

IN THE SECOND JUDICIAL CIRCUIT OF MISSOURI

**ADMINISTRATIVE ORDER
REGARDING
COVID-19 PROTOCOL FOR WARRANTS, EXTRADITIONS,
SERVICE OF PROCESS, AND MEDICAL FURLOUGHS**

WHEREAS, national and state emergencies have been declared following the classification of COVID-19 as a pandemic; and

WHEREAS, by Administrative Order of the Supreme Court of Missouri entered on March 22, 2020, all in-person proceedings in all appellate and circuit courts, including all associate, family, juvenile, municipal, and probate divisions, with certain exceptions, have been suspended through April 17, 2020, which suspension may be extended by further of the Supreme Court as circumstances may warrant; and

WHEREAS, it is necessary and prudent to implement precautionary measures and protocols in order to combat the spread of COVID-19 and for the protection of the public and law enforcement and related personnel;

NOW, THEREFORE, EFFECTIVE IMMEDIATELY AND CONTINUING UNTIL FURTHER ADMINISTRATIVE ORDER, IT IS HEREBY ORDERED AS FOLLOWS:

1. Personal service of process is suspended in all civil matters pending before a judge of the Second Judicial Circuit, except for good cause shown and upon specific order of the judge assigned to the case. All other forms of service of process under Supreme Court Rule 43.01 are allowed.

2. Service of process by the Sheriffs in Adair County, Knox County, and Lewis County is suspended on all subpoenas in criminal cases pending before any judge in the Second Judicial Circuit, except for good cause shown and upon specific order of the judge with jurisdiction over the case.

3. Each Sheriff in the Second Judicial Circuit shall have the power and authority, in their respective sole discretion, as follows:

a. To determine whether extradition of an individual, within or without the state of Missouri, or service of any warrant issued by any judge of the Second Judicial Circuit, may increase the risk of exposure to COVID-19 of any law enforcement personnel or inmates within the county jail within under the Sheriff's supervision, and they may seek emergency leave of court, through motion by the Prosecuting Attorney, to delay or suspend extradition or execution of the warrant. If such motion is sustained, the Sheriff or other law enforcement officer shall release the defendant without processing the warrant upon the condition that the defendant shall provide a current residence address and phone number, which shall forthwith be provided to the Circuit Clerk, and the Defendant shall

be provided with a new court appearance date and time by the Sheriff or other law enforcement officer.

b. To release any person arrested on a warrant issued for failure to appear without further processing such warrant upon the condition that the defendant shall provide a current residence address and phone number which shall forthwith be provided to the Circuit Clerk, and the Defendant shall be provided with a new court appearance date and time by the Sheriff or other law enforcement officer.

c. To determine whether any inmate within the county jail under the Sheriff's supervision is not medically fit for confinement by reason of the risk of exposure of any law enforcement personnel or other inmates to COVID-19 and, if so, they may seek emergency leave of court, with the assistance of the Prosecuting Attorney, for emergency medical furlough.

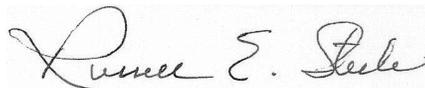
d. Any motion made pursuant to this Order may be presented to the court orally or in writing. Rulings on any such motions shall be expedited and the motion and the court's ruling shall be properly recorded in the records of the court. If the judge assigned to the case is not promptly available, the Presiding Judge or any judge in the Circuit whom the Presiding Judge may designate, except any judge who may have been previously disqualified, may consider and rule such motion.

4. Nothing herein contained shall be interpreted to supplant, suspend, or contravene the procedures set forth in Sections 221.040 or 221.130 RSMo.

5. Hearings and proceedings pursuant to Supreme Court Rule 33.01 shall be conducted with all reasonable expedition.

6. In lieu of delivery to any Sheriff for personal service, each Circuit or Municipal Division Clerk within the Second Judicial Circuit shall mail summons in misdemeanor and traffic cases to the defendant at their address of record.

SO ORDERED this 25th day of March, 2020.



Russell E. Steele, Presiding Judge
Second Judicial Circuit