IN THE CIRCUIT COURT OF MORGAN COUNTY, MISSOURI

AMENDED ORDER ON THE RE-OPENING OF THE COURTS
June 11, 2020

WHEREAS all divisions of the Circuit Court have been operating in Phase 0 consistent with the Supreme Court's Order of April 17, 2020; and

WHEREAS the Supreme Court issued an Order on May 4, 2020, effective May 16, 2020, whereby the Presiding Judge of each Circuit Court will determine, based on certain Gateway Criteria, when the Courts will progress to Phase 1, 2 and 3; and

WHEREAS the Courts may progress to Phase 1, 2 and 3 only if COVID-19 conditions improve within the community, and it can implement sufficient procedures to ensure the safety of every litigant, juror, witness, victim, judicial employee, attorney and other individual involved in judicial proceedings; and

WHEREAS if it is determined in the future that local COVID-19 conditions are worsening or that there is a resurgence of COVID-19 cases in the community, the Presiding Judge may return to a lower Operating Phase including, when necessary and appropriate, returning to Phase 0.

THEREFORE, IT IS HEREBY ORDERED that having consulted with local health authorities, the Court makes the following findings based upon the Gateway Criteria:

1. There are no confirmed COVID-19 cases in the Court facility.

2. There are no current stay at home orders. Restrictions on group gatherings have been relaxed, subject to social distancing guidelines.

3. COVID-19 health conditions have improved over a 14-day period within the County.

4. There are medical facilities within the County or within a reasonable driving distance including emergency and intensive care facilities.

5. Local health officials approve of changes to levels of Court and courthouse activities consistent with restrictions on occupancy and social distancing requirements.

Based on these findings, the Presiding Judge finds that local conditions are improving sufficiently to allow all divisions of the Court to progress to Phase 1 effective June 15, 2020.

However, if it is determined in the future that local conditions are worsening or that there is a resurgence of COVID-19 cases in the community, the Court may return to Operating Phase 0.

Operating Phase 1 effective June 15, 2020:

In Phase 1 the Court will operate with the following restrictions:

a. Members of the public who are not involved in a Court proceeding will not be allowed in the Court facility.

b. Social distancing is required of all Court staff, attorneys, parties and witnesses in all areas of the Court facility.

c. Anyone exposed to or exhibiting symptoms of COVID-19 will not be allowed access to a Court facility.

d. Individuals entering the Court facility will be screened for COVID-19 risk assessment by a series of questions from Court security. In addition, if non-contact thermometers become available, the temperature of all individuals entering the Court facility may be taken. Anyone with a temperature of 100.04 degrees or more will not be allowed entry. That person's name will be provided to the Court for which that person was appearing.

e. The use of masks or face coverings by all who enter the Court facility is encouraged but not required. A mask will be provided upon request so long as supplies are available.

f. Only the most critical in-person proceedings will be held, with occupancy in the Courtroom limited to 10 or less when possible.

g. If the number of matters noticed up on any docket will cause social distancing restrictions to be exceeded, attorneys and parties may be required to wait outside the Courtroom until their case may be heard. The Court may be trying different methods to handle scheduling problems, so patience is requested.

h. The Court will continue to use available technologies such as teleconferences and video hearings when possible.

i. Judicial staff employees will be allowed to continue working split shifts.

j. Extra cleaning and disinfecting will occur regularly and hand sanitizer will be available.

k. Jury trials will not be held.

The Court will remain in Operating Phase 1 until June 29, 2020, at which time it will proceed to Phase 2 if local COVID-19 conditions remain the same or improve. However, if conditions deteriorate the Court may remain in Phase 1 or return to Phase 0.

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Operating Phase 2 effective June 29, 2020:

In Phase 2 the Court will operate with the following restrictions:

a. Members of the public who are not involved in a Court proceeding will not be allowed in the Court facility.

b. Social distancing is required of all Court staff, attorneys, parties and witnesses in all areas of the Court facility.

c. Anyone exposed to or exhibiting symptoms of COVID-19 will not be allowed access to a Court facility.

d. Individuals entering the Court facility will be screened for COVID-19 risk assessment by a series of questions from Court security. In addition, if non-contact thermometers become available, the temperature of all individuals entering the Court facility may be taken. Anyone with a temperature of 100.04 degrees or more will not be allowed entry. That person's name will be provided to the Court for which that person was appearing.

e. The use of masks or face coverings by all who enter the Court facility is encouraged but not required. A mask will be provided upon request so long as supplies are available.

f. In-person proceedings will be held, as long as social distancing requirements can be met. Matters may be noticed up on the Court's routine dockets with occupancy in the Courtroom limited to 25 or less when possible.

g. If the number of matters noticed up on any docket will cause social distancing restrictions to be exceeded, attorneys and parties may be required to wait outside the Courtroom until their case may be heard. The Court may be trying different methods to handle scheduling problems, so patience is requested.

h. The Court will continue to use available technologies such as teleconferences and video hearings when possible.

i. Judicial staff employees will be allowed to continue working split shifts.

j. Extra cleaning and disinfecting will occur regularly and hand sanitizer will be available.

k. Jury trials will not be held.

The Court will remain in Operating Phase 2 until July 13, 2020, at which time it will proceed to Phase 3 if local COVID-19 conditions remain the same or improve. However, if conditions deteriorate the Court may remain in Phase 2 or return to Phase 1 or 0.

Operating Phase 3 effective July 13, 2020:

In Phase 3 the Court will operate with the following restrictions:

a. Members of the public who are not involved in a Court proceeding will not be allowed in the Court facility.

b. Social distancing is required of all Court staff, attorneys, parties and witnesses in all areas of the Court facility.

c. Anyone exposed to or exhibiting symptoms of COVID-19 will not be allowed access to a Court facility.

d. Individuals entering the Court facility will be screened for COVID-19 risk assessment by a series of questions from Court security. In addition, if non-contact thermometers become available, the temperature of all individuals entering the Court facility may be taken. Anyone with a temperature of 100.04 degrees or more will not be allowed entry. That person's name will be provided to the Court for which that person was appearing.

e. The use of masks or face coverings by all who enter the Court facility is encouraged but not required. A mask will be provided upon request so long as supplies are available.

f. In-person proceedings will be held, as long as social distancing requirements can be met. Matters may be noticed up on the Court's routine dockets.

g. If the number of matters noticed up on any docket will cause social distancing restrictions to be exceeded, attorneys and parties may be required to wait outside the Courtroom until their case may be heard. The Court may be trying different methods to handle scheduling problems, so patience is requested.

h. The Court may continue to use available technologies such as teleconferences and video hearings when possible, at the discretion of each Judge.

i. Judicial staff employees shall return to normal work schedules.

j. Extra cleaning and disinfecting will occur regularly and hand sanitizer will be available.

k. Jury trials will remain suspended pending further direction by the Supreme Court.

The Court will remain in Operating Phase 3 until the Supreme Court replaces its Order of May 4, 2020. However, so long as the Court is in Phase 3, if conditions deteriorate the Court may return to Phase 2, 1 or 0.

Date: June 11, 2020

Peggy D. Richardson, Presiding Judge