

STATE OF ILLINOIS

David R. Cherry
Circuit Judge

Circuit Court
Seventh Judicial Circuit

Counties:

Greene
Jersey
Macoupin
Morgan
Sangamon
Scott

Scott County Courthouse
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Winchester, Illinois 62694

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**ADMINISTRATIVE ORDER 5-27-20 – RETURNING TO REGULAR COURT OPERATIONS WITH
MODIFICATIONS**

May 27, 2020

To: State’s Attorney Michael Hill, Judy Lakin, Circuit Clerk Staci Evans, Shannon Garrett, Court Reporter Michelle Lomprez, Sheriff Tom Eddinger, Custodian John Peters, County Commissioners Bob Shafer, Dan Hatcher, Weldon Fearnelyhough, County Assessor Julie Moore, Janine Little, ETS Coordinator Bill Walquist, General Assistance Retha Anders, and all attorneys

Ladies and Gentlemen:

Last Wednesday, May 20, 2020, the Illinois Supreme Court amended its latest Order affecting our Circuit Court operations. Beginning on June 1, 2020, we will resume a full schedule for court cases, with modifications and a focus on the health and safety of all courthouse employees and court patrons. All Court Staff will wear face masks or face coverings and maintain a social distancing minimum of 6 feet from other people, except when you are at your workstation. Obviously, many of us may have several workstations throughout the day which will require all of us to have a face mask or covering in our possession at all times. Eventually, we will use some type of remote court hearing for some cases, but for most criminal cases, and some civil trials, we will need to conduct face-to-face hearings to comply with constitutional requirements.

We, in Scott County, have all been fortunate to be virus-free, so far, in this unprecedented environment. Now is not the time to let our guard down by returning to previous indiscreet behaviors which could place one or more of us in danger of getting sick.

CIRCUIT CLERK'S OFFICE: Beginning June 1, 2020, we will return to our 8:00 a.m. to 4:00 p.m. office schedule, Monday through Friday. The doors to the Courthouse will still be locked, unless a Bailiff is manning an unlocked door to screen persons who wish to come in to transact business with the Court. Persons wishing to conduct business at all of the offices in the Courthouse will still continue to contact each of the offices by telephone to schedule an appointment. This means that you will continue to communicate by phone with people needing to use the Circuit Court services. The Court schedule will be as follows:

Monday – Criminal, Traffic and Juvenile cases will begin promptly at 9:30 a.m.

Tuesday – Civil cases: Divorces, Small Claims, Law cases, Probate start at 10:00 a.m.

Wednesday – Civil cases only in the morning.

Afternoons we will be in either Greene County or Morgan County

Thursday – Criminal, Traffic & Juvenile cases begin promptly at 9:30 a.m.

Friday – No Court scheduled. This is an office day for the Court to catch up.

All Emergency Petitions for Orders of Protection shall be given priority over other cases everyday. There will be no court hearings without a scheduled court time obtained from the Court.

SHERIFF'S OFFICE: We will be using the basement door on the East side of the Courthouse to screen and admit court patrons. This will be the only Courthouse entrance unlocked. We will use an Infrared Thermometer to check each person coming to the courthouse, denying anyone with a temperature over 100.5 degrees Fahrenheit. In addition, each person coming to court will enter the basement door for their temperature check, brief survey of their recent contacts as printed for them to read and sign in on the attached survey questions and sign-in sheet, including each persons name, address, cell phone number, email and survey answers "YES" or "NO". Each person will then be sent to their car to await our cell phone call to them advising them that we are ready to have them come up the elevator to court. When they are finished in court, the courtroom Bailiff will escort them to the elevator to exit the building through the same basement door where they entered.

While it may be a bit cumbersome, on June 1, 9, 11, 15, 18, 22 and 25, we will need two (2) Bailiffs for Court; one for the basement door and one for the courtroom. This is due to the number of cases we have pushed forward to re-opening Court. I think we will be able to use only one Bailiff after June, but don't hold me to that, yet. Remember, the Supreme Court did not amend its ruling which took Speedy Trial Demands off the table, until further notice. As of this date, we still have a Jury Trial setting for July 6, 2020 at 10:00 a.m. on whatever cases make it through Pre-Trial Conferences on June 9, 2020. We will await the Supreme Court's directions on Jury Trials.

The Courthouse is still closed to the public generally, open only by appointment with a specific office. Persons entering the Courthouse shall wear a face mask or covering and maintain at least 6 feet distance from another person. Conduct your business then leave the building. Only essential court matters will be conducted in person. Other matters not considered constitutionally essential will be conducted by telephone or video conferencing.

COURTHOUSE CUSTODIAN: On the above court dates, John Peters, our custodian, will be the most important person in the courtroom, because we will ask him to quickly sanitize the table and chair used by each person who appears in court. I anticipate that this will only be the one chair used at counsel table, and the tabletop where the person was sitting. This may seem like over-kill, but we cannot be lazy about this virus defense, for everyone's health.

STATE'S ATTORNEY: In the past, we have scheduled all of our cases on a time basis only, where everyone shows up at the same time and we take each case, one at a time, while everyone else sits and watches us. This has some merit to it, as people who wait become educated as to how we do business. However, since our focus has now switched to give priority to separation of people for everyone's health and safety, we will be grouping people according to "attorney" or "pro se" to further separate people in the courtroom. You may have noticed that we have marked the audience pews with orange tape to indicate authorized seating which is at least 6 feet apart. This system would allow between 20 and 25 court attendees in the courtroom at one time, including attorneys, if that was an option; however, we are aiming at bringing only one or two defendants into the courtroom at a time. This means that we will be communicating with defense counsel more often as to the exact timing of their cases on a specific day, and to do so, we will need to record everyone's cell phone and office phone, as well as emails. I know the State's Attorney's Secretary has a "cache" of phone numbers, both cell and land line, email addresses in her possession that the Court may need to assist in accomplishing this additional communication. The Clerk's office is also beginning to collect cell phone and land line numbers, and email addresses. This procedure may eliminate some of the crowding in the courtroom during Monday and Thursday court calls.

COURT PERSONNEL: The Judge, Court Reporter, Circuit Clerk, State's Attorney, Defense Counsel, and Probation Officer will all enter the courtroom wearing masks. When each person reaches his or her individual workstations, each of you may decide to keep the mask on or remove it until you leave the courtroom. Everyone else including Bailiffs, Custodian and Court patrons and Defendants shall wear masks in the courtroom at all time.

I anticipate that the above procedures will move slowly at first and, gradually, they will be more acceptable or amendable. Please do not hesitate to call my attention to any issue which should be addressed or amended.

We are all responsible adults trying to make the best of a situation we are all unsure of and cannot predict with certainty the resolution thereof. Our job during this pandemic is to do our job without causing any greater harm to anyone. In my 47 years as a lawyer, the court systems have been doing just that, and I think we should just continue doing more of the same. Thank you for your time and attention.

Sincerely,

David R Cherry
Scott County Circuit Judge