

IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT

GENERAL ORDER 20 - 03

In re the Activation of the Emergency Preparedness Plans for the Courts in DeKalb and Kendall Counties in Response to the COVID-19 Pandemic

FILED

MAR 16 2020

ROBYN INGEMUNSON
CIRCUIT CLERK KENDALL CO.

WHEREAS, the President of the United States of America has declared a State of Emergency and the Governor of the State has issued a disaster declaration, each in response to the COVID-19 Pandemic; and

WHEREAS, the Centers for Disease Control, the Illinois Department of Public Health, and the Health Departments of DeKalb and Kendall Counties have declared and recognized the existence of a public health emergency due to the spread of respiratory illness resulting from exposure to a novel coronavirus identified as COVID-19; and

WHEREAS, the Illinois Supreme Court has advised all courts that non-essential in-person court proceedings may pose a risk to participants, court staff, or the public. Courts may avoid risk by rescheduling court events to a later date, especially jury trials and large docket calls, or, alternatively, by holding proceedings via telephone or video remote appearance where possible, and

WHEREAS, the Judiciary of the 23rd Judicial Circuit has previously adopted Emergency Preparedness Plans for both DeKalb and Kendall Counties providing for the continued operations of the court systems in each county during an emergency, which includes a public health emergency such as the COVID-19 pandemic;

NOW THEREFORE, the Chief Judge of the 23rd Judicial Circuit, in consultation with, and the concurrence and consent of the Circuit Judges of the 23rd Judicial Circuit hereby activates the Emergency Preparedness Plans for the Courts of DeKalb and Kendall Counties, and in accordance with each such plan limits court proceedings during the period from Wednesday, March 18, 2020 through Friday, April 17, 2020 to the Essential Court Functions as set forth below:

CATEGORY 1 ESSENTIAL FUNCTIONS

- Criminal Trials with Speedy Trial Concerns
- Criminal Hearings for Defendants who are in custody, including bail hearings, arraignments or preliminary hearings, and bail review hearings
- Issuance and recall of Warrants
- Juvenile Detention Hearings
- Juvenile Shelter Care Hearings
- Issuance of Orders of Protection and hearings

CATEGORY 2 ESSENTIAL FUNCTIONS

- Criminal Felony Trials for Defendants who are not in custody and serious Criminal Misdemeanor Cases
- Temporary Restraining Orders and Preliminary Injunctions
- Involuntary Examination, Involuntary Commitment, Emergency Medical Treatment including potential Social Distancing and Quarantine Proceedings
- Juvenile Abuse and Neglect Hearings
- Mental Health Hearings and Commitments

During this 30 day period, the courts will remain open, although operations will be limited to Essential Court Functions as described above. Nothing herein shall be construed to limit the right of the public to attend court proceedings, or have access to the court process. However, consistent with guidelines issued by the Centers for Disease Control, the Illinois Department of Public Health, and the Health Departments for DeKalb and Kendall County, attendance in court may be limited in order to observe appropriate social distancing; and further provided that any individual is not exhibiting symptoms of any communicable illness.

Each county, subject to the discretion of the Presiding Judge, may continue to perform marriages in the courthouse, if needed. Contact the court administrator for the respective county to schedule a wedding, and the court administrator will advise you of any specific restrictions which may be in effect for that county.

Furthermore, the courts of each county may adopt temporary or standing orders regarding the submission of agreed orders via email or for allowing telephonic or video appearances for such cases as permitted by law.

Additionally, the Sheriffs of DeKalb and Kendall Counties shall cease the execution of eviction orders relating to residential real estate effective March 18, 2020. The Sheriffs shall resume execution of said orders effective April 20, 2020.

Except as necessary for the purposes of proceeding with Essential Court Functions, all judges and judicial employees are encouraged to work remotely and conduct business telephonically from March 18, 2020 until Monday, April 20, 2020, to the extent practicable.

Depending upon the state of the pandemic, any future declarations by the Executive Branches of the Federal and State Governments, as well as guideline promulgated by the Centers for Disease Control, Illinois Department of Public Health and the Health Departments of DeKalb and Kendall Counties, this order may be extended past the above-stated deadline, and/or the Court may issue further Orders as necessary to address the changing circumstances surrounding the COVID-19 pandemic..

Enter: March 16, 2020.



Hon. Robert P. Pilmer
CHIEF JUDGE