



TWELFTH JUDICIAL CIRCUIT COURT
en banc

October 15, 2020
Effective October 15, 2020

IN RE: COVID-19 – Warrants, Extraditions, Service of Process and Medical Furloughs
Administrative Order 20AO-06

SEVENTH
SUPERSEDING ORDER

This Order supersedes this Court's Administrative Order 20AO-06 dated July 1, 2020.

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

IT IS HEREBY ORDERED, effective immediately and until such time as ordered otherwise:

1. The sheriffs of Audrain County, Montgomery County and Warren County shall resume service of process on all matters as soon as reasonably practicable at their discretion, but no later than July 6, 2020. Such discretion shall include the ability to delay service when it appears to the sheriff that service may place a deputy or other person at risk, for example at an extended term living facility based upon the number and trend of positive COVID cases within such a facility.
2. If the sheriff of Audrain County, Montgomery County or Warren 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 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 by the circuit clerk.

3. For all warrants for failure to appear issued by a judge of this Court, the sheriffs of Audrain County, Montgomery County and Warren 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 Audrain County, Montgomery County or Warren 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 Audrain County, Montgomery County and Warren 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 Circuits Clerks of Audrain County, Montgomery County and Warren 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 12th Circuit are encouraged to take appropriate action consistent with this Administrative Order.

Day-to-Day



JASON H. LAMB
Presiding Judge