

EMERGENCY COURT CLOSING & JUROR CANCELLATION

This revised Policy Memorandum shall be effective immediately and shall supercede all prior Memoranda regarding the closure of court facilities and juror cancellation.

Court Closings

In accordance with G.L.c.220, §6, the courts of the Commonwealth are required to be open for court business on all days except Saturdays, Sundays and legal holidays. All employees of the Trial Court are expected to report to work on all regularly scheduled workdays. However, in cases of extreme weather conditions or other emergencies, courts may need to be closed.

The closing of a court shall occur only in those rare circumstances when the safety of the public or court employees is jeopardized. The following procedure shall apply to the closing or delayed opening of a single court facility, or all court facilities within a region, or statewide. Any announcement by the Governor that non-essential state employees should remain at home due to weather conditions does not apply to the employees of the Trial Court. All Trial Court personnel are considered to be essential employees.

- Decisions During Business Hours

In cases of extreme weather conditions or any other emergency during normal business hours, 8:30 a.m. - 4:30 p.m., any Chief Justice, Regional Administrative Justice or First Justice may request the closure of a court facility by contacting the AOTC Chief of Staff. When a court remains open for business, the decision to release some employees early because of adverse weather conditions or any other emergency shall be made only with the approval of the First Justice or Regional Administrative Justice.

In multi-department courthouses/complexes, the decision to release employees and operate on a “skeleton” basis, must be agreed to by the First Justice or Regional Administrative Justice of each department after each has consulted with his/her respective Clerk/Magistrate, Register of Probate or Chief Housing Specialist and Chief Probation Officer, unless they are not available. The release decision, as well as the time of release, must be consistent across all departments in that facility or in the same city or town.

- Decisions During Non-Business Hours

In the event of extreme weather conditions or any other emergency during non-business hours, the Court Administrators of the District, Juvenile, Probate and Family, and Superior Court Departments shall confer with each other by 5:30 a.m. and, if they collectively decide that closing any court facility or closing an office within a court is necessary, they shall forward their recommendation to the AOTC Chief of Staff by 5:45 a.m. The AOTC Chief of Staff will communicate with the Court Administrators of all court departments, as needed, based on the locations impacted by the final decision.

The Chief Justice for Administration & Management shall make the final decision regarding the closing of any court facility.

Jurors

The Superior Court Regional Administrative Justices (“RAJ”) shall be responsible for the cancellation of “first day jurors,” because of inclement weather or other emergency, for all Trial Court Departments. The decision to cancel first day jurors shall be made on a county-wide basis and shall apply to all Trial Court Departments that have jury sessions within the affected county.

The RAJ has responsibility for notification of the jury pool officers as early as possible so that they can record messages on the answering machines in each jury pool to notify jurors of any cancellation. The RAJ shall notify the AOTC Chief of Staff, who, in turn, shall notify the Jury Commissioner, the Chief Justice of each affected Trial Court Department, and the Public Information Officer of the Supreme Judicial Court.

Cancellation of impaneled jurors shall be determined on an ad hoc basis by each trial judge. Any announcement that jurors are not required to report to court on a given day does not affect whether or not Trial Court employees must report to work.

Notification

In the event that the Chief Justice for Administration & Management decides to close a court facility, the Public Information Officer of the Supreme Judicial Court will notify the local radio and television stations to broadcast any court closure for the benefit of court employees and members of the public. The AOTC Chief of Staff shall notify the Court Administrator of every court department affected by the closure decision.

Additionally, the Administrative Office of the Trial Court will alert employees of such closures by recording a message that can be accessed by dialing 1-800-222-5178 or 617-742-8383 and messages will also be recorded on the following telephone numbers:

Brooke Courthouse - 617-788-5399
Fall River Courthouse - 508-491-2899
Worcester Courthouse - 508-831-2499

Notices of all court closures also shall be posted as quickly as possible on the Massachusetts Court System’s Web site, which can be viewed at www.mass.gov/courts .

Time Off for Court Personnel

If court is closed pursuant to this Policy before the start or during the workday, Trial Court employees shall be considered to have worked that day. If court is open and an employee is unable to get to work or chooses not to report to work, the employee must use accrued vacation, personal or compensatory time to cover his/her absence. If an employee has no such accrued leave, he or she shall be removed from the payroll for that day. Absent illness, an employee may not use accrued sick leave to cover absence due to severe weather conditions.

Revised: February 2011