

THIRTY FOURTH JUDICIAL CIRCUIT COURT
en banc

October 7, 2020
Effective October 9, 2020

ADMINISTRATIVE ORDER

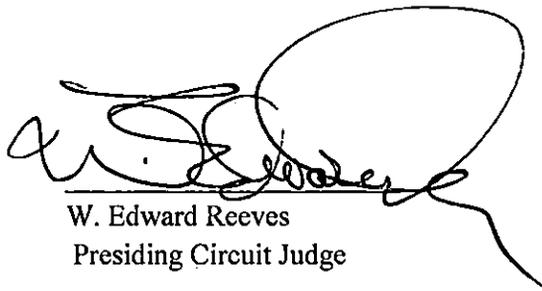
IN RE: PHASE ZERO OPERATING PROCEDURES

In light of the significant increase in the incidence of COVID-19 infections in the 34th Judicial Circuit, and increase in positivity rate in testing for such infections, the Circuit shall revert to Phase Zero of the Operating Directives of the Supreme Court as amended July 24, 2020, effective October 9, 2020. This Order is applicable to all divisions of the Circuit Court, including Municipal Divisions of the Circuit Court. Therefore,

IT IS HEREBY ORDERED, effective October 9, 2020 through October 23, 2020, which date may be extended by subsequent or superseding Administrative Order as circumstances may warrant:

1. All in-person proceedings on case types or proceedings not falling within the exceptions denoted by the Supreme Court of Missouri are hereby continued and shall be reset at a later date. Those exceptions are as follows:
 - 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 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 the Supreme Court; and

2. No jury trials shall be conducted while in Phase Zero.
3. In all criminal cases falling within the exception to in-person proceedings where the defendant is in detention in the County Jail or otherwise in custody at any other detention center or at any other prison, said defendants shall not be personally transported to or brought into court for any hearing without the direction of the Judge assigned to the defendant's case. All hearings regarding any such defendants may be conducted via videoconferencing, including initial appearance and arraignment hearings. Judges have the discretion to allow attorneys to appear by telephone if appropriate and continue hearings as appropriate consistent with this Administrative Order. Victims have a constitutional right to participate in hearings – that right is not changed by this Administrative Order. However, Judges are encouraged to identify alternative methods for victims, to participate in any hearings.
4. Each Judge has the discretion to hear motions or other routine matters via telephone or videoconferencing.
5. Each Judge shall be responsible for re-scheduling new hearing dates.
6. Not more than ten (10) people at one time shall be allowed within any courtroom, Circuit Clerk's Office, Juvenile Office, or any other area within immediate proximity or control of the Court for the purpose of accommodating a court-related function, and all persons within such areas shall take and maintain necessary precautions to reduce the transmission of COVID-19, including maintaining at least six feet (6') of distance between all individuals that are not family members. Face masks must be worn in all such areas by all persons.
7. All private probation companies who are currently supervising a defendant by way of an order of a Judge of this Court shall adhere to all limitations regarding in-person contact as currently adopted by the Missouri State Board of Probation and Parole.
8. The payment of court costs and fines for any case within this Circuit shall only be accepted online or by mail.
9. The Circuit Clerks shall ensure that the public access computer portals are set up in areas accessible to litigants who otherwise lack access to computers that is in conformity with the social distancing procedures set out herein.
10. All Municipal Courts with the 34th Circuit are directed to take appropriate action consistent with this Administrative Order.



W. Edward Reeves
Presiding Circuit Judge

10/7/2020
Date