



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

COURT OPERATIONS AND ACCESS DURING  
COVID-19 PANDEMIC

VISITOR RESTRICTIONS

---

GENERAL ORDER NO. 149

WHEREAS, in accordance with guidance issued by the Centers for Disease Control and Prevention regarding the Coronavirus Disease 2019 (“COVID-19”), it is recommended that to maximize protection from the B.1.617.2 (Delta) variant and prevent possibly spreading it to others, all individuals wear a mask indoors in public if in an area of substantial or high community transmission, and

WHEREAS, as of the date of this General Order, both Erie County and Monroe County (where the District’s courthouses are located) have community transmission at a substantial level, it is hereby

ORDERED that the following persons shall not enter any United States courthouse in the Western District of New York:

1. Persons not wearing a mask or face covering, regardless of vaccination status;
2. Persons asked or required by any doctor, hospital, health agency, or state to self-quarantine or isolate;
3. Persons who have been diagnosed with COVID-19 who are not fully recovered;
4. Unvaccinated persons who have had close contact—defined as personal contact between two or more unmasked persons for a period of 15 minutes or more—with anyone who has been diagnosed with COVID-19 in the preceding ten (10) days; or
5. Persons who are ill or who are suffering from a fever, cough, or shortness of breath;

IT IS FURTHER ORDERED that court security staff or the United States Marshals Service shall inquire of all persons seeking entry to any courthouse whether they meet any of the above criteria for restricting visitors, and if so, deny their entry;

IT IS FURTHER ORDERED that all visitors entering any courthouse must submit to a temperature scan to detect a fever and court security staff or the United States Marshals Service may deny entry to any person who registers a fever or who refuses to submit to such temperature scan;

IT IS FURTHER ORDERED that court security staff or the United States Marshals Service may also deny entry to any courthouse to any person considered a risk of carrying COVID-19;

IT IS FURTHER ORDERED that all individuals, regardless of vaccination status, including employees, vendors, contractors, litigants, attorneys, and other members of the public, shall be required to wear a mask/face covering when in common areas of any courthouse. Masks/face coverings shall cover the nose and mouth and fit snugly against the sides without gaps. While medical masks and N-95 respirators meet these requirements, bandanas and “gators” do not;

IT IS FURTHER ORDERED that signs will be posted at the entrance of each courthouse notifying all individuals of the requirement for individuals to wear masks/face coverings while in common areas of the courthouse;

IT IS FURTHER ORDERED that policies regarding masks/face coverings and social distancing in a courtroom, jury room, or chambers area shall be determined by the presiding judicial officer, provided, however, that all individuals shall continue to wear appropriate masks/face coverings and social distance in all common areas of the courthouse;


IT IS FURTHER ORDERED that policies regarding masks/face coverings and social distancing within the internal space of an agency or court unit shall be determined by the agency or court unit occupying that space;

IT IS FURTHER ORDERED that any person who fails to abide by this Order may be removed from the courthouse by court security staff or the United States Marshals Service; and

IT IS FURTHER ORDERED that this General Order supersedes the “Visitors Restrictions” section of this Court’s General Order issued on July 14, 2021, and shall remain in effect until further order of the Court. The Court reserves the right to amend, modify, terminate, or extend this General Order at any time.

IT IS SO ORDERED.

Dated: August 3, 2021  
Rochester, New York



HON. ELIZABETH A. WOLFORD  
Chief Judge  
United States District Court