

ADMINISTRATIVE ORDER
7TH JUDICIAL CIRCUIT 20-CA-7
MORGAN COUNTY, ILLINOIS

FILED
MAY 27 2020
Amy L. Sipes
Clerk of Circuit Court Morgan Co. IL

Whereas, the Corona Virus known as COVID-19 has caused the 7th Judicial Circuit to modify its operations; and

Whereas, the Supreme Court entered an Order on May 20, 2020 authorizing each circuit court to return to hearing court matters on June 1, 2020, whether in person or remotely, according to a schedule to be adopted for each county by the chief judge in each circuit; and

Whereas, the Supreme Court directed chief judges to consider the Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations During COVID-19 pandemic and the Resident Circuit Judge of Morgan County by authority of the Chief Judge has considered said guidelines in drafting the 7th Judicial Circuit Morgan County, Illinois resumption of court hearings plan;

And

Whereas, the Supreme Court, in its May 20, 2020 Order amended its previous order stating;

(See attached)

Therefore, the resident Circuit Judge of the 7th Judicial Circuit Morgan County, pursuant to the authority granted by the Supreme Court, hereby orders, authorizes and directs the courts to begin hearing all matters effective June 1, 2020 with the conditions set forth below:

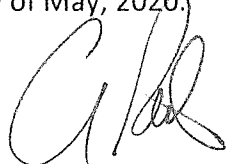
1. All persons entering the Morgan County Courthouse shall wear a mask or face covering while in the building and maintain six (6) feet of social distancing. Court staff may remove their face covering or mask in their office or work space when not in contact with others. Court staff shall refrain from using other employee's phones, desks, offices, or other work tools and equipment when possible. If necessary, clean and disinfect equipment before and after use. Litigants, attorneys or others may remove their face coverings or mask when directed to do so by the judge presiding. Judges shall exercise their discretion whether to wear a face covering or mask while conducting court proceedings.
2. It is necessary that court dates and times for proceedings be adjusted in order to maintain a reduced capacity in the courtrooms and the building. All parties are directed to review the protocol and guidelines provided and contact the presiding judge with questions to determine the conditions of operation and scheduling of types of events.

3. The use of remote access to the courts, including but not limited to audio and video virtual court sessions, is a practical solution to operate in a safe and efficient manner and may be ordered by the judge for court sessions, hearings, trials or conferences. When virtual court sessions are used it is expected that the parties and counsel will appear and behave the same as is expected of them when personally appearing in court. The particular audio or video platform to be used shall be at the discretion of the judge presiding over the proceeding.
4. Social distancing results in reduced capacities in the courtrooms and the building. Due to space constraints only necessary parties shall attend court proceedings.
5. Access to the Morgan County Courthouse is under the control of the Morgan County Sheriff Mike Carmody. Security requires all persons entering the building to pass through security screenings by deputies. In order to efficiently enter the building patrons should bring only necessary identification and documents for court proceedings. Bags, backpacks, purses and the like should not be brought for entry into the Morgan County Courthouse.
6. Anyone who is experiencing fever, chills, other symptoms, or has been exposed to COVID-19 or lives with a family member who has symptoms of COVID-19, shall notify the Circuit Judge, or supervisor before coming to the Courthouse. Anyone who has traveled outside the State or to an area in excess of 90 miles from Morgan County shall notify the Circuit Judge prior to coming to work.

It is further ordered that the Circuit Judge reserves ruling on particular trial continuances under the grant of authority from the Supreme Court pursuant to its Order of May 20, 2020 stated above.

This order shall remain in full force and effect until further order of the chief Judge.

This order is entered by the Court this 27th day of May, 2020.



Christopher E. Reif

Morgan County

Resident Circuit Judge

IN THE
SUPREME COURT OF ILLINOIS

In re:)	
)	
Illinois Courts Response to)	
COVID-19 Emergency)	M.R. 30370
)	
)	

Order

Article VI of the Illinois Constitution of 1970 vests the judicial power of our State in the Supreme Court, an Appellate Court, and the Circuit Courts. That constitutional grant of power creates a corresponding duty of service to the People of Illinois. To fulfill that duty, the judiciary's mission is to protect the rights and liberties of all by providing equal access to justice, resolving disputes, and upholding the rule of law. Those principles have always remained fundamental, even in times of crisis.

Article VI also gives general administrative and supervisory authority over the judicial branch to the Supreme Court. In the exercise of that authority, this Court has issued a series of orders governing court functions during the COVID-19 pandemic. The March 17, 2020 order directed Illinois courts to hear "essential court matters and proceedings." The order further authorized courts to conduct both essential and nonessential matters and proceedings remotely, subject to constitutional and practical limitations.

Our concerns about the health and safety of all court users, staff, and judicial officers during these extraordinary circumstances are ongoing, and our duty to the People of Illinois is ever present. That duty requires courts to resume operations as quickly and fully as possible. Various approaches for doing so based on local public health data have emerged at the national and state levels. We have considered those approaches in charting a path forward.

Pursuant to the exercise of its general administrative and supervisory authority over all Illinois courts as conferred on this Court pursuant to Article VI, Section 16 of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16), IT IS HEREBY ORDERED:

Effective June 1, 2020, the Court's order of March 17, 2020, is modified so that each circuit may return to hearing court matters, whether in person or remotely, according to a schedule to be adopted for each county by the chief judge in each circuit. The circuit courts shall continue, to the extent possible, to allow for appropriate social distancing and attempt to reduce the number of persons appearing personally for court appearances.

The factors which may be considered by the chief judge in determining whether matters may be safely heard include, but are not limited to, the following: deadlines which apply to a case or class of cases; the length of time any applicable deadline has been suspended by order of the Supreme Court or the Circuit Court; applicable information from public health authorities; limitations in court facilities or staffing; and anticipated prejudice to any class of cases as a result of continued delay. Chief judges should also take into consideration the *Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations During the COVID*

19 pandemic. Chief circuit judges should understand that local conditions may change, and their plans should contain contingencies in that event.

Local plans should continue to promote the use of remote hearings where appropriate. To the extent that the Court's order of March 17, 2020 prohibits in-person proceedings on non-essential matters, this provision is relaxed according to the plan adopted by the chief circuit judge in each circuit.

Additionally, the April 7, 2020, order regarding Illinois Courts Response to COVID-19 Emergency/Impact on Trials is modified to read as follows:

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to Article VI, Section 16 of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16); in view of the state of emergency that has been declared by the Governor of the State of Illinois in order to prevent the spread of the novel coronavirus; and in the interests of the health and safety of all court users, staff, and judicial officers during these extraordinary circumstances, and to clarify this Court's orders of March 20, 2020 and April 3, 2020, IT IS HEREBY ORDERED that the Court's orders of March 20, 2020 and April 3, 2020 are amended as follows:

The Chief Judges of each circuit may continue trials until further order of this Court. The continuances occasioned by this Order serve the ends of justice and outweigh the best interests of the public and defendants in a speedy trial. Therefore, such continuances shall be excluded from speedy trial computations contained in section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)) and section 5-601 of the Illinois Juvenile Court Act (705 ILCS 405/5-601 (West 2018)). Statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 and section 5-601 of the Juvenile Court Act shall be tolled until further order of this Court. This provision also applies when a trial is delayed when the court determines proper distancing and facilities limitations prevent the trial from proceeding safely. The judge in the case must find that such limitations necessitated the delay and shall make a record thereof.

Order entered by the Court.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court, this 20th day of May, 2020.

Carolyn Taft Gosbell

Clerk,
Supreme Court of the State of Illinois