

**THIRTY- FOURTH JUDICIAL CIRCUIT COURT**  
**en banc**

**March 30, 2020**  
**Effective March 30, 2020**

**IN RE: COVID-19 – Warrants, Extraditions, Service of Process and Medical Furloughs**

**ADMINISTRATIVE ORDER**

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

**WHEREAS**, the Supreme Court of Missouri has suspended all in-person proceedings in all appellate and circuit courts – including all associate, family, juvenile, municipal, and probate divisions, through April 17, 2020, which may be extended by the Supreme Court of Missouri as circumstances may warrant, subject to the following exceptions:

- Proceedings necessary to protect the constitutional rights of criminal defendants, including the right to a speedy trial, and the rights afforded under section 544.676.3;
- Proceedings pursuant to chapters 210 and 211 pertaining to juvenile delinquency and abuse, neglect, and termination of parental rights;
- Proceedings pursuant to chapter 453 pertaining to adoption;
- Proceedings in which civil or criminal jury trials are already in progress as of March 16, 2020;
- Proceedings pursuant to chapter 455 pertaining to orders of protection;
- Proceedings related to emergency child custody orders;
- Proceedings related to petitions for temporary restraining orders or other forms of temporary injunctive relief;
- Proceedings related to emergency mental health orders;
- Proceedings pursuant to Chapter 475 for emergency guardianship or conservatorship;
- Proceedings directly related to the COVID-19 public health emergency;
- Oral arguments regarding time-sensitive matters;
- Other exceptions approved by the Chief Justice of this Court; and

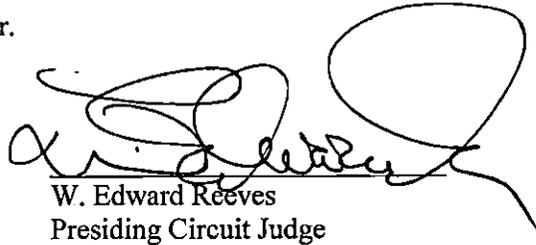
**WHEREAS**, the implementation of the following precautionary measures are necessary to combat the spread of the disease and for the protection of the public from the risks associated with a pandemic disease;

**IT IS HEREBY ORDERED**, effective immediately through Friday, April 17, 2020, which may be extended by subsequent or superseding Administrative Order as circumstances may warrant:

1. Personal service of process by all persons in all civil matters pending before a judge of this Court not falling within the cases excepted herein is hereby suspended until further notice, except for good cause shown. This suspension shall include evictions, replevins, general executions, garnishments, and any other seizure or restraint of personal or real property. All other forms of service of process under Supreme Court Rule 43.01 are allowed.
2. If the sheriff of Pemiscot County or New Madrid County, or any law enforcement officer acting on a warrant issued by a judge of this Court, determines that extradition of an individual, within or without the state, or service of any warrant issued by a judge of this Court, will expose the law enforcement officer, sheriff's personnel or inmates within the county jail to a pandemic disease they may seek emergency leave of the court to delay or suspend extradition or service through a motion made by the prosecuting attorney prior to accepting extradition or rendering service. Rulings on such motions shall be expedited by the judge who issued the warrant at any time and place. If such a determination is made at any time in which the prosecuting attorney is unable to file a motion, the prosecuting attorney may make an oral motion to the judge issuing the warrant, who shall promptly record such request and ruling. If the judge issuing the warrant is unavailable to receive or review such motion, any other judge within the circuit who is not otherwise disqualified from hearing such case may make such ruling, and shall promptly record such request and ruling. Upon the approval of such motion, the sheriff or other law enforcement officer shall release the defendant without processing the warrant with the following conditions: the defendant shall provide their current address and phone number to the sheriff or other law enforcement officer, who shall forthwith provide such information to the circuit clerk. Upon such release the sheriff or other law enforcement officer shall provide the defendant with a new court appearance date as provided to the sheriff by the circuit clerk.
3. For all warrants for failure to appear issued by a judge of this Court, the sheriffs of Pemiscot County and New Madrid County may, at their discretion, release the defendant without processing the warrant with the following conditions: the defendant shall provide their current address and phone number to the sheriff, who shall forthwith provide such information to the circuit clerk. Upon such release the sheriff shall provide the defendant with a new court appearance date as provided to the sheriff by the circuit clerk.
4. Upon any release as set forth herein, the sheriff or other law enforcement officer shall immediately notify the circuit clerk as soon as reasonably able, and the circuit clerk shall

issue a summons to the defendant. The circuit clerk shall enter an order recalling the warrant and notify the local dispatch of such action.

5. If the sheriff of Pemiscot County or New Madrid County determines that an inmate within the county jail is not medically fit for confinement or is at risk of infecting other inmates or the sheriff's personnel with a pandemic disease they may seek leave of the court for emergency medical furlough through a motion made by the prosecuting attorney. Rulings on such motions shall be expedited by the judge presiding on the case at any time and place.
6. The sheriffs of Pemiscot County and New Madrid County may seek leave of the court through a motion filed by the prosecuting attorney for an inmate in the county jail to be placed on electronic monitoring pursuant to Sections 221.025 and 557.011.6, RSMo.
7. Nothing in this Order shall be interpreted to supplant or negate the procedures set forth in Sections 221.040 or 221.130, RSMo.
8. Hearings pursuant to Supreme Court Rule 33.01 shall be conducted with all reasonable expedition.
9. The Circuit Clerks of Pemiscot County and New Madrid County shall mail all requests for summonses in misdemeanor and traffic cases to the address of record of the Defendant, instead of being given to the sheriff for personal service.
10. All municipal courts within the 34<sup>th</sup> Circuit are encouraged to take appropriate action consistent with this Administrative Order.



W. Edward Reeves  
Presiding Circuit Judge

3/30/2020  
Date