



IN THE CIRCUIT COURT OF CHRISTIAN COUNTY

ADMINISTRATIVE ORDER RE RETURN OF ALL FACILITIES OF THE 38TH JUDICIAL CIRCUIT TO OPERATING PHASE 1

The Supreme Court issued its Order and Operational Directives effective August 1, 2020 stating the importance that the courts of Missouri remain open. The Christian County Circuit Court will remain open, while taking precautions to insure the safety of the public and staff. However, the Operational Directives require a court facility to return to Operating Phase One if a court employee working in that facility tests positive for COVID-19.

After having been in Phase 2 for two days, the 38th Judicial Circuit is returning to Phase 1 because of another positive COVID test. This Court has been dedicated to remaining as open as possible. However, the Court recognizes that bouncing in and out of Phases 1 and 2 is difficult and confusing for all court participants. Repeatedly changing appearances and hearings from in person to video creates a burden on court staff. For these reasons, the 38th Judicial Circuit will remain in Phase 1 at least until February 16, 2021. This applies to all divisions of the 38th Judicial Circuit.

YOU SHOULD RECEIVE NOTICE OF THE STATUS OF YOUR APPEARANCE/HEARING. IF YOU DO NOT, PLEASE CONTACT THE APPROPRIATE DIVISION CLERK TO DETERMINE THE STATUS OF ANY APPEARANCES/HEARINGS SET FOR FEBRUARY 16, 2021. DO NOT MAKE ASSUMPTIONS THAT SUCH APPEARANCES/HEARINGS HAVE BEEN CANCELLED.

In Phase 1, all in-person proceedings in the Justice Center are suspended except:

- Proceedings necessary to protect the constitutional rights of criminal defendants, including the right to a speedy trial, and the rights afforded under section 544.676.3;
- Proceedings pursuant to chapters 210 and 211 pertaining to juvenile delinquency and abuse, neglect, and termination of parental rights;
- Proceedings pursuant to chapter 453 pertaining to adoption;
- Proceedings pursuant to chapter 455 pertaining to orders of protection;
- Proceedings related to emergency child custody orders;

- Proceedings related to petitions for temporary restraining orders or other forms of temporary injunctive relief;
- Proceedings related to emergency mental health orders;
- Proceedings pursuant to Chapter 475 for emergency guardianship or conservatorship;
- Proceedings directly related to the COVID-19 public health emergency;
- Oral arguments regarding time-sensitive matters;
- Other exceptions approved by the Chief Justice of the Supreme Court; and
- Proceedings determined by the Judge presiding over the case to be most critical.

Each division will determine which matters will be held remotely or in person. Notice will be filed in all cases regarding whether a matter will be held in person, by video or by telephone or will be rescheduled. If you do not receive a notice, please contact the appropriate division to determine the status of your matter.

Attorneys/Parties who believe they have a critical matter that requires an in-person hearing should notify the Court.

Attorney/Parties may request a remote hearing by video or telephone.

In Phase 1, the 38th Judicial Circuit will operate with the following restrictions:

- a. Members of the public who are not involved in a court proceeding will not be allowed in the courts.
- b. The courts will continue operating under social distancing and masking protocols.
- c. Individuals will continue to be screened for COVID-19 symptoms before entering the courthouses.
- d. Only the most critical in-person proceedings will be held, with occupancy in the courtroom limited to 10 or less whenever possible.
- e. Available technologies such as teleconferences and video hearings will be used when appropriate. Attorneys are encouraged to schedule motion hearings and other matters by telephone or video conference.
- f. Large venues and common areas such as break rooms are closed. Occupancy rates in courtrooms, jury assembly rooms, and other areas in the court facility are limited to a rate of 10 or less whenever possible.
- g. Extra cleaning and disinfecting will continue to occur.

Municipal Courts

This Order does not cover the Municipal Courts in Christian County.

Questions

Please email questions to Division 1 at cindy.childress@courts.mo.gov, Division 2 at jami.mcmurry@courts.mo.gov, Division 3 at ctn.filings@courts.mo.gov and Division 4 at ctn.division4@courts.mo.gov. The phone number for Division 3 is 417-582-5120 and for Division 4 is 417-582-5160.

This Order has been approved by all Judges of the 38th Judicial Circuit.

Date: January 6, 2021

Laura Johnson, Presiding Judge