

**IN THE FIRST JUDICIAL CIRCUIT, STATE OF MISSOURI  
COUNTIES OF CLARK, SCOTLAND AND SCHUYLER  
ADMINISTRATIVE ORDER 2020-08**

**RE: Implementation of Phase Three Under Missouri Supreme Court  
COVID-19 Operational Directives**

WHEREAS, the existence and spread of the COVID-19 has resulted in the declaration of a world-wide pandemic; and

WHEREAS, it is imperative to take steps to protect the health and safety of all employees of the First Judicial Circuit, all judicial officers and all attorneys and parties who have essential court hearings or other necessary business in this Judicial Circuit while also balancing the rights of all said individuals and parties to litigation; and

WHEREAS, it is appropriate and necessary to take quick action to reduce the possibility of exposure to COVID-19 and to reduce the spread of COVID-19; and

WHEREAS, the unprecedented circumstances existing at this time warrant this administrative action; and

WHEREAS, Governor Parson has declared a State of Emergency to allow agencies to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of the citizens of the State of Missouri; and

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, a large gathering of individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

WHEREAS, it is the desire of the Court to employ all reasonable and prudent measures to help protect the general public, litigants, lawyers and employees from the spread of COVID-19 creating this emergency; and

WHEREAS, the Supreme Court of Missouri on May 4, 2020 ordered operational directives to help Missouri Courts begin easing COVID-19 restrictions on in-person proceedings.

WHEREAS, a presiding judge may evaluate the Gateway Criteria for local conditions with respect to COVID-19 and, if the local conditions are improving, may order a move to a higher Operating Phase under the operational directives laid out by the Missouri Supreme Court.

WHEREAS, Phase Three of the operational directives contemplates allowing, in addition to the Phase Zero, Phase One and Phase Two exceptions, increased in-person court proceedings and grand and petit jury proceedings so long as the Court imposes restrictions as recommended by local public health officials, public health departments and the CDC.

WHEREAS, Phase Three specifically encourages a court holding hearings under Phase Three to impose the following restrictions to reduce the possibility of exposure to COVID-19 and promote the health and safety of the public, judicial employees, county employees and attorneys:

1. Implementation of appropriate levels of screening at court entrances which may include temperature checks and screening questions;
2. Use of tape or signage to ensure strict social distancing protocols of six feet or more are followed by all persons;
3. Allowing vulnerable litigants, witnesses, victims, and other individuals in court proceedings to participate in the proceedings remotely or continue or postpone their required presence at the court facility;
4. Increase cleaning and disinfection of common areas and provide hand sanitizer;
5. Enforcing social distancing of six feet or more for judicial employees, court security staff and judges where possible;
6. Use of face mask or face coverings by court staff and judicial employees where possible in the court facility.

WHEREAS, the Presiding Judge of the First Judicial Circuit has conferred with the judges of the First Judicial Circuit, local public health officials and public health departments, and has been advised that the local conditions with respect to COVID-19 are improving such that the Court may proceed to Phase Three of the Supreme Court of Missouri's Operational Directives dated May 4, 2020.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED: Effective June 23, 2020 all courts in the First Judicial Circuit shall move to Phase Three of the Supreme Court of Missouri's Operational Directives.

Social distancing is required of court staff, attorneys, parties and witnesses in all areas of the courthouse.

Individuals entering the courthouse may be subject to screening for symptoms of COVID-19 including temperature checks. Those with a temperature over 100 degrees may be prohibited from entering the courthouse.

The use of masks or face coverings by court staff and judicial employees is encouraged. Those employees who do not have a mask will have one provided.

In addition to the most critical matters heard in Phase Zero, Phase One, and Phase Two, Courts may increase in-person court proceedings with occupancy in the courtroom and common areas limited to allow for social distancing protocols to be followed.

Attorneys are encouraged to schedule motion hearings and other matters by telephone or video conference. Judges shall continue to use available technologies to conduct remote hearings whenever possible.

Grand and petit jury proceedings can begin where they can safely be conducted in compliance with the Missouri Supreme Court's Procedures for Jury Trial Proceedings dated June 5, 2020 as well as social distancing protocols and occupancy rate restrictions as set by local health officials.

Occupancy rates in courtrooms and other areas in the court facilities are limited in order to abide by social distancing protocols of six feet or more, where possible.

Extra cleaning and disinfecting will occur throughout each day and hand sanitizer will be made available.

All court staff and judicial employees shall adhere to the guidelines as laid out above with respect to the measures necessary to reduce the risk of exposure to COVID-19 for the public, court staff, attorneys and any other individuals doing business before the Courts of the First Judicial Circuit.

The presiding judge may move any of the courts in the First Judicial Circuit down to Phase Two, Phase One, or Phase Zero at any time, if necessary, based upon worsening conditions related to the COVID-19 pandemic, to protect the health of the public, court staff, judicial employees and attorneys.

This order shall remain in full force and effect until the Supreme Court of Missouri provides further guidance for the resumption of normal judicial activities.

So Ordered this 23<sup>rd</sup> day of June, 2020.



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Rick Roberts, Interim Presiding Judge