

**IN THE CIRCUIT COURT
OF THE SEVENTH JUDICIAL CIRCUIT
STATE OF ILLINOIS**

FILED

MAY 22 2020 1

 Clerk of the
Circuit Court

**Sangamon County Administrative Order 2020-9
Sangamon County Courthouse Procedures for COVID-19 Coronavirus**

WHEREAS, The Sangamon County Courts will take all reasonable measures to minimize personal contact to prevent the spread of the COVID-19 coronavirus.

Whereas, The Illinois Supreme Court has entered an Order in M.R. 30370 instructing the courts to continue to establish and periodically update temporary procedures to minimize the impact of Covid-19 on the court system, while continuing to provide access to justice.

Whereas, the Illinois Supreme Court has entered an Order in M.R. 30370 authorizing for essential court matters and proceedings to be heard.

Whereas, Illinois Supreme Court has entered an Order in M.R. 30370, and subsequently, amended said Order authorizing for trial courts to continue all civil and criminal trials indefinitely.

Whereas, the Sangamon County courts have conducted a review of its temporary operations and have identified a need to begin to hear certain matters that have previously been classified as non-essential in an effort to strike a balance between critical societal needs to access justice and the critical societal need to prevent the spread of the novel coronavirus and the disease, Covid-19.

Whereas, significant measures and modifications to Sangamon County facilities and the nature of conducting high volume docket calls have been implemented in response to the operational expansion contemplated by this Administrative Order. Specific measures include: the relocation of court proceedings to converted office space on the first floor of the Sangamon County Complex that will reduce elevator traffic substantially, the creation of circuit clerk payment and processing center on the first floor of the complex that will also substantially reduce elevator traffic, the creation of several additional traffic dockets in July to spread out rescheduled cases that have created a backlog, the capping of the number of defendants that will be summoned to each traffic docket, and the expansion of Sangamon County's Convenience Court traffic program to offer the public multiple opportunities to resolve their eligible traffic cases through specially created daily dockets during the month of June.

Whereas, the Sangamon County courts have secured subscriptions for the video conferencing platform Zoom for each of the members of judiciary to broaden the scope of proceedings that can be meaningfully conducted remotely.

Whereas, the Governor of the State of Illinois has imposed an Executive Order prohibiting the enforcement of eviction orders during the existence of the current disaster declaration.

WHEREFORE, IT IS HEREBY ORDERED, that the operational limitations previously imposed upon Sangamon County court proceedings shall continue with modifications as follows:

Extension of Current Operations: the operational plan, and all limitations imposed thereto, shall remain in effect through, and including, May 31, 2020.

Expansion of Hours of Operation: Beginning June 1, 2020, the Sangamon County Courts will resume normal hours of operation from 8:30 a.m. until 4:30 p.m. Monday through Friday, except for official court holidays.

Continuation and Expansion of Essential Cases and Court Proceedings: Through May 31, 2020, the Sangamon County courts will continue to hear those cases previously identified as essential, and beginning June 1, 2020, the Sangamon County courts will resume holding status hearings, motion hearings, and bench

trials in additional cases and court proceedings. The complete list of essential cases and court proceedings that will be heard pursuant to this Administrative Order as of June 1, 2020 includes:

- Criminal Felony Cases (CF)
- Traffic & DUI cases (TR, DT)
- Criminal Misdemeanor cases (CM)
- Probate (P)
- Conservation Violations (CV)
- Family Court (F, D)
- Child Support
- Law (L)
- Emergency Orders of Protection Hearings
- Tax (TX)
- Miscellaneous Remedies (MR)
- Municipal Corporations (MC)
- Adoption (AD)
- Ordinance Violations (OV)
- Eminent Domain (ED)
- Juvenile cases
- Non-Foreclosure Chancery (CH)
- Plenary Orders of Protection Hearings

Non-essential Cases and Court Proceedings: Continuing through June 30, 2020, unless modified pursuant to a periodic review hereafter conducted, the following cases and court proceedings shall be continued or otherwise postponed:

- High volume financial collection cases, specifically including small claims (SC), evictions/law magistrate (LM), and all mortgage foreclosures filed under (CH).
- On-site Weddings

Jury Trials: Continuing through June 30, 2020, unless modified pursuant to periodic review hereafter conducted, or based upon a review of this Administrative Order if so mandated by relevant Illinois Supreme Court order entered hereafter, all jury trials shall be continued as authorized in Supreme Court Order M.R. 30370.

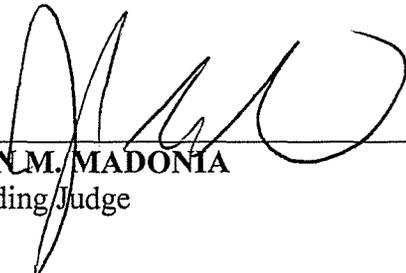
High Volume Docket Calls: All traffic, conservation, and criminal misdemeanor cases docketed for first appearance in June of 2020 shall be continued to one of the dockets created in July that will limit the number of cases being heard on the rescheduled dates and times, and will take place in the converted space on the first floor of the complex. Sangamon County is continuing to postpone court action on high volume financial collection cases that would serve to overwhelm the courthouse facilities with respect to social distancing requirements and recommendations. The court is cognizant of the needs and concerns of landlords and creditors adversely impacted by the continued inability to access the courts, and the court will continue to work to make arrangements to process those cases as timely as possible when they resume to be heard as essential cases and court proceedings. Nothing in this Administrative Order prohibits a Plaintiff from filing complaints in cases that remain classified as non-essential; however, the courts will continue to postpone any cases from being docketed for hearing through the effective period of this Administrative Order.

Expansion of Convenience Court Traffic Program: Sangamon County shall expand its Convenience Court traffic program allowing eligible traffic Defendants to schedule their court appearances on one of two daily docket calls held at Noon and 3:00 p.m. each day in June which will allow the number of backlogged cases rescheduled throughout July to be reduced in a gradual and controlled manner during June by creating more conveniently accessible dockets for the benefit of the public and the courts.

Court Appearances: Whenever feasible, and subject to constitutional limitations, all essential matters and proceedings shall be heard remotely, via telephone or video, or other electronic means. To serve this objective, any civil matter docketed for hearing will be docketed as a remote hearing via telephone conference or virtual meeting platforms such as Zoom, whichever method best serves the needs of the parties, with the court's acceptance. Any civil case scheduled for a hearing wherein the parties anticipate

the need to be physically present should seek the approval of the judge assigned to hear the matter prior to setting the case on the docket. The courts can be contacted for scheduling purposes by phone or email. Anyone with scheduling questions can contact the main receptionist line at (217) 753-6365 for guidance. Beginning June 1, 2020, physical court appearances shall be limited to attorneys and parties only. An attorney should appear for a client when the client's presence is not necessary to achieve the purpose of the hearing. Casual observers to court proceedings continue to be prohibited and parties are reminded that material witnesses to any hearing should be placed under proper subpoena to ensure access to the proceedings by security. Court participants requiring special assistance to conduct official business will be permitted entrance with one assistant. The courts will adopt a flexible approach on cases where a willful failure to appear has been declared, and trend towards granting continuances of most proceedings as justice demands and as circumstances deem appropriate. Nothing stated herein shall prohibit the court from issuing a warrant when a defendant is found to have willfully failed to appear on a case involving a possible punishment of imprisonment as a part of a sentence although discretion will be exercised in favor of continuances in most proceedings.

ENTERED THIS 21st DAY OF May, 2020.



JOHN M. MADONIA
Presiding Judge

IN THE CIRCUIT COURT
OF THE SEVENTH JUDICIAL CIRCUIT
STATE OF ILLINOIS

FILED

MAY 22 2020

1

Sangamon County Administrative Order 2020-10
Sangamon County Courthouse Procedures for COVID-19 Coronavirus



Clerk of the
Circuit Court

WHEREAS, The Sangamon County Courts will take all reasonable measures to minimize personal contact to prevent the spread of the COVID-19 coronavirus.

Whereas, The Illinois Supreme Court has entered an Order in M.R. 30370 authorizing all courts to modify or suspend any deadlines and procedures for a stated period ending no later than 30 days after the State of Illinois' Governor's state of emergency declaration.

Whereas, the Illinois Supreme Court has entered an Order in M.R. 30370 temporarily suspending the operation of Supreme Court Rules to the extent that any rule is contrary to the provisions of the Order entered in M.R. 30370.

Whereas, Illinois Supreme Court Rule 504 directs that the date set by the arresting officer, or the clerk of the circuit court, for an accused's first appearance in court shall be not less than 14 days, but within 60 days after the date of the arrest, whenever practicable.

Whereas, the size of Sangamon County requires the services of a number of law enforcement agencies resulting in large numbers of defendants being summoned to court for the same date and time for first appearances on traffic and conservation citations.

Whereas, the Sangamon County Courthouse has had, and continues to have, limited capacity to accommodate large groups of litigants that are summoned for court on the same date and time while still maintaining compliance with all mandated social distancing measures that are a necessary part of the current functionality of the Sangamon County Courthouse.

Whereas, it has not been practicable, and whereas, it will continue to not be practicable for all agencies to comply with Illinois Supreme Court Rule 504 by scheduling first appearances on all citations within 60 days of the date of the arrest as it will result in the creation of multiple docket calls throughout the upcoming months where an overwhelming number of defendants are summoned to appear at the Sangamon County Courthouse on a scheduled date and time thereby making compliance with mandated social distancing guidelines impossible to achieve, and consequently increasing the risk of placing individuals in an environment that is contrary to the public health and welfare of the citizens.

Whereas, if a Defendant does not appear, or otherwise answer the citation, on the date of a rescheduled appearance that has not been stricken, a continuance of the proceedings for a minimum of 30 days would serve to recognize the extreme disruptions the pandemic has caused all parties to court proceedings and would foster the image of flexibility that these circumstances require in order to provide meaningful access to justice. If Defendant does not respond on or before the continued court date, then the court shall enter an order for failure to appear, or issue a warrant of arrest for cases where the sentence is punishable by a possible sentence of imprisonment.

Whereas, enactment of this order will permit the processing of a substantial number of first appearance citations, and provide access to the courts for a substantial number of citizens whose cases have been suspended during the limited operations implemented in response to the Covid-19 coronavirus pandemic, while maintaining substantial compliance with social distancing measures as the Defendants are processed through the Sangamon County courthouse.

WHEREFORE, IT IS HEREBY ORDERED, that it has been, and will continue to be, impractical for arresting law enforcement agencies, or the clerk of the circuit court, to schedule all citations issued during

the pendency of Supreme Court Order M.R. 30370 for a first appearance within 60 days of the date of arrest as is otherwise required pursuant to Illinois Supreme Court Rule 504. All law enforcement agencies responsible for serving the citizens of Sangamon County are exempt from the timing directive set forth in Illinois Supreme Court Rule 504 until such time as this order is terminated, but in no case shall this order remain in effect for longer than 30 days after the termination of the Governor's state of emergency declaration. Defendants who are unable to attend court on the date of the rescheduled appearance shall be processed with a minimum 30 day continuance order on the first missed appearance. Cases with no appearance on or before the continued court date shall have an order for failure to appear entered with notice of the failure to appear sent to the Illinois Secretary of State as appropriate, or for cases where a sentence of imprisonment could be imposed, a warrant of arrest may be issued. This order serves the purposes of keeping the courts available and accessible while ensuring compliance with all public safety measurements implemented in furtherance of policy directives from federal, state and local public health advisories.

ENTERED THIS 21st DAY OF May, 2020.



JOHN M. MADONIA
Presiding Judge