

FILED

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IN THE CIRCUIT COURT OF THE 5th JUDICIAL CIRCUIT
TOLEDO, CUMBERLAND COUNTY, ILLINOIS
ADMINISTRATIVE ORDER 2020-16

RHONDA M. WILSON
CLERK OF THE CIRCUIT COURT
OF CUMBERLAND COUNTY ILLINOIS

RESUMPTION OF COURT OPERATIONS
DURING THE COVID-19 PANDEMIC

20-CA-15

The Circuit Court for Cumberland County in the Fifth Judicial Circuit of Illinois adopts the following Administrative Order pertaining a resumption of court operations during the 2019 Novel Coronavirus pandemic:

WHEREAS, on March 17, 2020, the Illinois Supreme Court entered an Order - *In re: Illinois Courts Response to COVID-19 Emergency, MR. 30370*, directing all courts to establish and periodically update temporary procedures to minimize potential exposure to and the impact of the COVID-19 pandemic on judicial operations, while continuing to provide access to justice, and further directed that all non-essential matters and proceedings be continued or, if feasible, conducted remotely; and on March 20, 2020 entered an Order authorizing the continuance of all civil and criminal jury trials for sixty (60) days, and suspending speedy trial terms during said time period; and on April 7, 2020 entered an Order authorizing the continuance of all civil and criminal jury trials and all juvenile trials until further order of the Court, and suspending speedy trial terms in all criminal and juvenile cases during said time period;

WHEREAS, on March 20, 2020, the Chief Circuit Judge entered an Administrative Order continuing all civil and criminal jury trials within the 5th Judicial Circuit for sixty (60) days, and suspending speedy trial terms during said period; and on April 7, 2020, entered an Administrative Order continuing all civil and criminal jury trials and all juvenile trials within the 5th Judicial Circuit until further order of the court, and suspending speedy trial terms during said period;

WHEREAS, the Presiding Circuit Judge for Cumberland County has been granted temporary emergency administrative authority to enter orders affecting the general operation of the courthouse pursuant to authority granted by the Chief Circuit Judge under Supreme Court Rule 21(b);

WHEREAS, on April 1, 2020, pursuant to said authorities, the Presiding Judge of Cumberland County entered Administrative Order No. 2020-8, directing that measures be taken in response to the pandemic, intending to balance health and safety concerns with the need to continue to provide essential court services to the citizens of the County;. All of these measures restricted access to the Cumberland County courthouse, incorporated the use of videoconferencing and teleconferencing to minimize contact; followed social distancing practices; and temporarily suspended non-essential court functions until further order of the court, subject to discretionary exceptions authorized by the judge presiding over a specific case.

WHEREAS, the Presiding Judge, having considered the recommendations of local health agencies, deems that public health conditions within the County permit a resumption of Courthouse operations in a controlled manner to provide essential services to the citizens of the County, accommodate access to justice, and attend the court's administrative responsibilities, while minimizing in-person contact in an effort to protect the health and welfare of all Courthouse employees and patrons, and the community at large and impede the spread of the COVID-19 virus, by adopting the following provisions:

NOW, THEREFORE, IT IS ORDERED:

1. **Effective Date.** This Administrative Order is effective May 31, 2020 and its precautionary measures shall remain in effect until amended or modified by further order of the court.
2. The provisions of Administrative Order No. 2020-5 are hereby supplemented, and to the extent inconsistent herewith superseded.
3. **Resumption of Court Operations.** Effective June 1, 2020, it is anticipated that the Courthouse offices will operate at full capacity, subject to the discretion of elected office-holders and department heads to determine how best to implement staffing (including the use of remote access) within their respective offices, all pursuant to the County Board's Personnel Policies as may be amended from time-to-time.

Court operations will resume on that date as scheduled by Court Administration, excepting jury trials. It is the intention of the court's re-opening plan to respect public health recommendations regarding social distancing and reduce the number of persons in the Courthouse at any given time in order to best protect the health of those who are required to be present.

4. **General Restrictions upon Entry into Courthouse.** If a person has traveled to any place to which travel restrictions have been placed by agencies of the federal government within the last 21 days; resides or has had close contact with someone who has traveled to one of these areas within the last 21 days; has been asked to self-quarantine by any hospital, clinic, physician, or health agency; has been diagnosed with, or has had contact with, anyone who has been diagnosed with COVID-19; or has flu-like symptoms including fever, cough, or shortness of breath, he/she must not enter the Courthouse.

Older adults and people who have severe underlying chronic medical conditions like diabetes, cardiovascular or lung disease, long-term kidney disease, or a weakened immune system should exercise caution and discretion in determining whether to enter the Courthouse.

The court strongly encourages litigants not to bring family or friends to court appearances in any case -- civil, criminal, family, juvenile, etc. The courtrooms remain open to the public to the extent required by law, but judges are authorized, and will enforce a limit upon the number of persons who may be present and observe proceedings from the public gallery areas; and the limits may be fewer than the capacity of the courtrooms in order to comply with recommended social distancing standards. Moreover, in order to maintain appropriate limits of persons present within the Courthouse at any given time, visitors who are solely present to observe hearings may be denied entry to the Courthouse by Court Security.

5. Health Screenings. All persons entering the Courthouse are subject to a health screening to determine compliance with the general restrictions for entry, i.e., flu-like symptoms including fever, cough, or shortness of breath.

6. Masks. Anyone over two (2) years of age entering the public spaces of the Courthouse, and who can medically tolerate a face-covering, shall wear a face-covering or mask at all times when in the Courthouse and unable to maintain a six foot (6') social distance. This provision applies to all persons entering the Courthouse, including, but not limited to all State and County employees and elected officials essential to court operations (judges, court administration staff, deputy circuit clerks, state's attorney's staff, public defender staff, court security, court reporters and specialists, probation services staff, building and grounds staff, information technology staff, and the like), attorneys, litigants, witnesses, and vendors.'

All persons entering the public spaces of the Courthouse are expected to have their own face-covering. All attorneys, other members of the general public, and Courthouse personnel who are able to medically tolerate a face-covering, must wear one when located within the indoor public spaces of the Courthouse. All persons inside a courtroom, including courtroom personnel, must also wear a face-covering.

Courthouse security personnel possess a limited supply of face-coverings. Any person who does not have a face-covering and needs access to the Courthouse for the following reasons will, when available, be provided with a face-covering:

- Emergency matters;
- Petitions and hearings on:
 - Emergency and plenary orders of protection;
 - Stalking no-contact orders;

- Civil no-contact orders; and
- Firearm restraining orders;
- ~~Detention, Shelter Care, and other essential hearings in the Juvenile Division;~~
- Jurors having been summoned for duty; and
- Other matters at the discretion of courthouse security personnel.

7. **Courthouse Environment.** Facility crews shall conduct regular cleanings with an emphasis on disinfecting first-touch areas such as railings, doors knobs, counters, and areas inside elevators and restrooms. Court personnel shall conduct regular disinfecting of touch areas inside of courtrooms such as desk tops, chairs, and pens, etc.
8. **Courtroom Conduct.** Counsel and litigants shall remain seated at counsel table and maintain a safe distance between themselves, other counsel, and courtroom personnel at all times, unless otherwise allowed by the judge presiding over the hearing.
9. **Jury Trials.** Civil and criminal jury trials will resume June 3, 2020, and the Circuit Clerk is directed to summon a *petit* jury panel for said term. A Notice to Prospective Jurors regarding the COVID-19 pandemic, shall accompany each summons.
10. **High Volume Calls.** The staggering of high-volume calls into multiple settings will maintain social distancing protocols inside of courtrooms and in the hallways.
11. **Waivers of Personal Appearances.** Waivers of personal appearances in all cases, with counsel accepting notice on behalf of his/her client, and agreed orders/written pleas in traffic and misdemeanor cases is encouraged.
12. **Adult and Juvenile Probation.** Effective June 1, 2020, the Department of Court and Probation Services will operate at full capacity, subject to the discretion of the Director to limit in-person contacts, suspend certain large group meetings, and implement staffing (including the use of remote access) within the Department.


Probationers should contact their probation officer via telephone and follow their directions. Probationers should not appear at the probation office unless otherwise directed.
13. **Waiver of GAL In-Person Contacts.** The guardian ad litem in-person interview requirements pursuant to 705 ILCS 405/2-17(8) are waived until further order of the court. Such contacts may be conducted by telephone, video, or other electronic means.
14. **Marriages and Civil Unions.** The court will perform marriage and civil union ceremonies in the Courthouse. However, only the two individuals being married or joining in a civil union

are permitted to attend the ceremony. Additional people, including family and friends, will be denied access to the Courthouse, and not allowed to attend the ceremony. Weather permitting, ceremonies may be performed on the Courthouse lawn. Additional people will be allowed to attend outdoor ceremonies, so long as social distancing is maintained.

15. Miscellaneous.

- a. The court may issue further orders as necessary to address circumstances arising from the COVID-19 pandemic, including re-assessing the situation following the resumption of court operations to determine if additional measures are required to avoid the risk of spreading the COVID-19 virus.
- b. It is further ordered that this Administrative Order be filed in the Office of the Circuit Clerk of Cumberland County, and a copy be made available to the public.
- c. The Clerk of the Circuit Court is to post this Administrative Order on her website.
- d. This Administrative Order shall be posted upon the County's website.

Dated: this 27TH day of May, 2020


Jonathan T. Braden, Presiding Judge