

**IN THE THIRTEENTH JUDICIAL CIRCUIT COURT OF MISSOURI
EN BANC**

**IN RE: COVID-19 ORDER
 13TH CIRCUIT MOVING TO PHASE 4
 11-21**

ORDER

IT IS HEREBY ORDERED, Administrative Order 06-21 is superseded by Order 11-21. Effective at 8:00 a.m. on Thursday, April 15, 2021, and continuing until modified or extended in a subsequent administrative order.

WHEREAS, the Centers for Disease Control and Prevention have declared that the outbreak of COVID-19 is a worldwide pandemic, and it has been declared a national and state-wide state of emergency; and

WHEREAS, the Columbia/Boone County Public Health and Human Services Department issued Order 2020-21C that went into effect at 12:00 p.m. (noon) on March 24, 2021, and will expire at 11:59 a.m. on May 12, 2021, unless extended, rescinded or modified prior to such expiration; and

WHEREAS, on March 26, 2021, the Supreme Court of Missouri issued its updated Operational Directives to establish some uniformity in approaches among Missouri courts to the challenges created by the COVID-19 pandemic and in response to increased accessibility to COVID-19 vaccines by creating operating Phase Four, allowing courts to move to Phase Four upon approved COVID-19 vaccines being readily accessible in the community in which the courthouses or court facilities are located; and

WHEREAS, it is imperative that the Court continue to take steps to protect the health and safety of all persons in the courthouse and continue to employ best practices recommended by the Centers for Disease Control and local health departments, while balancing the rights of all individuals; and

WHEREAS, the 13th Circuit has reviewed the Supreme Court's Operational Directives (attached);

IT IS HEREBY ORDERED, effective 8 a.m. on Thursday, April 15, 2021, until and unless modified or extended in a subsequent administrative order, the 13th Circuit shall operate in Supreme Court Operational Directive Phase 4.

OPERATING PHASE 4

Pursuant to the Supreme Court directives, while operating under Phase 4, the Court will:

1. Continue to consult with local judiciary partners and rely on local health officials or departments and CDC guidance to adapt court operating decisions to local health conditions.
2. Reexamine and update local court orders and COVID-19 Notices as appropriate.
3. Courtrooms, jury assembly rooms, jury deliberating rooms, and other public areas in the court facility can operate under social distancing protocols. Face masks or coverings shall be required in all public court areas and during all court proceedings unless good cause is shown to limit the requirement in a particular proceeding, such as for a witness who is testifying. Consider continuing to allow vulnerable litigants, witnesses, victims, attorneys, and other individuals involved in court proceedings to participate in the proceedings remotely or continue or postpone their required presence at the court facility.
4. Continue cleaning and disinfection of common areas and consider providing hand sanitizers and wipes.
5. Continue to encourage judges and court staff to utilize all available technologies – including teleconferencing and video conferencing – whenever possible to limit in-person proceedings in the courthouse.
6. Court personnel that have no or limited interaction with the public in their respective workspaces are not required to wear face masks or coverings or comply with social distancing protocols.
7. Court personnel are not required to wear face masks or coverings or comply with social distancing protocols in shared workspaces or when interacting with other court personnel in non-public areas of court facilities.
8. Regardless of an individual employee's vaccination status, judicial employees should return to work duties unless otherwise instructed by a supervisor. Reasonable accommodations in the workplace should be made for employees who remain more vulnerable to COVID-19.
9. Employees are encouraged to receive an approved COVID-19 vaccine.
10. Fully vaccinated employees who are exposed to someone who has COVID-19 or is suspected of having COVID-19 are not required to quarantine but should continue to monitor for symptoms for 14 days following the exposure.
11. Judicial employees can travel for necessary work-related functions.

BENCH WARRANTS AND CAPIAS WARRANTS

IT IS HEREBY ORDERED that in the event any Law Enforcement Officer in the 13th Judicial Circuit determines that the arrest of a Defendant on a 13th Judicial Circuit Bench Warrant or Capias Warrant will endanger the health of the Arresting Officer by infection with a pandemic disease, the Officer may, in her/his own discretion, not execute the warrant at that time.

FAMILY COURT

IT IS FURTHER ORDERED that in Family Court Cases, parties may waive hearing requirements by joint affidavit, even when one party is pro se.

THIS ORDER MAY BE AMENDED AS CIRCUMSTANCES REQUIRE.

IT IS SO ORDERED.

Done this 14th day of April, 2021.



Honorable J. Hasbrouck Jacobs, Division I

Supreme Court Gateway Criteria

Consider each of the criteria below before resuming court activity or progressing to a new Operating Phase:

1. The number of confirmed COVID-19 cases in the court facility within the last 14 days.
2. Any local stay-at-home orders or gathering restrictions.
3. Improvement in local COVID-19 health conditions over a 14-day period, including the number of confirmed COVID-19 cases and related deaths.
4. Consultation with local health officials or departments concerning changes to levels of court and courthouse activities.
5. Consultation with local judiciary partners such as children's division personnel, juvenile officers, members of the local bar, prosecutors and public defenders, law enforcement and probation and parole.
6. Accessibility to approved COVID-19 vaccines in the community in which the courthouse or court facility is located.