

**IN THE CIRCUIT COURT OF THE FORTY-FIRST JUDICIAL CIRCUIT
MACON AND SHELBY COUNTIES, MISSOURI**

**ADMINISTRATIVE ORDER
Effective July 14, 2020**

**RE: IMPLEMENTATION OF PHASE 0 UNDER MISSOURI SUPREME COURT
COVID-19 OPERATIONAL DIRECTIVES**

WHEREAS, the Missouri Supreme Court issued Operational Directives (“Directives”) on May 4, 2020, setting forth procedures for the gradual transition to resume court activities previously suspended by the Court’s prior orders; and

WHEREAS, the Directives create four different phases for court operations, from Phase Zero (the current and most restrictive phase) to Phase 3 (the least restrictive), with each of the Courts in Missouri to begin in Phase Zero as of May 4, 2020; and

WHEREAS, the Directives allow the presiding judge of a circuit, after evaluating “gateway criteria” and consulting with local health officials, to order a change of operating phase for the circuit either up or down in restrictions; and

WHEREAS, any movement to the next higher operating phase can be made only after a court has been in the prior operating phase for a period of at least fourteen (14) calendar days, though a court may revert back immediately to a prior operating phase when local health conditions require it; and

WHEREAS, after considering the “gateway criteria” and health officials consultations, it is appropriate that both counties (Macon and Shelby) in the 41st Judicial Circuit revert back to Phase 0 of the Operational Directives effective July 14, 2020.

THEREFORE, IT IS NOW HEREBY ORDERED as follows:

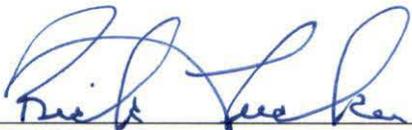
1. Effective July 14, 2020, the 41st Judicial Circuit, Macon County and Shelby County, shall both follow the operational guidelines of Phase Zero. The details for operating under Phase 0 are set forth herein.
2. All people entering the Court facilities will be screened by security personnel as follows:
 - a. Temperature screenings (no admittance if temperature is above 100 degrees);
 - b. Have you been asked to self-quarantine by any doctor, hospital, or health agency;
 - c. Have you been diagnosed with, or have had contact with anyone who is diagnosed with COVID-19;
 - d. Have you had a fever, cough, shortness of breath (no matter how slight);
 - e. Have you had congestion or a runny nose;
 - f. Have you had a loss of taste or smell?

3. All in-person court proceedings are suspended with 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 455 pertaining to orders of protection;
 - 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;
 - Proceedings involving eviction; and
 - Other exceptions approved by the Chief Justice of this Court.
4. Courts may set in-person hearings in the above-listed proceedings, but it does not mandate a judge to set a hearing in any individual case. Everyone appearing for an in-person proceeding will be required to wear a face mask in court.
5. All proceedings that do not require in-person appearances of parties or counsel are not suspended and may continue to occur by audio conference, video conference, or otherwise prescribed by the judge having jurisdiction.
6. Judges and court staff are encouraged to continue utilizing all available technologies – including audio conferencing and video conferencing – whenever possible to limit in-person courtroom appearances to the extent not prohibited by constitutional or statutory provisions.
7. The Order limiting courthouse access of persons with risk factors for the COVID-19 virus remains in effect. Court security staff shall screen all persons entering the courthouse as stated in Paragraph #2. Court security staff will be stationed at the courthouse doors and screening will take place during regular business hours Monday through Friday from 8:00 am until 4:30 pm. A record of each person entering the building will be kept for contact tracing purposes. The person's name, telephone number, and temperature will be recorded with the date and time they were visiting the courthouse.
8. All non-essential travel by judicial employees for work-related functions remains suspended.
9. The current practice of increased cleaning and disinfection of common areas and the provision of hand sanitizers and wipes shall continue.
10. Vulnerable judicial employees should work with supervisors to stay at home. Employees who live with or provide care for vulnerable individuals should do the same to the greatest

extent possible to reduce chances that they could carry the virus to those vulnerable individuals.

11. Judicial employees shall work in shifts whenever possible and feasible to keep staffing levels to a bare minimum to support court activity.
12. A judicial employee is permitted to stay home where possible if the employee: a) Is subject to a quarantine or isolation order or is living with or caring for such an individual; b) Has been advised by a health care provider to self-quarantine or is living with or caring for an individual who has been advised to self-quarantine; c) Is considered high-risk based on local or state health officials or departments criteria for contracting COVID-19, or is living with or caring for such an individual; or d) Is experiencing symptoms of COVID-19 and seeking medical diagnosis, or is living with or caring for such an individual.
13. This Order is effective July 14, 2020, and shall remain in full force and effect until further order of this Court.

IT IS SO ORDERED.



Frederick Tucker, Presiding Judge

7/14/2020

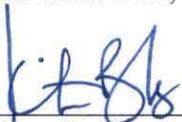
Date



Mike Greenwell, Associate Circuit Judge

7/14/2020

Date



Kristen Burks, Associate Circuit Judge

7-14-2020

Date