

IN THE CIRCUIT COURT OF PHELPS COUNTY, MISSOURI
ROLLA MUNICIPAL DIVISION

COURT OPERATIONS UNDER THE
EXIGENT CIRCUMSTANCES CREATED
BY THE OUTBREAK OF COVID 19 a/k/a
CORONAVIRUS

DATE: 13 MAY 2020

GENERAL ORDER

WHEREAS, on May 4, 2020, the Missouri Supreme Court issued Administrative Order #1807 together with certain Operational Directives effective May 16, 2020, (collectively hereinafter "Directives") setting forth procedures for the gradual resumption of court activities suspended by the Missouri Supreme Court's prior orders; and

WHEREAS, the Directives create four different phases for court operations, from Phase Zero (the most restrictive) to Phase Three (the least restrictive), with each of the 46 judicial circuits to begin in Phase Zero as of May 4, 2020; and

WHEREAS, the Directives permit the Presiding Judge of a circuit, after considering certain gateway criteria and after consultation with local health officials and local judiciary partners, to order a change of operating phase for the circuit either up or down; and

WHEREAS, any movement to the next higher operating phase can be made only after a court has been in the prior operating phase for a period of at least fourteen (14) calendar days, though a court may revert back immediately to a prior operating phase when local conditions and circumstances require it; and

WHEREAS, after considering said gateway criteria and consultations, the Presiding Judge of the 25th Judicial Circuit entered Administrative Order #2020-06, which progresses the courts in the 25th Judicial Circuit to Operating Phase One effective May 18, 2020; and

WHEREAS, Operating Phase One expands Court operations and limited in-person proceedings, but does not provide for an general resumption of in-person proceedings.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. Unless modified herein, this Court's General Orders dated March 17, 2020, March 26, 2020, April 2, 2020, and April 20, 2020, remain in effect unless modified herein.
2. Effective Tuesday, March 17, 2020, and continuing until further order of this Court, the Rolla Municipal Division of the 25th Judicial Circuit of the State of Missouri, will remain open, with the following modifications to its operations.
3. In-person proceeding continue be suspended, unless a requested or required in-person proceeding meets one of the exceptions in the Missouri Supreme Court's Administrative Order or the Presiding Judge's Administrative Order or unless this Court

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makes a written specific finding that the requested or required in-person hearing is deemed "most critical."

4. The parties are encouraged to handle such proceeding by audio or video conference if possible.

5. The Court may make the required, in-person proceeding findings *sua sponte* or a party may request an in-person in writing, setting forth all of the reasons why the in-person proceeding is "most critical." The Court will consider each written request on a case-by-case basis.

6. If an in-person proceeding is possible or required, the following rules apply:

A. The only people allowed in the Courtroom are the attorneys, Defendant, witnesses, security officers, Court clerk and any others deemed necessary by this Court.

B. Courtroom occupancy shall be limited to 10 people or less

C. All parties in the Courtroom shall observe strict social distancing protocols and wear masks or face coverings.

D. All vulnerable¹ parties, witnesses, victims, attorneys and other participants are allowed to participate in the proceeding remotely by audio conference or video conference.

E. If the in-person proceeding is one that is open to the public by law, any member of the public desiring access shall be provided, upon request, with electronic access by either audio conference or video conference.

F. No person is allowed into the Courtroom if that person: (a) has traveled to any foreign country within the last 14 days, (b) resides or has had close contact with someone who has traveled to a foreign country within the last 14 days, (c) has been asked to self-quarantine by any doctor, hospital or health agency, (d) has been diagnosed with, or had contact with anyone who has been diagnosed with COVID-19, (e) has a fever, or (f) has an unexplained cough or shortness of breath.

7. Once City Hall is re-opened to the public, this Court's General Order dated March 16, 2020, limiting City Hall access of persons with risk factors for the COVID-19 virus remains in effect, and shall remain posted at each exterior entrance of the City Hall. Court security staff are permitted to screen persons entering City Hall with a temperature check. Further, basic screening questions are permitted in order to identify risk factors. The questions are limited to determining whether the person (a) has traveled to any foreign

¹"Vulnerable" persons are defined by the Centers for Disease Control and Prevention as individuals 65 years or older or individuals with underlying medical conditions, particularly if not well controlled, including those who suffer from chronic lung disease, moderate to severe asthma, serious heart conditions, immune disorders, obesity, diabetes, or chronic kidney or liver disease.

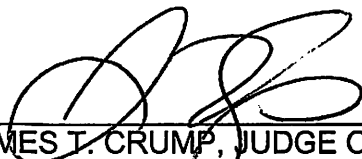
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country within the last 14 days, (b) resides or has had close contact with someone who has traveled to a foreign country within the last 14 days, (c) has been asked to self-quarantine by any doctor, hospital or health agency, (d) has been diagnosed with, or had contact with anyone who has been diagnosed with COVID-19, or (e) has an unexplained fever, cough or shortness of breath.

8. The cases scheduled for the dates and times as set forth on Exhibit "A" will be rescheduled as set forth therein. Any party (Defendant, attorney, witness etc.) who was ordered to appear at the prior scheduled court date, is hereby ordered to appear at the rescheduled court date.

9. The Chief Division Clerk has the discretion to change the date and/or time of any of the cases on Exhibit "A", without further order from the Court, if requested by any party or attorney or in order to group any of said cases with any other cases not on Exhibit "A" involving the same defendant.

10. The Clerk shall post a copy of this order at the front doors of City Hall and shall notify, by mail, each Defendant, attorney and any other party ordered to appear at a prior court date, of the rescheduled court date that party's obligation to appear at the next court date.



JAMES T. CRUMP, JUDGE OF THE CIRCUIT
COURT OF PHELPS COUNTY, MISSOURI,
ROLLA MUNICIPAL DIVISION