

IN THE 27th JUDICIAL DISTRICT
RENO COUNTY, KANSAS

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ADMINISTRATIVE ORDER NO. 20-02

CLERK OF DISTRICT COURT
RENO COUNTY KANSAS

Order Resuming Court Operations: A Phased Approach

BY 

This order complements actions to mitigate local or statewide outbreak of the COVID-19 disease. This order supersedes any district court orders or prior Administrative Orders of this court conflicting with this order.

In consultation with the Chief Justice and other members of the Kansas Supreme Court, it has been determined the following actions are necessary to secure the health and safety of court users, staff and judicial officers while keeping the courts operating. On May 1, 2020, the Supreme Court of Kansas issued Orders 2020-PR-044, 2020-PR-045, 2020-PR-046, 2020-PR-047, 2020-PR-048, and 2020-PR-049. All six orders relate to the finding of Chief Justice Luckert that “in-person judicial proceedings continue to pose a threat to the health and safety of court users, staff, and judicial officers.”

Order 2020-PR-045 authorizes the district court to conduct all hearings within its jurisdiction through two-way telephonic or electronic audio-visual communication, referred to herein as “remote proceedings”. The Order states “Judges and litigants are encouraged to use remote proceedings whenever possible and especially when any party, witness, attorney, or other participant expresses health concerns.” All remote hearings must comply with 2020-PR-45.

Order 2020-PR-046 suspends deadlines and time limitations for bringing a criminal defendant to trial under K.S.A. 2019 Supp. 22-3402.

Order 2020-PR-047 authorizes district court judges and hearing officers to “exempt a case from the suspension of a statutory or other deadline.” The Order also requires that no “action shall be dismissed for lack of prosecution or for the failure to meet a deadline, except when a court invokes an exception to the suspension of a deadline and has issued an order to show cause.”

Order 2020-PR-048 is immediately applicable to this court as there is no local stay-home order by county or city commissions and the courthouse will not be closed to the public for public health reasons. Order 2020-PR-048 applies if safety protocols delineated in that order for persons within the physical location of court-related activities can reasonably be met, as determined by the Chief Judge in consultation with, and as advised by, the head of the local health department. After being advised by Nick Baldetti, the head of the local public health office, and keeping in mind the safety requirements set forth in Order 2020-PR-048, the following is ordered: Security will screen all citizens entering the courthouse for COVID-19 risks. In the common areas

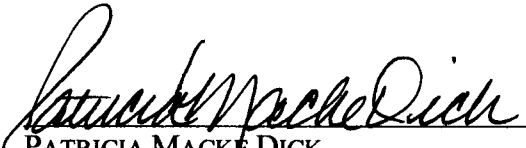
surrounding the courtrooms, chambers of judges, court services or other court offices, masks are required to be worn. Masks are defined to be a facial covering that covers mouth and nose. Courtroom surfaces will be disinfected between hearings involving different parties or attorneys. Further orders include:

Three Phase Approach following Order 2020-PR-048		
Phase 1 Order 2020- PR-048	Shall begin no earlier than May 18, 2020.	<p>Remote proceedings will be used as practicable for any hearings which may be accommodated by the same.</p> <p>In-person counter service will open through the clerk's office in the former Reno County Register of Deeds Counter on the first floor of the Reno County Courthouse. Two clerks will staff the desk and accept payments, pro se filings, marriage license applications, provide hearing times to pro se litigants and direct the public to the proper court location.</p> <p>The probation office will be open only for intake and assessment of newly assigned clients and UA's. Probation clients will report through phone, email or Zoom as directed by their officer.</p> <p>Telework is preferred and strict social distancing with masks enforced.</p>
Phase 2 Order 2020- PR-048	Shall begin no earlier than June 1, 2020	<p>Remote proceedings preferred per 2020-PR-045.</p> <p>In-person court proceedings and in-person services resume with such restrictions as advised by local health officials, including social distancing. Masks are required.</p> <p>No jury trials will be held until allowed by Administrative Order from the Kansas Supreme Court.</p> <p>In-person probation appointments will resume as deemed appropriate by the Chief Judge.</p> <p>Telework encouraged.</p>
Phase 3 Order 2020- PR-048	Shall begin no earlier than June 15, 2020.	<p>Remote proceedings preferred per 2020-PR-045.</p> <p>Court operations are authorized at pre-pandemic levels for number of occupants and employees in the courthouse. Masks are required.</p> <p>No jury trials will be held until allowed by Administrative Order from the Kansas Supreme Court but will start in this phase if allowed.</p> <p>Court employees will continue to utilize in-person and telework schedules.</p>

General Procedures Current Phase:

- a. All judges in the 27th Judicial District will coordinate operations for all possible cases through remote proceedings. Those hearings may occur without delay upon consultation with counsel and self-represented litigants. Large dockets may resume with the use of remote communication.
 - b. In-person proceedings may occur only after attempting remote communication or if in compliance with other orders. In the event of an in-person hearing, the judge shall take necessary steps to practice social distancing in order to minimize potential exposure to COVID-19. Masks will be worn by all in the courtroom with an exception for voices being too muffled for a clean record. The presiding judge must ensure that all participants in the proceeding maintain at least a 6-foot social distance from each other at all times. The courtroom will be properly disinfected and sanitized after each hearing.
 - c. Public access to court facilities is limited to litigants or court participants after attempting remote communication with the Court or after permission from the court. Spectators and family members who are not court participants may not attend proceedings until emergency conditions pass. Spectators may view hearings streamed live where applicable.
 - d. Any person, regardless of status, who is exhibiting symptoms consistent with COVID-19, or any person who has knowingly been in contact with another person who is suffering from the effects of the COVID-19 virus, is prohibited from entering any court facility. Sheriff Deputies are hereby granted the authority to screen and remove persons from courtrooms, courthouses, or court facilities in accordance with this Administrative Order.
 - e. Any person, regardless of status, shall wear a face-covering in all public areas of the courthouse, including courtrooms. Social distancing requirements will be enforced in all areas. Court staff and judges will follow the Kansas Supreme Court Safety Directives.
2. This Order shall be effective immediately and shall remain in effect until further order of this Court or the Kansas Supreme Court.

IT IS SO ORDERED, this 13th day of May 2020.


PATRICIA MACKE DICK
Chief Judge, 27th Judicial District