

**IN THE CIRCUIT COURT OF CLAY COUNTY, MISSOURI**

**SUPERSEDING ADMINISTRATIVE ORDER #6**

**In Re: COVID-19 Virus (Novel Coronavirus) Pandemic**

**This Administrative Order supersedes this Court's Administrative Order issued April 20, 2020, as follows:**

**WHEREAS**, the Centers for Disease Control and Prevention have declared that the outbreak of the COVID-19 virus (also known as the novel coronavirus) is a worldwide pandemic;

**WHEREAS**, both the President of the United States and the Governor of the State of Missouri have declared states of emergency related to this pandemic;

**WHEREAS**, on March 18, 2020, the Clay County Commission approved a COVID-19 Protocol both in an effort to slow the spread of the COVID-19 virus in Clay County in general, and specifically to protect the health and safety of all Clay County employees;

**WHEREAS**, on April 16, 2020, Governor Parson extended his state-wide Stay at Home Order for the State of Missouri through May 3, 2020;

**WHEREAS**, on April 27, 2020, Governor Parson issued the Show Me Strong Recovery Order, wherein Governor Parson announced that Missouri would enter an initial recovery phase beginning May 4, 2020, continuing through May 31, 2020, allowing the reopening of all businesses that comply with recommended safety precautions;

**WHEREAS**, on April 27, 2020, in furtherance of Governor Parson's Show Me Strong recovery Order, the Missouri Department of Health and Senior Services issued its Economic Reopening Health Order, effective May 4, 2020, through May 31, 2020;

**WHEREAS**, on April 29, 2020, the Clay County Public Health Center amended its Public Health Emergency Order, first issued March 22, 2020, then extended April 17, 2020, initiating a phased in approach to the social and economic reopening of Clay County, Missouri, with the first phase beginning May 4, 2020, continuing at a minimum through May 31, 2020;

**WHEREAS**, on April 17, 2020, the Supreme Court of Missouri issued its Order superseding its previously issued Orders dated March 16, March 22, and April 1, 2020, extending the suspension (with certain exceptions) all in-person court proceedings in appellate and circuit courts through Friday, May 15, 2020;

**WHEREAS**, on May 4, 2020, the Missouri Supreme Court issued its Order, effective May 16, 2020, providing Operational Directives for the gradual resumption of those court activities currently under suspension, utilizing a phased in approach;

**WHEREAS**, pursuant to said Order, the Presiding Judge of each Judicial Circuit is empowered, within certain Gateway Criteria mandated by the Missouri Supreme Court, to determine if and when that Judge's Circuit shall advance from one phase to the next;

**WHEREAS**, it is imperative to take all necessary steps to protect the health and safety of all employees of the 7<sup>th</sup> Judicial Circuit, all judicial officers, and all attorneys and parties who have court hearings or other business in the 7<sup>th</sup> Judicial Circuit, while also balancing the rights of all said individuals and parties to pursue or to defend themselves against litigation;

**WHEREAS**, the COVID-19 virus is highly contagious, spreading rapidly between people in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes, or potentially when a person touches a contaminated surface and then touches their mouth, nose or eyes;

**WHEREAS**, there is currently no approved vaccine for the COVID-19 virus;

**WHEREAS** certain members of our community are especially vulnerable to serious health consequences, including hospitalization and death, as a result of infection by the COVID-19 virus, including those over the age of 65, pregnant women, and those with chronic medical conditions such as heart disease, lung disease, or diabetes;

**WHEREAS**, the Presiding Judge of the 7<sup>th</sup> Judicial Circuit has authority over all cases, trials, and dockets of this Circuit, including all scheduling of the same;

**WHEREAS**, the Presiding Judge of the 7<sup>th</sup> Judicial Circuit has administrative authority over all courthouse personnel;

**WHEREAS**, the Presiding Judge of the 7<sup>th</sup> Judicial Circuit has authority over all access to the courthouse itself and the juvenile justice building;

**IT IS HEREBY ORDERED**, effective Monday, May 18, 2020, pursuant to the Order of the Missouri Supreme Court issued May 4, 2020, and consistent with both the Operational Directives and Gateway Criteria set forth therein, all courts of the 7<sup>th</sup> Judicial Circuit, including all circuit, associate circuit, family, juvenile, probate and municipal courts, shall begin, with the initiation of Operating Phase One, the gradual resumption of those court activities currently under suspension, as follows:

**I. Directives Common to All Operating Phases**

- A. Operating Phase Duration: Each Operating Phase shall be no less than 14 days in duration;
- B. Operating Phase Advancement: Upon successful completion of a minimum of 14 days in a lower Operating Phase, the Circuit may advance to the next higher Operating Phase only if the Presiding Judge determines that the Gateway Criteria set forth by the Missouri Supreme Court continue to be met, including that local

health conditions continue to improve, and then only with proper notification to the Missouri Supreme Court.

- C. Operating Phase Regression: If, at any time, the Presiding Judge determines that Gateway Criteria are not being met, or that local health conditions are worsening, the Presiding Judge may Order the Circuit to a lower Operating Phase, including resumption of the current suspension of court activities (Phase Zero).
- D. Courthouse Entry:
1. Subject to the limitations set forth below, only those individuals with actual court-related business shall be permitted entry into either the Clay County Courthouse or the Juvenile Justice Center; all other adults accompanying said individuals shall remain outside of the building.
  2. **The following persons shall not enter the Clay County Courthouse, the Clay County Juvenile Justice Building, or any Municipal Divisions of the 7<sup>th</sup> Judicial Circuit, Clay County, Missouri, for any reason:**
    - a. Persons currently experiencing symptoms of acute respiratory illness, including fever, persistent cough, or shortness of breath;
    - b. Persons currently under self-quarantine as ordered or requested by any doctor, other licensed health care provider, or health agency (such as the Clay County Public Health Center), or who reside with anyone who has been ordered or requested to so self-quarantine, pursuant to a determination of a presumptive positive diagnosis of COVID-19 infection;
    - c. Persons who have been diagnosed with COVID-19 (novel coronavirus) infection, or who reside with anyone who has been diagnosed with COVID-19 infection, unless either that person or the person with whom that person resides
      - 1) Has been free of fever (100.4 degrees F or 37.8 degrees C or greater using an oral thermometer) for at least 72 hours (three full days) without the use of fever- reducing medications;
      - 2) Other symptoms (i.e. cough, shortness of breath) have improved;
      - 3) It has been at least ten days since the onset of symptoms; and
      - 4) That person wears a face mask or face covering for the entire duration of their time within either building.
    - d. For purposes of the potential exclusions as set forth above, the term “diagnosed with” means either a positive test for the COVID-19 (novel coronavirus), or a presumptive positive determination made by a physician, other licensed health care provider, or health agency (such as the Clay County Public Health Center).
- E. Courtroom Entry: In addition to any specific Operating Phase restrictions as set forth below, the Judge or Commissioner presiding over each Division of the

Circuit, including all municipal divisions thereof, remains free to impose more stringent requirements for courtroom entry as that Judge or Commissioner sees fit, including but not limited to the following: courtroom occupancy, social distancing, the wearing of personal protective equipment (PPE), and the use of sanitization products.

F. Court Proceedings:

1. Subject to specific Operating Phase restrictions regarding courtroom occupancy, the following in-person court proceedings shall otherwise continue to be held regardless of Operating Phase status:
  - a. Proceedings necessary to protect the constitutional rights of criminal defendants, including the right to a speedy trial, and the rights set forth under Section 544.676.3, RSMo;
  - b. Proceedings pursuant to Chapters 210 and 211, RSMo., pertaining to juvenile delinquency, and abuse, neglect and termination of parental rights;
  - c. Proceedings pursuant to Chapter 453, RSMo., pertaining to adoption;
  - d. Proceedings pursuant to Chapter 455 RSMo., concerning Orders of Protection;
  - e. Proceedings related to emergency child custody orders;
  - f. Proceedings related to petitions for temporary restraining orders or other forms of temporary injunctive relief;
  - g. Proceedings related to emergency mental health orders;
  - h. Proceedings pursuant to Chapter 475, RSMo., for emergency guardianship or conservatorship;
  - i. Proceedings directly related to the COVID-19 public health emergency;
  - j. Oral arguments regarding time-sensitive matters; and
  - k. Other matters specifically approved by the Chief Justice of the Missouri Supreme Court.
2. In Custody Criminal Case Defendants: In all criminal cases wherein the defendant is currently incarcerated in the Clay County Detention Center and court proceedings related to the disposition of the case or the constitutional rights of the defendant must take place (i.e. arraignments, bond hearings, trial settings), judges are encouraged to make use of, to the greatest extent possible, video appearances of the defendant.
3. Civil Cases: Judges presiding over a civil case or matter may exercise their discretion to waive, for good cause shown, any filing deadlines or time limitations set through Missouri's e-filing system or by court order, local rule, or Missouri Supreme Court Rules 41 through 81. This authorization does not apply to any deadline or time limitations set by statute or by constitutional provision.

4. Remote Hearings: As previously Ordered, judges are encouraged to continue to exercise their discretion to conduct proceedings that do not require in-person appearances by teleconferencing, video conferencing, or other available technology to the extent not otherwise prohibited by statutory or constitutional restrictions.
5. Jury Trials: Pending further guidance from the Missouri Supreme Court regarding the impaneling of petit and grand juries, all jury trials remain suspended through at least July 5, 2020.

6. Municipal Courts:

- a. All municipal courts in Clay County, Missouri, are subject to this Administrative Order and are encouraged to take appropriate action consistent with this Administrative Order, as well as the guidelines issued by the Centers for Disease Control and Prevention and the Clay County Public Health Center.
- b. In the event that a municipality within Clay County, Missouri, has chosen to take more restrictive action than set forth within this Order (i.e. choosing to wait for a later Operating Phase before resuming in-person court proceedings) the Judge for that municipality shall immediately so inform the Presiding Judge, so that additional steps may be taken as necessary to ensure that all individuals have equal access to justice within the 7<sup>th</sup> Judicial Circuit.

G. Other Court-Related Business: As previously Ordered, the Clay County Courthouse and the Juvenile Justice Center shall remain open, regardless of Operating Phase status, for all other court-related business, including but not limited to:

1. Payment of fines, court costs and fees;
2. Payment of restitution;
3. Payment of child support;
4. Meetings in the Clay County Prosecutor's Office (e.g. victims, witnesses, law enforcement officers, probation officers or attorneys);
5. Meetings with judges;
6. Filings of criminal, civil, probate, or family court cases, including but not limited to adult and child abuse orders of protection, temporary restraining orders, and mental health-related orders;
7. Any issue or matter involving the Public Administrator's Office;
8. Individual questions regarding any court-related matter; and
9. Any court proceedings that do not require in-person appearances of the parties or counsel.

H. Courthouse and Judicial Personnel

1. Illness

- a. Employee - Courthouse employees, including all judicial officers and court reporters, who, at any time for the duration of this

Administrative Order, develop symptoms of COVID-19 (novel coronavirus) infection, including fever, persistent or heavy cough, shortness of breath, or sudden loss of sense of taste or smell, are hereby **Ordered** to stay home from the onset of such symptoms until they recover as set forth below.

- b. Residence – Any courthouse employee, including any judicial officer and court reporter, caring for or living in close proximity with a family member, friend, or other loved one, who, at any time for the duration of this Administrative Order, develops symptoms of COVID-19 (novel coronavirus) infection, including fever, persistent or heavy cough, shortness of breath, or sudden loss of sense of taste or smell, is hereby **Ordered** to stay home from the onset of such person's symptoms until such person recovers, and the employee completes a home quarantine period as set forth below.

2. Administrative Leave with Pay and Return to Work:

- a. All employees who stay home due to illness or to care for an ill member of their household are strongly encouraged to obtain COVID-19 testing for themselves and their ill household member.
- b. Those courthouse employees who stay home due to illness, or stay home to care for an ill member of their household, are eligible to receive administrative leave with pay for that time period if the employee or that household member has a confirmed case of COVID-19 infection.
- c. Those courthouse employees who either have a confirmed case of COVID-19 infection or who have been recommended for home quarantine following a presumptive positive determination of COVID-19 infection made by a physician, other licensed health care provider, or by the Clay County Health Department, will not be allowed to return to work until they recover and meet the following criteria:
  - 1) They are free of fever (100.4 degrees F or 37.8 degrees C or greater using an oral thermometer) for at least 72 hours (three full days) without the use of fever- reducing medications;
  - 2) Other symptoms (i.e. cough, shortness of breath) have improved; and
  - 3) It has been at least ten days since the onset of symptoms.
- d. Those courthouse employees who stay home from work to care for an ill household member who either has a confirmed case of COVID-19 infection or who has been recommended for home quarantine following a presumptive positive determination of COVID-19 infection made by a physician, other licensed health

care provider, or by the Clay County Health Department, will not be allowed to return to work until that household member recovers and the following criteria are met:

- 1) The household member is free of fever (100.4 degrees F or 37.8 degrees C or greater using an oral thermometer) for at least 72 hours (three full days) without the use of fever-reducing medications; and
- 2) The household member's other symptoms (i.e. persistent cough, shortness of breath) have improved; and
- 3) The employee is free of COVID-19 infection symptoms (i.e. fever, cough, shortness of breath); and
- 4) At least ten days have passed from the onset of the household member's symptoms.

e. Those courthouse employees who stay home due to illness, or stay home to care for an ill member of their household, and subsequently either themselves or that household member do not have a confirmed case of COVID-19 infection will be required to take normal sick or vacation time to cover that period of absence.

3. Personal Protective Equipment (PPE) and Sanitization - In addition to specific Operating Phase requirements as set forth below, the following guidelines are hereby provided in an effort to mitigate the possibility of exposure to the COVID-19 virus while present within either the Clay County Courthouse or the Juvenile Justice Center:

- a. All courthouse and judicial personnel are strongly encouraged to practice social distancing separation of at least six feet from others whenever possible;
- b. All courthouse and judicial personnel are strongly encouraged to make frequent use of hand sanitizer and disinfectant wipes whenever available;
- c. All courthouse and judicial personnel are strongly encouraged to wear a face mask or face covering any time that social distancing measures are difficult to maintain; and
- d. Any courthouse employee, including any judicial personnel, who desires to wear a face mask or face covering at any other time that person is within either building may do so.

I. Bond and Probation Supervision:

1. In all criminal cases, all previously issued Orders pertaining to bond or probation supervision remain in full force and effect, regardless of Operating Phase status, unless specifically amended or exempted, on a case-by-case basis, by either the Judge who issued the Order, or in that Judge's absence, by the Presiding Judge, with the following exceptions:

- a. Orders to attend and complete substance abuse treatment, mental health treatment, and other similar programs may be either

amended or suspended consistent with each treatment providers' provision of services; and

- b. Orders to submit to random urinalysis shall be suspended, if the supervising agency, treatment provider or private company to which the criminal defendant normally reports for urinalysis suspends its operations, for the duration of said suspension of operations
2. All previously issued Administrative Orders regarding the suspension of community service performance and in-person reporting, to either a bond supervision officer or a probation officer, are hereby rescinded.
3. If a criminal defendant, whether on bond or on probation supervision, either becomes ill or begins caring for an ill household member, the same provisions set forth above in section H, paragraphs 1 and 2, shall apply with respect to that criminal defendant's bond or probation supervision.
4. **If a criminal defendant asserts that he or she is unable to comply with the terms and conditions of his or her bond or probation supervision due to either personal illness or the illness of a household member, said criminal defendant must provide written verification of either a positive COVID-19 test of either themselves or that household member, or of a home quarantine order following a presumptive positive determination of COVID-19 infection made by a physician, other licensed health care provider, or the Clay County Health Department, for himself/herself or that household member, to either their bond supervision officer or their probation officer.** Failure to do so will most likely result in the submission of a bond violation or a probation violation report.

J.

II. **Court Operating Phase One:** Effective May 18, 2020, pursuant to the Missouri Supreme Court's Order dated May 4, 2020, and consistent with both the Operational Directives and Gateway Criteria set forth therein, the resumption of currently suspended court activities within all circuit, associate circuit, family, juvenile, municipal and probate courts of this Circuit shall be characterized by the following

A. Courthouse Entry and Occupancy Limitations – In addition to those requirements set forth above pertaining to courthouse entry regardless of Operating Phase, the following requirements for entry into either the Clay County Courthouse or the Juvenile Justice Center by members of the public shall be in place for the duration of Operating Phase One:

1. Assuming they are available for public distribution at the entrance to the building, face masks or face coverings shall be required of all persons seeking entry into either the Clay County Courthouse or the Juvenile Justice Center, including all attorneys, litigants, and witnesses in all types of cases, prior to being granted permission to enter either building, and shall be required to be worn at all times while within either building;



2. Assuming that it is available for public use at the entrance to the building, all persons seeking entry into either the Clay County Courthouse or the Juvenile Justice Center, including all attorneys, litigants, and witnesses in all types of cases, shall be required to use hand sanitizer prior to being granted permission to enter either building;
3. Social distancing separation of at least six feet from others shall be practiced to the greatest extent possible by all members of the public seeking entry into either the Clay County Courthouse or the Juvenile Justice Center, and shall be maintained at all times within either building;
4. The jury assembly area, the attorney lounge, and the law library shall be closed to all members of the public;
5. No loitering shall be tolerated in any area of the courthouse, including both floors of the rotunda – all members of the public, including all attorneys, are directed to conclude their business as rapidly as possible and then immediately exit the building; and
6. The clerk's breakroom shall be open only for the limited purposes of use of the refrigerator, sink, and coffee machine; furthermore, occupancy of the room shall be limited to only one person at any given time.

B. Courtroom Proceedings -

1. Courtroom Occupancy – including judicial personnel and staff – shall be limited to no more than 10 persons at any given time;
2. Social distancing of no less than six feet of separation between individuals within the courtroom shall be maintained at all times;
3. All participants in litigation, including all attorneys, parties, witnesses, victims, and law enforcement officers, shall be required to wear a face mask or face covering at all times within the courtroom, unless wearing said face mask or face covering impedes that person's ability to provide testimony or other information to the Court;
4. No attorney, litigant or witness shall be allowed to approach the Bench, including approaching the Court Clerk or Court Reporter, unless specifically permitted to do so by the Judge presiding over each case;
5. Any attorney or any pro se litigant particularly susceptible to serious complications as a result of infection by the COVID-19 virus, including those who are 65 years of age or older, who are pregnant, or who have a chronic underlying health condition such as heart or lung disease, diabetes, or any type of immune system disorder, shall be granted permission to remotely participate, either by phone or by video conferencing methods, in any court proceeding if that person chooses to do so;
6. Likewise, any participant in any type of litigation, including any witness, victim, law enforcement officer, or party (excluding any criminal case defendant who is currently in warrant status) who is particularly susceptible to serious complications as a result of infection by the COVID-19 virus, including those who are 65 years of age or older, who

are pregnant, or who have a chronic underlying health condition such as heart or lung disease, diabetes, or any type of immune system disorder, may request permission to remotely participate in said litigation, either by phone or by video conferencing methods, in any court proceeding.

C. Courthouse and Judicial Personnel

1. Work Rotation Schedule – The Clay County Circuit Clerk’s work rotation schedule, as previously approved by Administrative Order, shall remain in effect throughout Operating Phase One;

2. Personal Protective Equipment (PPE)

- a. All courthouse employees, including all judicial personnel, shall be required to wear a face mask or face covering when moving about within areas accessible to the public in either the Clay County Courthouse or the Juvenile Justice Center; and
- b. All courthouse and judicial personnel working directly with members of the public shall be required to wear a face mask or face covering any time social distancing cannot be maintained (i.e. when conducting screenings at the front entrance of either building, working at payment windows, etc.)

D. Phase Advancement – The Circuit shall advance to Operating Phase Two no earlier than June 1, 2020, and then only if the Presiding Judge determines that the Gateway Criteria as set forth by the Missouri Supreme Court continue to be met and that local health conditions continue to improve.

**III. Court Operating Phase Two:** No earlier than June 1, 2020, upon advancement from Operating Phase One, pursuant to the Missouri Supreme Court’s Order dated May 4, 2020, and consistent with both the Operational Directives and Gateway Criteria set forth therein, all courts of the 7<sup>th</sup> Judicial Circuit shall begin Operating Phase Two as follows:

A. Courthouse Entry and Occupancy Limitations – In addition to those requirements set forth above pertaining to courthouse entry regardless of Operating Phase, the following requirements for entry into either the Clay County Courthouse or the Juvenile Justice Center by members of the public shall be in place for the duration of Operating Phase Two:

1. Assuming they are available for public distribution at the entrance to the building, face masks or face coverings shall be required of all persons seeking entry into either the Clay County Courthouse or the Juvenile Justice Center, including all attorneys, litigants, and witnesses in all types of cases, prior to being granted permission to enter either building, and shall be required to be worn at all times while within either building;
2. Assuming that it is available for public use at the entrance to the building, all persons seeking entry into either the Clay County Courthouse or the Juvenile Justice Center, including all attorneys, litigants, and witnesses in all types of cases, shall be required to use hand sanitizer prior to being granted permission to enter either building; and

3. Social distancing separation of at least six feet from others shall be practiced to the greatest extent possible by all members of the public seeking entry into either the Clay County Courthouse or the Juvenile Justice Center, and shall be maintained at all times within either building;
4. The jury assembly area shall be open for the limited purpose of providing seating for those members of the public awaiting courtroom entry, provided that social distancing measures are maintained and that face masks or face coverings are worn at all times;
5. The attorney lounge shall be open for the limited purpose of providing seating for those attorneys awaiting courtroom entry, provided that social distancing measures are maintained and that face masks or face coverings are worn at all times;
6. The law library shall remain closed to all members of the public;
7. No loitering shall be tolerated in any area of the courthouse, including both floors of the rotunda – all members of the public, including all attorneys, are directed to conclude their business as rapidly as possible and them immediately exit the building; and
8. The clerk's breakroom shall remain open only for the limited purposes of use of the refrigerator, sink, and coffee machine; furthermore, occupancy of the room shall be limited to only two people at any given time.

B. Courtroom Proceedings -

1. Courtroom Occupancy – including judicial personnel and staff – shall be limited to no more than 25 persons at any given time;
2. Social distancing of no less than six feet of separation between individuals within the courtroom shall be maintained at all times;
3. All participants in litigation, including all attorneys, parties, witnesses, victims, and law enforcement officers, shall be required to wear a face mask or face covering at all times within the courtroom, unless wearing said face mask or face covering impedes that person's ability to provide testimony or other information to the Court;
4. No attorney, litigant or witness shall be allowed to approach the Bench, including approaching the Court Clerk or Court Reporter, unless specifically permitted to do so by the Judge presiding over each case;
5. Any attorney or any pro se litigant particularly susceptible to serious complications as a result of infection by the COVID-19 virus, including those who are 65 years of age or older, who are pregnant, or who have a chronic underlying health condition such as heart or lung disease, diabetes, or any type of immune system disorder, shall be granted permission to remotely participate, either by phone or by video conferencing methods, in any court proceeding if that person chooses to do so;
6. Likewise, any participant in any type of litigation, including any witness, victim, law enforcement officer, or party (excluding any criminal case defendant who is currently in warrant status) who is particularly

susceptible to serious complications as a result of infection by the COVID-19 virus, including those who are 65 years of age or older, who are pregnant, or who have a chronic underlying health condition such as heart or lung disease, diabetes, or any type of immune system disorder, may request permission to remotely participate in said litigation, either by phone or by video conferencing methods, in any court proceeding.

C. Courthouse and Judicial Personnel

1. Work Rotation Schedule – Due to the anticipated increase in courthouse activity in general, and courtroom proceedings in particular, the Clay County Circuit Clerk’s work rotation schedule shall be modified to ensure appropriate levels of staffing are in place to effectively handle the increased workload;

2. Personal Protective Equipment (PPE)

- a. All courthouse employees, including all judicial personnel, shall be required to wear a face mask or face covering when moving about within areas accessible to the public in either the Clay County Courthouse or the Juvenile Justice Center; and
- b. All courthouse and judicial personnel working directly with members of the public shall be required to wear a face mask or face covering any time social distancing cannot be maintained (i.e. when conducting screenings at the front entrance of either building, working at payment windows, etc.)

D. Phase Advancement – The Circuit shall advance to Operating Phase Three no earlier than June 15, 2020, and then only if the Presiding Judge determines that the Gateway Criteria as set forth by the Missouri Supreme Court continue to be met and that local health conditions continue to improve.

**IV. Court Operating Phase Three:** No earlier than June 15, 2020, upon advancement from Operating Phase Two, pursuant to the Missouri Supreme Court’s Order dated May 4, 2020, and consistent with both the Operational Directives and Gateway Criteria set forth therein, all courts of the 7<sup>th</sup> Judicial Circuit shall begin Operating Phase Three as follows:

A. Courthouse Entry and Occupancy Limitations – In addition to those requirements set forth above pertaining to courthouse entry regardless of Operating Phase, the following requirements for entry into either the Clay County Courthouse or the Juvenile Justice Center by members of the public shall be in place for the duration of Operating Phase Three:

1. The wearing of face masks or face coverings shall be strongly encouraged of all members of the public seeking entry into either the Clay County Courthouse or the Juvenile Justice Center, and at all times present within either building. Assuming they are available for public distribution at the entrance to either building, a face mask or face covering shall be provided to any member of the public who requests one.

2. Assuming that it is available for public use at the entrance to the building, all persons seeking entry into either the Clay County Courthouse or the Juvenile Justice Center, including all attorneys, litigants, and witnesses in all types of cases, shall be required to use hand sanitizer prior to being granted permission to enter either building; and
3. Social distancing separation of at least six feet from others shall be practiced to the greatest extent possible by all members of the public seeking entry into either the Clay County Courthouse or the Juvenile Justice Center, and shall be maintained at all times within either building;
4. The jury assembly area, the attorney lounge, and the law library shall be opened, provided that social distancing measures are maintained;
5. No loitering shall be tolerated in any area of the courthouse, including both floors of the rotunda – all members of the public, including all attorneys, are directed to conclude their business as rapidly as possible and then immediately exit the building; and
6. The clerk's breakroom shall be open without restriction, provided that social distancing measures are maintained.

B. Courtroom Proceedings -

1. Courtroom Occupancy – Limitations regarding number of persons that may be present within the courtroom at any given time are lifted, provided however, that social distancing measures are maintained and/or face masks or face coverings are worn by all members of the public while within the courtroom;
2. Social distancing of no less than six feet of separation between individuals within the courtroom shall be maintained at all times;
3. All participants in litigation, including all attorneys, parties, witnesses, victims, and law enforcement officers, shall be strongly encouraged to wear a face mask or face covering at all times within the courtroom, especially in situations where social distancing measures cannot be maintained, unless wearing said face mask or face covering impedes that person's ability to provide testimony or other information to the Court;
4. No attorney, litigant or witness shall be allowed to approach the Bench, including approaching the Court Clerk or Court Reporter, unless specifically permitted to do so by the Judge presiding over each case;
5. Any attorney or any pro se litigant particularly susceptible to serious complications as a result of infection by the COVID-19 virus, including those who are 65 years of age or older, who are pregnant, or who have a chronic underlying health condition such as heart or lung disease, diabetes, or any type of immune system disorder, shall be granted permission to remotely participate, either by phone or by video conferencing methods, in any court proceeding if that person chooses to do so;
6. Likewise, any participant in any type of litigation, including any witness, victim, law enforcement officer, or party (excluding any criminal case

defendant who is currently in warrant status) who is particularly susceptible to serious complications as a result of infection by the COVID-19 virus, including those who are 65 years of age or older, who are pregnant, or who have a chronic underlying health condition such as heart or lung disease, diabetes, or any type of immune system disorder, may request permission to remotely participate in said litigation, either by phone or by video conferencing methods, in any court proceeding.

C. Courthouse and Judicial Personnel

1. Work Rotation Schedule – Due to the anticipated further increase in courthouse activity in general, and courtroom proceedings in particular, potentially increasing the courthouse staff workload to the level as it existed prior to the COVID-19 pandemic, Clay County Circuit Clerk's work rotation schedule shall no longer be in effect;

2. Personal Protective Equipment (PPE)

- a. All courthouse employees, including all judicial personnel, shall be strongly encouraged to wear a face mask or face covering when moving about within areas accessible to the public in either the Clay County Courthouse or the Juvenile Justice Center; and
- b. All courthouse and judicial personnel working directly with members of the public shall be required to wear a face mask or face covering any time social distancing cannot be maintained (i.e. when conducting screenings at the front entrance of either building, working at payment windows, etc.)

D. Phase Advancement – The Circuit shall remain in Operating Phase Three until further Order of the Missouri Supreme Court.

**SO ORDERED on this 14<sup>th</sup> day of May, 2020,**



SHANE T. ALEXANDER  
Presiding Judge