



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

*Office of the District Court Executive*

LAURA TAYLOR SWAIN  
*Chief Judge*

EDWARD A. FRIEDLAND  
*District Court Executive*

MEMORANDUM

TO: All Persons  
FROM: SDNY COVID-19 Response Team  
DATE: April 15, 2022 (rev. April 28, 2022; May 19, 2022; May 20, 2022; July 15, 2022)  
SUBJECT: COVID-19 PROTOCOLS FOLLOWING POSITIVE DIAGNOSIS, SYMPTOMS OR EXPOSURE TO COVID-19

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Effective today, the following COVID-19 Protocols apply to all those seeking to enter the courthouses.

For purposes of these protocols, Day 0 is the first day of symptoms or the day on which the individual's COVID-19 positive test specimen was collected, whichever was earlier. Day 1 is the first full day after symptoms developed or the test specimen was collected, whichever was earlier.

For purposes of these protocols, "fully vaccinated" means that at least two weeks have passed since the individual's second dose in a two-dose series, such as the Pfizer-BioNTech and Moderna vaccines, or at least two weeks have passed since the individual's single-dose J&J/Janssen vaccine. The definition of fully vaccinated does not include a booster.

**I was recently diagnosed with COVID-19. May I enter the courthouses?**

If you tested positive for COVID-19, or you were instructed by a health care provider to assume that you have COVID-19 due to symptoms and/or exposure, you must remain out of the courthouses at least through the end of Day 5. Please read on to determine when you may return.

- You may only return to the courthouses between Day 6 and Day 10 if the following criteria are met:
  - (i) you test negative on two diagnostic tests taken at least 24 hours apart, which can be laboratory-based tests, such as PCR tests, or FDA-authorized at-home tests; AND
  - (ii) you are fever-free for 24 hours (without the use of fever-reducing medication); AND
  - (iii) your symptoms are improving.
- You may return to the courthouses after Day 10 if the following criteria are met:
  - (i) you are fever-free for 24 hours (without the use of fever-reducing medication);

AND

(ii) your symptoms are improving.

- Wear a well-fitting N95, KN95 or KF94 mask through the end of Day 10 in all spaces within the courthouses, unless you are a testifying witness, in which case you should follow the masking instructions of the presiding judicial officer.

**I experienced symptoms of COVID-19 within the past 5 days, but I did not receive a positive diagnosis. May I enter the courthouses?**

If you had symptoms of COVID-19 in the past 5 days that are not explained by allergies or another underlying condition, including fever, cough, shortness of breath or difficulty breathing, extreme fatigue, nausea or vomiting, congestion or runny nose, muscle or body aches, headache, sore throat, new loss of taste or smell, and diarrhea:

- If you are **fully vaccinated, or you were diagnosed with COVID-19 in the past 90 days**, you may enter the courthouses provided your symptoms have resolved and you received a negative result on a molecular diagnostic test (e.g., PCR).
- If you are **unvaccinated**, you are not permitted to enter the courthouses.

**The following protocols apply only to those seeking entry to the courthouses who have NOT been diagnosed with COVID-19 in the past 90 days. If you had COVID-19 in the past 90 days, are symptom-free and are not restricted from entry based on the protocols set forth above, then you may enter the courthouses without following the protocols below, even if you were recently exposed to someone who has COVID-19.**

**I was in close contact\* with someone who has COVID-19. May I enter the courthouses?**

\*Close contact is defined as being less than 6 feet away from the infected person for a cumulative total of 10 minutes or more over a 24-hour period (e.g., two individual 5-minute exposures for a total of 10 minutes).

If you were in close contact with someone with COVID-19 during the time-period starting 48 hours prior to either the onset of their symptoms or the day on which their positive test specimen was collected and ending on the infected individual's Day 5, then you must abide by the following protocols:

- If you are **unvaccinated**, you are not permitted to enter the courthouses for 10 days following your last close contact with the infected individual.

If you are **fully vaccinated and have ongoing exposure to the infected person (e.g., they reside with you)**, you must remain out of the courthouse for at least 5 days from the infected individual's onset of symptoms or positive diagnosis and abide by the following testing and

masking protocols to return:

- On the infected individual's Day 5, Day 7 and Day 9, take either a laboratory-based test, such as a PCR test, or an FDA-authorized at-home diagnostic test. Even if you do not work in the courthouse and are only entering for a limited time, you should test and report any positive results to the Court for contact-tracing purposes.
  - Wear a well-fitting N95, KN95 or KF94 mask through the end of Day 10 in all spaces within the courthouses, unless you are a testifying witness, in which case you should follow the masking instructions of the presiding judicial officer.
- If you are **fully vaccinated and do not have ongoing exposure to the infected person**, you may enter the courthouses, provided you abide by the following testing and masking protocols:
    - On Day 3 and Day 5 following the last close contact, with the date of contact considered Day 0, take either a laboratory-based test, such as a PCR test, or an FDA-authorized at-home diagnostic test. Even if you do not work in the courthouse and are only entering for a limited time, you should test and report any positive results to the Court for contact-tracing purposes.
    - Wear a well-fitting N95, KN95 or KF94 mask through the end of Day 10 in all spaces within the courthouses, unless you are a testifying witness, in which case you should follow the masking instructions of the presiding judicial officer.

**I was recently in close contact\* with someone who had symptoms of COVID-19, but they don't have a diagnosis of COVID-19. May I enter the courthouses?**

\*"Close contact" is defined as being less than 6 feet away from the infected person for a cumulative total of 10 minutes or more over a 24-hour period (e.g., two individual 5-minute exposures for a total of 10 minutes).

If you were in close contact with someone who was exhibiting symptoms of COVID-19 that are not explained by allergies or an underlying condition, and the person does not have a COVID-19 diagnosis:

- **If you are unvaccinated**, you are not permitted to enter the courthouses until 10 days have passed since your last close contact with the symptomatic individual.
- If you are **fully vaccinated**, you are permitted to enter the courthouses. Wear a well-fitting N95, KN95 or KF94 mask through the end of Day 10 in all spaces within the courthouses, unless you are a testifying witness, in which case you should follow the masking instructions of the presiding judicial officer.

**Any questions regarding the Court's COVID-19 Protocols should be directed to the COVID-19 Response Team at [Covid\\_Response@nysd.uscourts.gov](mailto:Covid_Response@nysd.uscourts.gov).**