons. Ensure those justifications are on the record for public scrutiny.
- Extend unlimited paid sick leave to all employees that work at the courthouse.

**PREPARED BY THE JUSTICE COLLABORATIVE. FOR MORE INFORMATION:
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