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March 10, 2021
VIA EMAIL ONLY

Michael T. Pedone, Esq., Chief Legal Counsel, Office of the Governor
Kieffer Mitchell, Esq., Chief Legislative Officer, Office of the Governor
Christopher B. Shank, Director of External Affairs, Office of the Governor

Re: Maryland Attorneys Now Included in Vaccine Priority Phase 1 Pursuant to State Directives

We are thankful for the Governor's efforts ensuring the safety and security of all Marylanders throughout the pandemic. We reached out to you on February 24th advocating for Maryland attorneys' inclusion in Priority Phase 1 for vaccine distribution.

Based on our review of the most recent materials available publicly on the Maryland covidLINK website, we now believe that all Maryland attorneys are eligible for vaccination. We are writing today to confirm our interpretation of the information below:

- **Group 1B Eligibility:** On the vaccine eligibility flyer, found [here](#), Phase 1B includes "continuity of government vaccinations." The flyer enumerates certain "Population Groups," but also notes the list is "not completely inclusive." Under the [FAQs](#), the website points to the [U.S. Department of Homeland Security CISA Advisory Memorandum](#) to define "essential workers". The current vaccine bulletin also refers to this memorandum for further definitions. In the CISA Advisory Memorandum, attorneys are included under "Other Community or Government-Based Operations and Essential Functions" as essential "workers supporting the operations of the judicial system, including judges, lawyers, and others providing legal assistance." (see Advisory Memorandum, p. 19.). Accordingly, Maryland attorneys, by guidance provided on the Maryland government's website regarding essential workers, are categorized as essential workers in the Government-Based Operations and should be included in Maryland's Priority Group 1B.
- **Group 1C Eligibility:** Additionally, nearly all other enumerated Population Groups found in the CISA memorandum under the category of "Other Community or Government-Based Operations and Essential Functions," including Clergy, Veterinarians, Childcare providers, etc., are included in Phase 1C or higher. As such, attorneys, listed in this same essential worker category, should be naturally included in either Phase 1B or 1C, and thus should now be eligible for vaccination.

We would like to confirm that our latest review of available Maryland vaccine guidance related to attorneys is accurate, so that we can communicate Phase 1 eligibility to attorneys not yet



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vaccinated and help them get vaccinated so they can safely meet with their clients, come to court and participate fully in the continuity of government.

Please confirm this understanding by email (President@msba.org) or by phone (Removed on Account of Length). I also would welcome an opportunity to discuss this matter with your office as soon as possible.

Sincerely,

Hon. Mark F. Scurti, President, Maryland State Bar Association

Links:

- [U.S. Department of Homeland Security CISA Advisory Memorandum \(Dec. 16, 2020\)](#)
- [Maryland.gov CovidLINK FAQs](#)
- [Maryland's Phased Covid-19 Vaccine Distribution \(Updated Feb. 10, 2021\)](#)