



**IN THE CIRCUIT COURT OF THE 30<sup>TH</sup> JUDICIAL CIRCUIT  
BENTON, DALLAS, HICKORY, POLK AND WEBSTER COUNTIES**

**ADMINISTRATIVE ORDER REGARDING BENTON COUNTY RETURN TO  
OPERATIONAL PHASE ONE RESPONSIVE TO SUPREME COURT ORDERS OF  
MAY 4, 2020 AND JULY 24, 2020**

On May 4, 2020, the Missouri Supreme Court entered an Operational Directives Order effective May 16, 2020 (*Current Order*) and outlined Gateway Criteria and an Operational Phase (Zero, One, Two and Three) Approach which indicates, in part, the following:

**A. Gateway Criteria**

If these Gateway Criteria suggest local conditions are worsening or that there is a resurgence of COVID-19 cases in the community, a presiding judge or chief judge should move to a lower Operating Phase including, when necessary and appropriate, returning to Operating Phase Zero.

**B. Operating Phase Approach**

1. Based upon the Criteria above, a presiding judge or chief judge may order a change of Operating Phase for each locality either up or down.

On July 24, 2020, the Missouri Supreme Court delivered to the Presiding Judges an Amended Operational Directives Order effective August 1, 2020 (*New Order*) which inserted a new aspect into Paragraph A which indicates, in part, the following:

**A. Gateway Criteria**

If any court employee, bailiff, or other court personnel currently working in a court facility tests positive for COVID-19, the presiding or chief judge shall move that court facility to Operating Phase One or Zero.

This Court is to follow the Operational Directives of the *Current Order* which indicates the following:

A court may revert back immediately to a prior Operating Phase when local conditions and circumstances require it.

This Court is currently operating under the directives of the *Current Order* and the Order the undersigned executed May 15, 2020, effective May 16, 2020. The Circuit is and has been operating under the operational directive of Phase Three since June 15, 2020. To the extent that this Court's May 15, 2020 Order indicates that the Order was to expire June 26, 2020, unless extended prior thereto, the Court orders that aspect erroneous and void as inconsistent with the Missouri Supreme Court's *Current Order* and as this Circuit has been operating in Phase Three as necessary beyond June 26.

While the *New Order* is not yet effective it indicates the following:

### **B. Operating Phase Approach**

3. h. In any order or decision moving and adopting courthouse operations from one Operating Phase to another, the terms and conditions of the Operating Phases set out below can be modified by a presiding or chief judge to be made more stringent than these Operating Directives provide, but not less stringent.

This Court has confirmed that a clerk of the Benton County Court has tested positive for Covid 19 on this date. Accordingly, the Court after consultation with judicial partners, Orders that the all Court facilities of the Benton County Courthouse return to Operational Phase One. This Order shall not affect any stand-alone municipal division of Benton County. During operation of this Phase, the Circuit Clerk's Office shall return to the partial closing and utilization of the rotating clerk work schedule as previously effective but without Administrative Leave for the clerks thereof as each are capable of working remotely.

The Court shall proceed to Phase Two in Benton County on August 7, 2020 only upon the entry of a newly executed Exhibit A as required by the *Current Order* and *New Order* indicating proceeding to Phase Two on or after said date.

A copy of this Order and Exhibit A is ordered delivered via e mail to the Missouri Supreme Court, the judges of this Circuit, the Benton County Circuit Clerk, the Benton County Clerk's Office, the Benton County Enterprise, and to the regularly practicing attorneys of the 30<sup>th</sup> Circuit as required by the *Current Order* and *New Order*.

Date: July 24, 2020



---

Michael Hendrickson, Presiding Judge