

IN THE 24th JUDICIAL CIRCUIT COURT OF MISSOURI
MADISON, STE. GENEVIEVE, ST. FRANCOIS AND
WASHINGTON COUNTIES
STATE OF MISSOURI

Administrative Order

In Re: COVID-19 Phase One Re-Opening Procedures

WHEREAS, the existence and spread of the COVID-19 has resulted in the declaration of a world-wide pandemic; and

WHEREAS, it is imperative to take steps to protect the health and safety of all employees of the 24th Judicial Circuit, all judicial officers and all attorneys and parties who have essential court hearings or other necessary business in this Judicial Circuit while also balancing the rights of all said individuals and parties to litigation; and

WHEREAS, it is appropriate and necessary to take quick action to reduce the possibility of exposure to COVID-19 and to reduce the spread of COVID-19; and

WHEREAS, the unprecedented circumstances existing at this time warrant this administrative action; and

WHEREAS, Governor Parson has declared a State of Emergency to allow agencies to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of the citizens of the State of Missouri; and

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, a large gathering of individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

WHEREAS, it is the desire of the Court to employ all reasonable and prudent measures to help protect the general public, litigants, lawyers and employees from the spread of COVID-19 during this emergency; and

WHEREAS, the Supreme Court of Missouri on May 4, 2020 ordered operational directives to help Missouri Courts begin easing COVID-19 restrictions on in-person proceedings.

WHEREAS, a presiding judge may evaluate the Gateway Criteria for local conditions with respect to COVID-19 and, if the local conditions are improving, may order a move to a higher Operating Phase under the operational directives laid out by the Missouri Supreme Court.

WHEREAS, Phase One of the operational directives contemplates allowing, in addition to the Phase Zero exceptions, the most critical in-person proceedings so long as the Court imposes restrictions as recommended by local public health officials, public health departments and the CDC.

WHEREAS, Phase One specifically requires a court holding additional hearings to impose the following restrictions to reduce the possibility of exposure to COVID-19 and promote the health and safety of the public, judicial employees, county employees and attorneys:

1. Implementation of appropriate levels of screening at court entrances which may include temperature checks and screening questions;
2. Closure of large venues and common areas.
3. Limiting occupancy rates in courtrooms or common areas to 10 persons or less where possible;
4. Use of tape or signage to ensure strict social distancing protocols of six feet or more are followed by all persons;
5. Allowing vulnerable litigants, witnesses, victims, and other individuals in court proceedings to participate in the proceedings remotely or continue or postpone their required presence at the court facility;
6. Increase cleaning and disinfection of common areas and provide hand sanitizer;
7. Enforcing social distancing of six feet or more for judicial employees, court security staff and judges where possible;
8. Use of face mask or face coverings by court staff and judicial employees where possible in the court facility.

WHEREAS, the Presiding Judge of the 24th Judicial Circuit has conferred with the judges of the 24th Circuit, local public health officials and public health departments, and has been advised that the local conditions with respect to COVID-19 are improving such that the Court may proceed to Phase One of the Supreme Court of Missouri's Operational Directives dated May 4, 2020.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

Effective May 18, 2020 all courts in the 24th Judicial Circuit shall move to Phase One of the Supreme Court of Missouri's Operational Directives.

Entry to the courthouse will be limited to those only with proceedings before the Court or who have business with any of the offices located in the courthouse.

Social distancing is required of court staff, attorneys, parties and witnesses in all areas of the courthouse.

Individuals entering the courthouse will be subject to screening for symptoms of COVID-19 including temperature checks. Those with a temperature over 100 degrees may be prohibited from entering the courthouse.

The use of masks or face coverings by court staff and judicial employees is required. Those employees who do not have a mask will have one provided.

Only the most critical in-person proceedings will be held, with occupancy in the courtroom and common areas limited to 10 persons or less wherever possible. Attorneys who believe they have a critical matter that requires an in-person hearing should notify the Court electronically.

Attorneys are encouraged to schedule motion hearings and other matters by telephone or video conference. Judges shall continue to use available technologies to conduct remote hearings whenever possible.

Jury trials will not be held.

Large venues and common areas such as break rooms are closed. Occupancy rates in courtrooms and other areas in the court facility are limited to a rate of 10 or less wherever possible.

Extra cleaning and disinfecting will occur throughout each day and hand sanitizer will be made available.

All court staff and judicial employees shall adhere to the guidelines as laid out above with respect to the measures necessary to reduce the risk of exposure to COVID-19 for the public, court staff, attorneys and any other individuals doing business before the Court.

The presiding judge may move any of the courts in the 24th Circuit down to Phase Zero at any time, if necessary based upon worsening conditions related to the COVID-19 pandemic, to protect the health of the public, court staff, judicial employees and attorneys.

This order shall remain in full force and effect for no less than fourteen days, at which time the presiding judge may evaluate the Gateway Criteria after conference with local health officials to determine whether a move to Phase Two of the Missouri Supreme Court's Operational Directives is appropriate.

So Ordered this 11 day of May, 2020:



Wendy Wexler Horn, Presiding Judge

EXHIBIT A

Notice to the Supreme Court of Missouri of Higher/Lower Operating Phase

I, Wendy Han, (presiding judge or chief judge) of
Circuit 24 notify the Supreme Court of Missouri that the following will
move to Operating Phase 1 on the 18th day of May, 2020.

Mark all that apply:

Entire Judicial Circuit/Appellate District; or

County/Countries of _____ within the Circuit;

and/or

Municipal Division(s) of _____ within the Circuit.

Dated: 5-14-20

Wendy Han
(Presiding Judge or Chief Judge)