

**IN THE CIRCUIT COURT  
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS**

**ADMINISTRATIVE ORDER NO. 2020-12**

**OPERATIONAL PLAN FOR THE COURTS OF THE FIFTH JUDICIAL CIRCUIT,  
EFFECTIVE JUNE 1, 2020**

WHEREAS, in the exercise of its Constitutional authority, the Illinois Supreme 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; and

WHEREAS, effective June 1, 2020, the Illinois Supreme Court modified its order of March 17, 2020, permitting each circuit to 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 are directed to continue, to the extent possible, allowing for appropriate social distancing and to reduce the number of persons appearing personally for court appearances, and

WHEREAS, the Illinois Supreme Court provided guidelines (SUPREME COURT GUIDELINES FOR RESUMING ILLINOIS JUDICIAL BRANCH OPERATIONS DURING THE COVID-19 PANDEMIC) for each circuit to consider when developing operational plans beginning June 1, 2020, and has recognized that each jurisdiction is uniquely positioned to address COVID-19 challenges based on local conditions; and

WHEREAS, there exists now and may exist into the future a backlog of cases scheduled for jury trial due to continuances caused by the COVID-19 pandemic, and the continuances were authorized by Supreme Court Order M.R. 30370. There are likely to be future continuances of jury trials due to the diminished capacity of the court system to conduct jury trials while complying with public health regulations and recommendations, administrative orders, and pandemic protocols; and

WHEREAS, in considering the guidelines adopted by the Illinois Supreme Court, and in consultation with local bar associations, health departments, county officials, court staff and each

other, the judges of the Fifth Judicial Circuit have developed court operational plans for each county that are consistent with best practices and designed to aid in the administration of justice, while maintaining practices to mitigate risk of COVID-19 resurgence and protect court personnel and the public.

**NOW, THEREFORE, IT IS ORDERED:**

1. The operational plans set forth in Clark County Administrative Order 2020-3, Coles County Administrative Order 2020-8, Cumberland County Administrative Order 2020-16 (Clerk's 20-CA-15), Edgar County Administrative Order 2020-4, and Vermilion County Administrative Order 2020-12 are hereby approved effective June 1, 2020.

2. Consistent with each county plan, Jury Trials may begin no sooner than:

<b>In Clark County:</b>	July 6, 2020
<b>In Coles County:</b>	June 29, 2020
<b>In Cumberland County:</b>	June 3, 2020
<b>In Edgar County:</b>	July 21, 2020
<b>In Vermilion County:</b>	July 6, 2020


3. Until further order, the judge presiding over a division in which jury trials are held shall determine the priority of such trials and the appropriate courtroom(s) or spaces to accommodate the trials, including *voir dire* and juror deliberations. Unless directed otherwise by the Chief Judge, any courtroom judge scheduling jury trials shall have the authority to determine which case has the Number 1 rank, which case(s) will be a back-up(s), and the order of procession. In-custody criminal cases will have priority over other all other cases set for jury trial. The judge presiding may order all other cases continued. Should this procedure result in a further delay in trial, such continuance, pursuant to Illinois Supreme Court Order M.R. 30370 shall be excluded from speedy trial computations and the statutory time restrictions applicable to same shall be tolled until further order of the Illinois Supreme Court. The judge presiding is in the best position to determine the ability of the court to accommodate jury trials, taking into account facilities limitations, and the safety of the parties, jurors, court personnel, and the public, and shall make every reasonable effort to follow all public health recommendations, including social distancing precautions. The judge presiding may implement appropriate courtroom seating

restrictions to allow for personal distancing and requiring or allowing attorneys, witnesses, courtroom personnel, and/or jurors to wear face coverings when not speaking.

4. The Presiding Judge of each county in the Fifth Judicial Circuit shall continue to review and update their plan of operation, as recommended by the Illinois Supreme Court, and is hereby granted authority to modify their counties plan of operation as they deem appropriate without further order of the undersigned Chief Judge of the Fifth Judicial Circuit.

5. This Administrative Order shall supersede all previous COVID-19 Administrative Orders of the circuit.

DATED, this 29<sup>th</sup> day of May, 2020.

  
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Mitchell K. Shick, Chief Judge

**IN THE CIRCUIT COURT OF THE 5<sup>TH</sup> JUDICIAL CIRCUIT**  
**MARSHALL, CLARK COUNTY, ILLINOIS**  
**ADMINISTRATIVE ORDER 2020-3**

The Circuit Court for Clark County, Fifth Judicial Circuit of Illinois adopts the following Administrative Order pertaining to court operations during the COVID-19 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 Fifth 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 Fifth Judicial Circuit until further order of the court, and suspending speedy trial terms during said period;

**WHEREAS**, the Supreme Court of the State of Illinois entered an Order on May 20, 2020, effective June 1, 2020, which provides that the Supreme 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.

**NOW, THEREFORE, IT IS ORDERED:**

1. **Effective Date.** This Administrative Order is effective May 31, 2020, and shall remain in effect until amended or modified by further order of court.
2. **Resumption of Court Operations.** Effective June 1, 2020, court operations will resume as scheduled by court administration with an understanding that maintenance of social distancing in conformity with public health recommendations is critical for a resumption of normal operations. The public's cooperation and patience is appreciated.
3. **Entry into the Courthouse.** All persons shall enter and exit the courthouse through the south door where they will pass through a security station at which time they will be given information concerning the use of public spaces and courtrooms. Additional bailiffs and security personnel will be present on the second floor to assist the court and members of the public and otherwise provide a safe environment for all.
4. **General Restrictions upon Entry.** 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 discretion in determining whether to enter the courthouse. These individuals will be excused from court appearances so long as they communicate their health issues and concerns to the court.

The court strongly suggests that litigants not 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 to limit the

number of person who may be present and observe proceedings from the public areas; and, the limits may be fewer than the capacity of the courtrooms in order to comply with recommended social distancing standards. 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.

All persons within the courthouse, including employees, are encouraged to wash their hands often with soap and water for at least 20 seconds; avoid touching their eyes, nose and mouth with unwashed hands; stay home when sick; avoid contact with persons who are sick; and clean and disinfect frequently touched surfaces and objects.

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, high temperature or shortness of breath.
6. **Elevator.** In order to comply with social distancing guidelines no more than one person shall be present in the elevator at any given time, excepting security personnel accompanying a person in custody.
7. **Second Floor Hallway.** Seating in compliance with social distancing guidelines will be provided in the second floor hallway outside the courtrooms. Persons waiting for court, including attorneys, will be required to utilize the seating and remain quiet until their case is called for hearing. Aimless movement in and out of the courtrooms and in the second floor hallway will impede the implementation of social distancing protocols and is forbidden.
8. **Masks & Social Distancing.** Each person over 2 years of age entering the courthouse, who is able to medically tolerate a face-covering, is encouraged to wear a mask. Everyone should maintain a six-foot social distance in the public spaces and in the courtrooms, including courthouse employees, and all individuals essential to court operations, attorneys, litigants, and witnesses.

All persons entering the courthouse are expected to have their own face-covering. Court security has a limited number of face-coverings. Any person who does

not have a face-covering and desires to have one will be provided with a face-covering so long as they are available.

9. **Courthouse Environment.** All practical measures should be taken within the courthouse and courtrooms to ensure a clean environment and mitigate the risk of spreading the virus.
10. **Remote Hearings.** On May 22, 2020, the Illinois Supreme Court approved new and amended rules (Rule 45, 46, 241) governing participation in civil or criminal proceedings by telephone or video conferencing technology. It is the intention of the Circuit Court of Clark County to incorporate, where feasible and appropriate, remote hearings into permanent operations.
11. **Courtroom Conduct.** All persons in the courtroom, including counsel and clients, shall maintain a safe distance between themselves at all times including at counsel table, unless otherwise allowed by the judge presiding over the hearing. The judge may evaluate and determine where attorneys, bailiffs, litigants, court reporters, interpreters, and witnesses are situated within the courtroom and rearrange positions as necessary to maintain social distancing.
12. **Jury Trials.** Civil and Criminal jury trials shall resume July 14, 2020, and the Circuit Clerk is directed to summon a *petit* jury panel for that term. A notice regarding the COVID-19 pandemic directing jurors how to respond to a jury summons will be provided to prospective jurors.

At the time the COVID-19 pandemic erupted, there was no backlog of either civil or criminal cases scheduled for jury trial. No backlog exists now and future cases can be scheduled for trial without delay. However, it will be necessary at present to implement precautionary measures in order to best protect the health and safety of prospective jurors, attorneys, litigants, courthouse personnel and patrons.

The judge presiding over a jury trial is in the best position to determine the best means of accommodating jury trials, considering facility limitations, and is charged with making every reasonable effort to follow public health recommendations including social distancing precautions. The judge should implement appropriate courtroom

seating restrictions to allow for personal distancing and require or allow attorneys, witnesses, courtroom personnel, and/or jurors to wear face coverings when not speaking. The judge presiding over a jury trial shall determine the appropriate means of utilizing courtroom(s), hallways, and other spaces to accommodate the trials, including *voir dire* and jury deliberations.

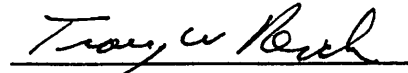
It is likely that the extra precautions necessitated by public health concerns will unavoidably result in lengthened jury trials; future continuances of jury trials may occur as a result of the diminished capacity of the court system to conduct jury trials while accommodating public health concerns. The presiding judge will make every reasonable effort to accommodate the health concerns of prospective jurors whose service is greatly appreciated.

13. **High Volume Court Calls.** Litigants and defendants present for high volume court calls will be required, as a social distancing measure, to sit in the chairs provided in the second floor hallway while awaiting their case. The judge presiding over high volume calls may give case priority to persons wearing a mask. High volume calls shall be staggered in order to ensure that the number of persons waiting for their case to be called does not exceed the number of seats available in the courtroom and in the second floor hallway.
14. **Waivers of Personal Appearance.** Waivers of personal appearance 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.
15. **Probation.** Probationers should contact their probation officer via telephone and follow their directions. Probationers should not appear at the probation office unless otherwise directed. Due to limited space in the probation office, which makes social distancing problematical, probationers are required to wear masks when entering and remaining in the office, unless excused by the probation officer for medical reasons or other sufficient cause.



16. **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.
17. **Marriages and Civil unions.** The Court will continue to perform marriage and civil union ceremonies in the courthouse as scheduled through the court administrator. However, only the two individuals being married or joining in a civil union are permitted to enter the courthouse for the ceremony. Additional people, including family and friends, will not be allowed to attend the ceremony.
18. **Miscellaneous.** Upon re-assessing the situation following the resumption of court operations, the court may issue further orders as necessary to address circumstances arising from the COVID-19 pandemic.
19. **Filing.** This Administrative Order shall be filed in the Office of the Circuit Clerk of Clark County and be made available to the public. It shall be posted publicly in the courthouse and may be posted online by the Sheriff and/or Circuit Clerk.

Dated this 28<sup>th</sup> day of May, 2020.

  
Tracy W. Resch, Presiding Judge

**IN THE CIRCUIT COURT  
OF THE FIFTH JUDICIAL CIRCUIT  
CHARLESTON, COLES COUNTY, ILLINOIS**

**ADMINISTRATIVE ORDER NO. 2020-8**

**RE: RESUMPTION OF COURT OPERATIONS**

**FILED**  
MAY 28 2020  
Melissa Hurst  
Circuit Clerk COLES COUNTY, ILLINOIS

The Circuit Court for Coles County of the Fifth Judicial Circuit of Illinois adopts the following Administrative Order pertaining to resumption of court operations during the 2020 Novel Coronavirus [COVID-19] 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 5<sup>th</sup> 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 5<sup>th</sup> Judicial Circuit until further order of the court, and suspending speedy trial terms during said period;

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

**WHEREAS**, on March 17, 2020, pursuant to said authorities, the Presiding Judge of Coles County entered Administrative Order No. 2020-2, 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; and on March 24, 2020 the Presiding Judge entered Administrative Order No. 2020-5 concerning service of misdemeanor warrants; and on April 1, 2020 the Presiding Judge entered Administrative Order No. 2020-6 by adopting supplemental and superseding provisions; and on April 28, 2020 the Presiding Judge entered Administrative Order No. 2020-7 supplementing Administrative Order Nos. 2020-2, through 2020-6 by adopting superseding provisions. All of these measures restricted access to the Coles 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 notice, subject to discretionary exceptions authorized by the judge presiding over a specific case;

**WHEREAS**, on March 20, 2020, the Governor of the State of Illinois issued Executive Order No. 8, ordering and directing all citizens of the State to remain at home or other place of residence unless performing an essential function; the terms and provisions of said Order were to be effective until April 7, 2020, unless otherwise extended by further order; and on April 1, 2020 the Governor extended the term of said Executive Order until April 30, 2020; and on April 30, 2020 the Governor extended the term of said Executive Order until May 31, 2020 and

**WHEREAS**, the Presiding Judge, acting on behalf of the Circuit Judges of Coles County, 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 Nos. 2020-2 through 2020-7 are hereby supplemented, and to the extent inconsistent herewith superseded.
3. **Resumption of Court Operations.** Effective June 1, 2020, it is anticipated that the Court-related 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.

Court operations will resume on that date, 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. Maintaining social distancing is critical for a resumption of normal operations, and the public's cooperation and patience is appreciated.

**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. These individuals will be excused from Court appearances so long as they communicate their health issues or concerns to the Court.

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 Courtrooms at any given time, visitors who are solely present to observe hearings, and not actively participate, may be denied entry to the Courtroom by Court Security; Court Security should advise the judiciary of these circumstances so that the Court can take appropriate measures to attempt to accommodate a visitor's request to attend.

All persons within the Courthouse, including employees, are encouraged to wash their hands often with soap and water for at least 20 seconds; avoid touching their eyes, nose and mouth

with unwashed hands; stay home when sick; avoid close contact with people who are sick; and clean and disinfect frequently touched surfaces and objects.

**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 is able to 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 for court-related purposes, 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, unless otherwise directed by the judge of that courtroom.

Courthouse security personnel will be supplied with 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, may 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.** Maintenance 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. Bond Court.** Bond Court hearings shall be conducted remotely through use of the court's video conferencing system Monday thru Friday at 1 pm, and, Sunday/Holiday bond hearings at 8:30 a.m. unless otherwise scheduled by the judge presiding on said hearing.

**11. Jury Trials.** Criminal jury trials will resume June 30, 2020, and the Jury Commissioner is directed to summon a *petit* jury panel for said term. A Notice to Prospective Jurors regarding the COVID-19 pandemic directing jurors how to respond to a jury summons will be provided to prospective jurors.

The court, jury commission, and Circuit Clerk shall research and implement precautionary measures to maintain public health social distancing recommendations in order to best protect the health and safety of prospective jurors, attorneys, litigants, Courthouse personnel and patrons.

**12. High Volume Calls.** The staggering of high-volume calls into multiple settings will maintain social distancing protocols inside of courtrooms and in the hallways. Subject to the discretion of the judge presiding over the division, the number of cases in each hour shall be limited so as to control the crowd size and allow for proper spacing.

For the Month of June, 2020, criminal felony hearings shall be scheduled and conducted in conjunction with the Memorandum attached hereto as Exhibit A and incorporated herein. Similarly, beginning June 1, 2020, any newly filed Coles County "LM" (also known as Landlord/Tenant) cases will follow the procedure attached hereto as Exhibit B and incorporated herein.

**13. 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.

**14. Notices to Appear.** Until further order of the court, the discretion of all law enforcement officers, authorized by Administrative Order Nos. 2020-5, to satisfy the obligation of certain warrants, bonds, or civil bench warrants by issuing the defendants/arrestees a notice to appear is extended.

**15. 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.

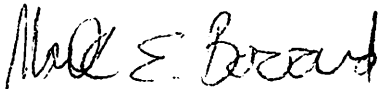
**18. Marriages and Civil Unions.** The court will perform marriage and civil union ceremonies in the Courthouse. However, only the two individuals being married or joining in a civil union are permitted to attend the ceremony. Additional people, including family and friends, will be denied access to the Courthouse, and not allowed to attend the ceremony unless otherwise approved by the judge.

**19. 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 Coles County, Illinois and be made available to the public.

Dated: this 28<sup>th</sup> day of May, 2020



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Mark E. Bovard, Presiding Judge

## **INTERIM RULES, POLICIES, AND PROCEDURES FOR FELONY COURT**

EFFECTIVE June 1, 2020 and UNTIL FURTHER NOTICE, in conjunction with the Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations During the COVID-19 Pandemic and the Administrative Orders of the Fifth Judicial Circuit of Illinois and Coles County, Illinois, the following rules, policies, and procedures are hereby implemented in Coles County felony court proceedings:

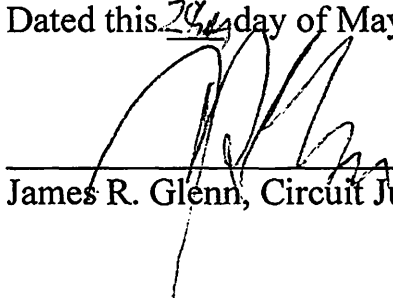
1. Subject to constitutional limitations, entry into the courtroom shall be limited to the following individuals:
  - a. Necessary court, security, and corrections personnel,
  - b. Lawyers and named parties,
  - c. One friend or family member of each self-represented litigant during the biweekly call of cases, and a limited number of support persons for each litigant during bench trials and sentencing hearings, upon prior written disclosure to and approval by the Court,
  - d. The witness testifying in a specific case,
  - e. The interpreter assisting in a specific case,
  - f. Crime victims, as defined in the Rights of Crime Victims and Witnesses Act, 725 ILCS 120/3(a), in the specific case in which their rights are at issue,
  - g. The news media, and
  - h. Other individuals approved by the Court.
2. Masks and face coverings shall be worn in the gallery of the courtroom, in accordance with current public health requirements, but may be removed in the front portion of the courtroom, if social distancing can be maintained and the individual may be called upon to speak.
3. Confined inmates shall appear remotely by Skype, Zoom, or other video conferencing services for bond hearings, preliminary hearings, and non-evidentiary hearings, unless otherwise approved by the Court. Said inmates shall be brought to the courtroom for all other evidentiary hearings and trials.
4. Other parties shall appear for all hearings, if ordered by the Court to do so, but will be excused and discouraged from appearing at status and pretrial hearings where no meaningful action will take place. Meaningful actions include bond hearings, initial appearances, preliminary hearings, arraignments, motion hearings, hearings at which trials will be scheduled, hearings at which a plea or admission is anticipated, trials, and sentencing hearings.





5. The cases of Assistant Attorney General Barry Schaefer and Special Prosecutor Ralph Fowler set by agreement during the morning of the biweekly call of cases will be called at 9:00 a.m. or shortly thereafter, unless otherwise determined by the lawyers and the Court.
6. The cases of all other assistants attorney general and special prosecutors set by agreement during the morning of the biweekly call of cases will be called at 10:30 a.m. or shortly thereafter, unless otherwise determined by the lawyers and the Court.
7. The cases of Public Defender Anthony Ortega set by agreement during the morning of the biweekly call of cases will be called at 9:00 a.m. or shortly thereafter, unless otherwise determined by the lawyers and the Court.
8. The cases of Public Defender Stephanie Corum set by agreement during the morning of the biweekly call of cases will be called at 10:00 a.m. or shortly thereafter, unless otherwise determined by the lawyers and the Court.
9. The cases of Todd Reardon set by agreement during the morning of the biweekly call of cases will be called at 11:00 a.m. or shortly thereafter, unless otherwise determined by the lawyers and the Court.

Dated this 29<sup>th</sup> day of May, 2020



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James R. Glenn, Circuit Judge

**LM Procedure Effective June 1, 2020**

1. All summonses will require the written appearance of the defendant by a date/time as indicated on the summons, with the Summons to be issued for a date returnable that is not less than 21 days or more than 40 days after issuance. Summonses shall not require in-court first appearances and must have an entry of appearance form approved by the court and a copy of this explanatory form attached. All Defendants shall make their appearances in the case by filing a written entry of appearance on or before the return date stated in the summons, admitting or denying the claim and paying the required filing fee (or obtaining a fee waiver). Failure to comply will result in a default judgment in favor of the Plaintiff and the Plaintiff may submit a proposed default judgment order for entry immediately after the stated appearance date.
2. Defendants are required to provide a current working telephone number and e-mail address (if available) on the entry of appearance form so that future hearings may be scheduled and conducted remotely (by telephone, Zoom, Skype or similar electronic means). If a Defendant does not have the means to appear and participate remotely, the parties shall contact the Coles County Court Administrator at 217-348-0538 to schedule an in-court appearance.
3. While all court proceedings shall remain open to the public, in an effort to curb the spread of Covid-19, only the named parties to the lawsuit, their legal representatives and necessary witnesses should appear in court at any hearing or trial unless otherwise approved by the trial judge. Both parties are ordered to provide the names of all witnesses to the court in writing at least ten days prior to trial unless otherwise ordered by the court. This will be done by filing a document entitled "List of Witnesses" in the Circuit Clerk's Office.
4. All supplementary proceedings (i.e. Petitions for Rules to Show Cause, Citations to Discover Assets, etc.) shall be conducted remotely unless otherwise ordered by the court. The party requesting the hearing shall coordinate with the opposing party and obtain a hearing date from the Court Administrator and send written notice to the opposing party clearly setting forth the date, time and manner in which the parties are to appear remotely (either by telephone, Zoom, Skype or other electronic means). If a party believes that the matter cannot be addressed remotely and that there is a need for an in-person hearing, that party should contact the Coles County Court Administrator at 217-348-0538 to request an in-court setting.



FILED

MAY 27 2020

IN THE CIRCUIT COURT OF THE 5<sup>th</sup> 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 5<sup>th</sup> 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 5<sup>th</sup> 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.

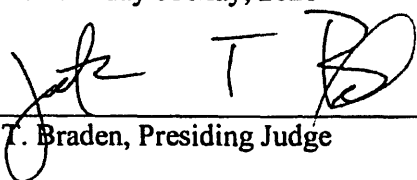
Probationers should contact their probation officer via telephone and follow their directions. Probationers should not appear at the probation office unless otherwise directed.
  13. **Waiver of GAL In-Person Contacts.** The guardian ad litem in-person interview requirements pursuant to 705 ILCS 405/2-17(8) 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, Illinois and 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 27<sup>TH</sup> day of May, 2020

  
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Jonathan T. Braden, Presiding Judge

**IN THE CIRCUIT COURT  
FOR THE FIFTH JUDICIAL CIRCUIT  
EDGAR COUNTY, PARIS, ILLINOIS**

**ADMINISTRATIVE ORDER NO. 2020-4  
RE  
CONTROLLED RESUMPTION OF COURT OPERATIONS  
DURING THE COVID-19 PANDEMIC**

The Circuit Court for Edgar County in the Fifth Judicial Circuit of Illinois adopts the following Administrative Order pertaining to resumption of court operations during the 2019 Novel Coronavirus (COVID-19) pandemic:

The Supreme Court of the State of Illinois having entered an Order on May 20, 2020 which provides effective June 1, 2020, the Supreme 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. The Circuit Court 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.

**NOW, THEREFORE, IT IS ORDERED:**

**1. Effective Date.** This Administrative Order is effective June 1, 2020, and any precautionary measures in this Order shall remain in effect until amended or modified by further order of the Court.

**2. Resumption of Court Operations.** Effective June 1, 2020, it is anticipated that Court Operations will resume as scheduled by Court Administration excepting the following. It is the intention of the Court's reopening plan to respect public health recommendations regarding social distancing in reducing the number of persons in the courthouse at any given time.

**3. 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.



Order 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.

Subject to constitutional limitations, entry into the Courthouse for hearings shall be limited to attorneys and named litigants. 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.

All persons within the courthouse, including employees, are encouraged to wash their hands often with soap and water for at least 20 seconds; avoid touching their eyes, nose and mouth with unwashed hands; stay home when sick; avoid close contact with people who are sick; and clean and disinfect frequently touched surfaces and objects.

In order to comply with social distancing guidelines, excepting security personnel accompanying a person in custody, no more than two (2) persons shall be present in the elevator at any given time.

**4. Masks.** Anyone over two (2) years of age entering the public spaces of the Courthouse, and who is able to medically tolerate a face-covering, is encouraged to wear a face-covering or mask at all times. Entry and exit shall remain at the basement door. Everyone is encouraged, when possible, to maintain a six foot (6') social distance. This provision applies to all persons entering the courthouse, including, but not limited to State and County employees, and all individuals essential to court operations, attorneys, litigants, and witnesses.

Courthouse personnel may remove their face covering or mask in their office or work space when not in contact with others or are 6 feet distant from others. All persons inside a courtroom, who are able to medically tolerate a face-covering, including courtroom personnel, are encouraged to wear a mask. Litigants, attorneys or others may remove their face covering or mask when directed or authorized to do so by the judge presiding over the hearing.

All persons entering the public spaces of the courthouse are expected to have their own face-covering. Court Administration has a limited number of face-coverings. Any person who does not have a face-covering, and desires to have one, will be provided with a face-covering for so long as they are available.

**5. Courthouse Environment.** All practical measures should be taken within the Courthouse and courtrooms to ensure a clean environment and mitigate the risk of spreading the virus. Hand sanitizer shall be provided within the Courthouse and courtrooms.

**6. Remote Hearings.** The court recommends conducting hearings in both civil and criminal cases remotely if the hardware and software to do so is available. It is the intention of the court that remote hearings will become part of the Court's permanent operations.

**7. Courtroom Conduct.** The judge presiding over a hearing may evaluate and determine where attorneys, bailiffs, litigants, court reporters, interpreters, and witnesses are situated within the courtroom and rearrange the positions as necessary to maintain social distancing. All persons present in any courtroom or public space of the Courthouse shall follow all instructions/markings employed to facilitate or identify social distancing spacing.

**8. Jury Trials.** Criminal jury trials shall resume on July 21, 2020. Civil Jury trials will resume at some point thereafter as scheduled.

The Court, jury commission and Circuit Clerk shall research and implement precautionary measures to maintain public health, social distancing recommendations in order to best protect the health and safety of prospective jurors, attorneys, litigants, Courthouse personnel and patrons.

**9. High Volume Calls.** The staggering of high volume calls into multiple settings will maintain social distancing protocols inside the courtrooms and in the hallways. Subject to the discretion of the judge presiding over each high volume calls, no more than 15 cases shall be scheduled each hour.

**10. Waivers of Personal Appearance/Agreed Orders/Pleas.** In all cases where a litigant is represented by counsel, waivers of personal appearance, with counsel accepting notice on behalf of his/her client, and are encouraged. Likewise, agreed orders/written pleas in traffic and misdemeanor cases are also encouraged.

**11. Probation.** Probationers should contact their probation officer via telephone and follow their directions. Probationers should not appear at the probation office unless otherwise directed.

**12. 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.

**13. Marriages and Civil Unions.** The Court will continue to 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.

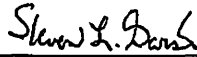
**14. Miscellaneous.**

(a) The court may issue further orders as necessary to address circumstances and conditions 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 protect court personnel and the public.

(b) It is further ordered that is Administrative order be filed in the Office of the Circuit Clerk of Edgar County and be made available to the public.

(c) The Clerk of the Circuit Court is to post this Administrative Order on its website.

DATED this 27 day of May, 2020

  
\_\_\_\_\_  
Steven L. Garst, Presiding Judge

## **EXHIBIT A**

### **COVID-19 PRECAUTIONS FOR PETIT JURORS**

The presence of the coronavirus/COVID-19 in our community requires vigilance from all of us. The Court temporarily paused the summoning of jurors in response to guidance from public health officials. Consistent with that same guidance, we are resuming jury trials beginning in July.

For the protection of jurors, the Jury Commission is implementing the following protective measures after review of recommendations from the Center for Disease Control and Prevention (CDC) and the Edgar County Health Department:

- Thorough daily cleaning of the Courthouse;
- Calling in a smaller number of jurors (only essential amount needed)
- Implementing social distancing protocols with proper signage and traffic control; and Providing hand sanitizer and disinfectant wipes.

Jury trials are the bedrock of our justice system. You have been summoned to serve only because your service is essential. If you are called and selected, you will only be asked to hear one case. We encourage you to consider the following personal precautions while at the Courthouse:

- Attempt to keep a six-foot distance between yourself and others;
- If you cannot always maintain personal separation (which can be a challenge in the Court), you will be required to wear a face-covering. We encourage you to bring one if you are able.
- Wash your hands often and remember to always cover your mouth and nose with a tissue when you cough or sneeze, or use the insides of your elbow.

### **POSTPONEMENT OF JURY SERVICE**

Based on currently available information and clinical expertise, older adults and people of any age who have serious underlying medical conditions might be at higher risk for severe illness from COVID-19. If you fall within any of the high-risk categories listed below, you may call or email the Edgar County Circuit Clerk and request a postponement of your jury service:

- People 65 years or older;
- People who live in a nursing home or long-term care facility
- People with chronic lung disease or moderate to severe asthma;
- People who have serious heart conditions;
- People who are immunocompromised;
- People with severe obesity (body mass index [BMI] or 40 or higher);
- People with diabetes;
- People with chronic kidney disease undergoing dialysis;
- People with liver disease;

**Any juror appearing for jury duty with a temperature, COVID-type symptoms or who has been exposed to a positive case in the past 14 days will not be allowed to serve.**

If you have any questions or you want to request a postponement of your jury service you must call or email us within 10 days of receiving this notice. You can call 217/466-7447 or by email [abarett@edgarcountyillinois.com](mailto:abarett@edgarcountyillinois.com)

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
VERMILION COUNTY, ILLINOIS**

**ADMINISTRATIVE ORDER NO. 2020-12**

**RE**

**PLAN FOR THE RESUMPTION OF ALL COURT OPERATIONS  
DURING THE COVID-19 PANDEMIC**

The Circuit Court for Vermilion County in the Fifth Judicial Circuit of Illinois adopts the following Administrative Order pertaining to a measured and structured resumption of all court operations during the 2019 Novel Coronavirus [COVID-19] 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; and on May 20, 2020 entered an Order authorizing each Circuit to return to hearing court matters, whether in person or remotely, according to a schedule to be adopted for each County by the Chief Circuit Judge; and on that day also issued guidelines for resuming court operations;

**WHEREAS**, on March 20, 2020, the Governor of the State of Illinois issued Executive Order No. 8, ordering and directing all citizens of the State to remain at home or other place of residence unless performing an essential function; the terms and provisions of said Order were to be effective until April 7, 2020, unless otherwise extended by further order; and on April 1, 2020 the Governor extended the term of said Executive Order until April 30, 2020; and on April 30, 2020 the Governor extended the term of said Executive Order until May 31, 2020;

**WHEREAS**, on March 20, 2020, the Chief Circuit Judge entered an Administrative Order continuing all civil and criminal jury trials within the 5<sup>th</sup> 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 5<sup>th</sup> Judicial Circuit until further order of the court, and suspending speedy trial terms during said period; and it is anticipated that on May 28, 2020, the Chief Circuit Judge will enter an Administrative Order authorizing the resumption of civil and criminal jury trials, and juvenile delinquency trials within Vermilion County as of July 6, 2020;

**WHEREAS**, the Presiding Circuit Judge for Vermilion County has been granted temporary emergency administrative authority to enter orders affecting the general operation of the Rita B. Garman Vermilion County Courthouse [the Courthouse] pursuant to authority granted by the Chief Circuit Judge under Supreme Court Rule 21(b);

**WHEREAS**, on March 17, 2020, pursuant to said authorities, the Presiding Judge of Vermilion County entered Administrative Order No. 2020-1, 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; and on March 25, 2020 the Presiding Judge entered Administrative Order No. 2020-5 amending Administrative Order No. 2020-1 by adopting superseding provisions; and on April 1, 2020 the Presiding Judge entered Administrative Order No. 2020-6 amending Administrative Order Nos. 2020-1 and 2020-5 by adopting superseding provisions; and on April 30, 2020 the Presiding Judge entered Administrative Order No. 2020-9 amending Administrative Order Nos. 2020-1, 2020-5, and 2020-6 by adopting superseding provisions. All of these measures restricted access to the Rita B. Garman Vermilion County Courthouse; incorporated the use of videoconferencing and teleconferencing to minimize personal contact; followed social distancing practices; and temporarily suspended non-essential court functions through May 29, 2020, subject to discretionary exceptions authorized by the judge presiding over a specific case;

**WHEREAS**, the Circuit Judges of Vermilion County having considered local public health data and the recommendations of local health agencies based upon that data, deem that public health conditions within the County permit a resumption of Courthouse operations in a measured and structured manner to minimize in-person contact, protect the health and welfare of all Courthouse employees and patrons, and the community at large, and mitigate the risk of resurgence of the COVID-19 virus, while fulfilling the judiciary's mission to protect the rights and liberties of the People by providing equal access to justice, resolving disputes, upholding the law, providing essential services to the citizens of the County, and attending the court's administrative responsibilities; and

**WHEREAS**, the Circuit Judges of Vermilion County, acting through the Presiding Judge, having balanced public health and safety considerations with the need for judicial access and openness, and considered those factors specifically set forth in the Supreme Court Order entered May 20, 2020, adopt 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 Nos. 2020-1 through 2020-11 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 and face-to-face appointments within their respective offices (including through the use of remote systems), all staffing decisions shall be in conformity with 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 and abide by the public health recommendations of the Centers for Disease Control and Prevention and the County's Health Department 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. Maintaining personal hygiene, social distancing, and wearing face-coverings are critical for a resumption of normal court operations, and the public's cooperation and patience is appreciated. As noted in the Supreme Court guidelines for resuming operations: "Most individuals do not come to court by choice. As such, courts have a particularly compelling responsibility to make certain that courthouses are safe. Procedures that involve large numbers of individuals, such as ... jury duty, need to be implemented in a manner that not only assures safety but also makes individuals *feel* safe before and after they arrive at the courthouse."

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 twenty-one (21) days; resides or has had close contact with someone who has traveled to one of these areas within the last twenty-one (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.

If any person meets the above criteria and is scheduled to appear at any hearing before the court, he/she must notify the Court Administrator, preferably prior to the date of appearance, so that appropriate safeguard measures may be taken or the hearing continued. Judges will

consider all requests for a continuance on a case-by-case basis. It is recommended that all such requests be supported by medical documentation of the health condition. Attorneys and/or litigants who are unable to be present in courtrooms may be able to appear remotely with the permission of the judge presiding over the hearing.

A Notice advising the public of these restrictions upon entry into the Courthouse, in a form substantially as that attached hereto as Exhibit A, shall be posted at the entrance to the Courthouse and upon the County's website.

Subject to constitutional limitations, entry into the Courthouse for hearings shall be limited to attorneys, named litigants, and necessary witnesses. The court strongly encourages litigants not to bring family, friends, or spectators to court appearances in any case. 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. The limits may be fewer than the capacity of the courtrooms in order to comply with recommended social distancing standards. Moreover, consistent with social distancing recommendations, in order to maintain an appropriate limit 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.

All persons within the Courthouse, including employees, are encouraged to be alert for symptoms of COVID-19, such as fever, cough, and shortness of breath; cover coughs and sneezes; stay home when sick; wash hands often with soap and water for at least twenty (20) seconds; avoid touching eyes, nose and mouth with unwashed hands; avoid close contact with people who are sick; and clean and disinfect frequently touched surfaces and objects.

In order to comply with social distancing guidelines, excepting security personnel accompanying a person in custody, no more than two (2) persons shall be present in an elevator cab at any given time.

5. **Health/Wellness Screenings.** All persons entering the Courthouse are subject to a health or wellness screening to determine compliance with the general restrictions for entry, i.e., COVID-19 or 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 is able to medically tolerate a face-covering, shall wear a face-covering or mask at all times when located within the indoor public spaces of the Courthouse and shall, when possible, 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.'

Courthouse personnel may remove their face covering or mask in their office or work space when able to maintain social distance. All persons inside a courtroom, who are able to medically tolerate a face-covering, including courtroom personnel, must also wear one at all times while inside of the courtroom. Litigants, attorneys or others may remove their face covering or mask when directed or authorized to do so by the judge presiding over the hearing.

All persons entering the public spaces of the Courthouse are expected to have their own face-covering. Court Administration will provide Courthouse security personnel with a limited supply of face-coverings. Any person who does not have a face-covering and needs access to the Courthouse will, when available, be provided with a face-covering. If a person enters the Courthouse without a mask and none are available from security personnel, entrance to the Courthouse will be denied.

7. **Courthouse Environment.** All practical measures should be taken within the Courthouse and courtrooms to ensure a clean environment and mitigate the risk of spreading the virus. Hand sanitizer shall be provided within the Courthouse and courtrooms. 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 keyboards, desk tops, counters, and chairs.
8. **Remote Hearings.** The Supreme Court, in Supreme Court Rules 45, 46, and 241, along with its Remote Court Proceedings – Guidance Document, authorizes and encourages the use of remote technology to conduct court proceedings, including the taking of testimony, finding the use of such technology increases accessibility to the courts, aids in the efficient administration of justice, avoids delays in trials, and more efficiently administers testimony for case participants who face an obstacle to appearing personally in court such as illness, disability, or distance from the Courthouse.

The court recommends conducting hearings in both civil and criminal cases remotely (through videoconference and/or teleconference) where appropriate. Courts throughout the nation have taken advantage of technology during the COVID-19 pandemic and integrated its usage into courtrooms. Since many social distancing guidelines may continue well past the COVID-19 pandemic, it is the intention of the court that remote hearings become a part of our court's permanent operations.

Subject to the discretion of the judge presiding over the hearing, in-custody hearings where the defendant's personal presence is not mandated or is waived may be conducted via the Courthouse/Public Safety Building videoconference system.

The court, along with Technology Services, Court and Probation Services, Court Reporting Services, and attorneys serving both the private and public sectors, has drafted and shall implement guidelines or protocols for conducting hearings remotely (both teleconference and videoconference hearings). Said guidelines and protocols, attached hereto as Exhibit B, are adopted as a local rule of this court.

9. **Approval of Online Parenting Education Programs.** The court shall consider and approve the curriculum and competencies of online parenting education programs, the satisfactory completion of which would meet a parent's obligations under Supreme Court Rule 924.
10. **Courtroom Conduct.** The judge presiding over a hearing may evaluate and determine where attorneys, bailiffs, litigants, court reporters, interpreters, and witnesses are situated within the courtroom and rearrange the positions as necessary to maintain social distancing. As a general rule, counsel and litigants present in any courtroom 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. All persons present in any courtroom or public space of the Courthouse shall follow all instructions/markings employed to facilitate or identify social distancing spacing, as well as all instructions of court security personnel and bailiffs.
11. **Sunday/Holiday Bond Court.** Sunday/Holiday Bond Court hearings shall be conducted remotely through use of the Courthouse/Public Safety Building videoconference system.
12. **Grand Jury Proceedings.** Grand Jury proceedings will resume July 2, 2020, and the Circuit Clerk is directed to summon a grand jury panel for said term. A Notice to Prospective Grand Jurors regarding the COVID-19 pandemic, in a form substantially as that attached hereto as Exhibit C, shall accompany each summons.
13. **Jury Trials.** Civil and criminal jury trials will resume July 6, 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, in a form substantially as that attached hereto as Exhibit D, shall accompany each summons.

The court, jury commission, and Circuit Clerk shall monitor local public health data and implement social distancing and other precautionary measures based upon the recommendations of local health agencies to best protect the health and safety of prospective jurors, attorneys, litigants, Courthouse personnel and patrons.

**14. Juvenile Delinquency Adjudicatory Hearings.** Juvenile Delinquency adjudicatory hearings will resume July 6, 2020.

**15. High Volume Calls.** The staggering of high-volume calls into multiple settings will maintain social distancing protocols inside of courtrooms and in the Courthouse hallways. Subject to the discretion of the judge presiding over the Division, no more than twenty (20) cases shall be scheduled each hour (depending upon the historical appearance rate), with a target of fifteen (15) hearings.

**16. Waivers of Personal Appearances/Agreed Orders/Pleas.** In all cases where a litigant is represented by counsel, waivers of personal appearances, with counsel accepting notice on behalf of his/her client, and are encouraged. Likewise, agreed orders/written pleas in traffic and misdemeanor cases are also encouraged.

**17. Payment Due Dates:** The Circuit Clerk shall continue to accept payments for court-ordered assessments, fines, fees, costs, restitution, and maintenance (alimony). Nothing in this or prior Administrative Orders shall be construed as extending the due date of maintenance or child support payments. However, pursuant to Administrative Order 2020-5, the due dates for all court-ordered assessments, fines, fees, costs, and restitution in Traffic, DUI, criminal felony, criminal misdemeanor, and juvenile delinquency cases were extended for ninety (90) days to June 25, 2020. That date stands. Persons owing payments in these criminal, traffic and delinquency matters will not be penalized or face interest or late charges for failing to remit payments prior to that date, but may be so penalized thereafter.

The public is reminded that certain traffic tickets may be paid by mail, online, or at the Circuit Clerk's window. For more information, the public should call: (217) 554-7720. In order to minimize personal contacts, the public is encouraged to pay eligible traffic tickets by mail or online.

**18. Notices to Appear.** Until further order of the court, the discretion of all law enforcement officers, authorized by Administrative Order Nos. 2020-3, 2020-4, 2020-7, and 2020-10, to satisfy the obligation of certain warrants, bonds, or civil bench warrants by issuing the defendants/arrestees a notice to appear, or alternatively, releasing the defendants/arrestees on a \$1,000 personal recognizance bond without the necessity of appearing before the court is extended.

**19. 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 his/her directions. Probationers should not appear at the probation office unless otherwise directed.

- 20. Juvenile Detention Center.** Until further order of the court, the Director of the Juvenile Detention Center may implement visitation and transport procedures for minors held at the Detention Center in order to minimize potential exposure to COVID-19 as authorized by Administrative Order Nos. 2020-2 and 2020-8, including suspending all travel, transports, and returns of juveniles, by Detention Center staff, to and from the Detention Center, to and from any location outside of Vermilion County. Nothing in this Administrative Order shall be construed as prohibiting personnel from other counties from transporting and returning juvenile detainees to and from the Detention Center, nor of prohibiting the Detention Center from admitting juveniles who have been so transported and returned from outside Vermilion County to the facility.

The Director of the Detention Center is authorized to implement policies for the medical screening of juveniles presented to the Detention Center for admission and/or return to determine the presence of symptoms of COVID-19, refuse to accept custody of juveniles who exhibit such symptoms, and deny their admission to the facility until such time as they have received medical clearance. Non-essential personnel/visitors may be denied access to the facility to ensure the health and safety of minor detainees and Detention Center staff.

- 21. 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.

- 22. Marriages and Civil Unions.** Until further order, 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.

**23. Miscellaneous.**

- a. The court may issue further orders as necessary to address circumstances and conditions arising from the COVID-19 pandemic, including re-assessing the provisions of this Administrative Order following the resumption of court operations to determine if additional measures are required to protect court personnel and the public, and/or whether public health conditions warrant the easing of precautionary measures.
- b. It is further ordered that this Administrative Order be filed in the Office of the Circuit Clerk of Vermilion County, Illinois and be made available to the public.

- c. The Clerk of the Circuit Court is to post this Administrative Order on his website.
- d. This Administrative Order shall be posted upon the County's website.
- e. This Administrative Order is effective *instantly*.

**Dated:** this 26<sup>th</sup> day of May, 2020



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Thomas M. O'Shaughnessy, Presiding Judge

**Exhibit A**

**YOU SHOULD NOT ENTER THE COURTHOUSE  
IF YOU:**

- **You have been in China, Italy, Iran, or South Korea within the last 14 days;**
- **You reside or have had close contact with someone who has been in one of these countries within the last 14 days; or**
- **You have been asked to self-quarantine by any hospital, clinic, physician, or health agency; or**
- **You have been diagnosed with, have had contact with, anyone who has been diagnosed with COVID-19; or**
- **You have flu-like symptoms including fever, cough, or shortness of breath.**

**Instead, you should immediately call the Court Administrator at 217/ 554-7830 and report your situation for instructions on how to proceed.**

**If you have a scheduled appearance or were otherwise directed to attend court today, you will not be penalized for your absence provided you call the Court Administrator.**

Exhibit B

**GUIDELINES  
FOR REMOTE COURTROOM PROCEEDINGS  
IN THE CIRCUIT COURT FOR  
VERMILION COUNTY ILLINOIS**

**Committee on Remote Courtroom Proceedings:**

Hon. Mark S. Goodwin, Committee Co-Chair  
Hon. Karen E. Wall, Committee Co-Chair  
Jamie Atkinson, Court Reporting Services  
Thomas M. Gregory, Director of Court and Probation Services  
Kaylan V. Huber, Attorney at Law  
Teri Huchel, Deputy Circuit Clerk  
Liya Hussmann Rogers, Attorney at Law  
Michael T. Mara, Public Defender  
Leon S. Parker, Attorney at Law  
Michael P. Pawl, First Assistant State's Attorney  
Cynthia Savalick, Court Administrator  
Brian Talbott, Technology Services

May 2020

In an effort to address the unique needs created by the current pandemic and to ensure that the administration of justice may continue during this time and after the resumption of usual court operations, the Committee on Remote Courtroom Proceedings, pursuant to Illinois Supreme Court Rules 45, 46, and 241, has compiled the following guidelines to assist in conducting courtroom proceedings remotely. Remote hearings in this context are either telephonic events and/or video conferencing events that are intended to substitute for in-person, courtroom proceedings. While there are several platforms for conducting telephonic and/or video conferencing proceedings, these guidelines are suggested with the employment of a standard telephone for telephonic proceedings and/or Zoom for video conferencing proceedings.

**Eligibility for Remote Hearings.** All types of matters are eligible for a remote hearing. Eligibility does not depend upon whether a party is represented by an attorney. As guidance, the following presumptions are created relative to issues that are sought to be addressed by the Court. These presumptions will be reviewed and modified as necessary in an ongoing effort to expand access to justice.

**A. Presumed Eligibility.** The following civil and/or criminal matters are presumed eligible for remote hearings:

1. progress calls, status conferences, pre-trials and case management conferences;
2. motion hearings other than motions for default;
3. non-evidentiary hearings; and
4. prove-ups, although, as an alternative, parties are encouraged to consider seeking final dissolution judgments and parenting allocation judgments without a court appearance as set forth in Vermilion County Standing Order No. 2020-01.

**B. Presumed Ineligibility.** The following civil and/or criminal matters are presumed ineligible for remote hearings:

1. first appearances;
2. shelter care, adjudicatory, and dispositional hearings in juvenile matters;
3. hearings regarding orders of protection and no-contact/stalking orders;
4. hearings in which a party is seeking a sanction for contempt of court;
5. hearings in which a party is seeking a finding of default or entry of a default judgment;
6. evidence suppression hearings; and
7. evidentiary hearings, especially those in which tangible evidence is being offered.

**Remote Hearings Eligibility Dispute.** If there is a dispute between parties concerning eligibility of an issue for a remote hearing, the proponent of the use of a remote hearing shall file a motion to set a remote hearing. The opponent of the remote hearing may file a response but must do so within seven (7) days. After the time for a response is passed, and not with the motion to set a remote hearing, the proponent shall upload a proposed order which allows for alternative forms of relief. The clerk will forward the order to the judge, who will determine the issue. **Note: The filing of a proposed order after the expiration of seven (7) days is the only trigger that brings the motion to a judge's attention. An order filed with a motion will not be seen nor acted upon by a judge.**



**Scheduling a Remote Hearing.** After any eligibility disputes are determined (through an agreement or Court order), the parties shall have the remote hearing scheduled. Holding a hearing remotely requires proper preparation and planning. The steps required prior to any remote hearing are as follows:

A. The parties shall file either the joint motion to set a telephonic or video conferencing remote hearing and agreed order or secure an order from the Court without an agreement for the holding of a telephonic or video conferencing remote hearing. Actual facsimile signatures on all documents, not typewritten signatures, are required. Sample forms for the motions and orders are attached hereto as Ex. 1 through Ex. 4. The assigned judge will then review the file and either approve the order or reject it and make a docket entry as to the reasons for any rejection. The judge may also conduct a telephonic remote hearing on the motion. **Note: The filing of a proposed order is the only trigger that brings the motion to a judge's attention. A joint motion filed without a proposed order will not be seen nor acted upon by a judge.**

B. Upon entry of any order authorizing a hearing, a hearing date shall be obtained through the Court Administrator's Office (217/ 554-7830) or through the appropriate scheduling desk in the Circuit Clerk's office (217/554-7700).

C. After the time and date have been determined, the party scheduling the hearing shall provide notice of the hearing to all other parties. In the notice, in addition to the time, date, and subject matter of the hearing, the party shall specify:

1. that the hearing is to be conducted remotely by telephone or through video conferencing; and
2. the telephone number or e-mail address at which each party or their counsel may be reached for the hearing.

The notice required must comply with applicable procedural rules and be filed with the Circuit Clerk no less than 72 hours prior to the remote hearing. A sample notice form is attached hereto as Ex. 5.

D. If an opposing party has not appeared and/or the party providing notice does not have an opposing party's e-mail address or telephone number, the notice also shall inform the party that the party may participate in the hearing personally at the designated time and place. If such an appearance is not feasible, that party shall file a timely motion to continue and present the same to the Court for ruling.

E. Three court days prior to a remote hearing during which witnesses are sought to be presented, the parties seeking to present the witnesses shall file a list containing the names and email addresses of the witnesses who will attend the hearing. All persons must use their legal names to ensure they will not be prevented from entering the hearing.

- F. Three court days prior to a remote hearing during which exhibits are sought to be presented, the parties seeking to present the exhibits shall exchange the exhibits they intend to introduce and thereafter conduct a conference with the opposing side to identify any exhibit(s) they stipulate may be admitted into evidence. If a party fails to comply with this provision the Court in its discretion may deny the introduction of that party's exhibits.
- G. At least two court days before a remote hearing during which exhibits are sought to be presented, the parties shall prepare and email all proposed exhibits to the Circuit Clerk at [exhibits@vercounty.org](mailto:exhibits@vercounty.org) (and if appropriate an electronic bundle of authorities) as follows:
1. A searchable PDF format shall be used;
  2. Each exhibit shall be a separate file. Each file name shall reflect the party offering it and the exhibit number e.g. P1, P2, CPI, CP2, RA, RB, DI, D2, etc.;
  3. An index of all exhibits shall be included that states the number of pages in each exhibit; and
  4. For exhibits greater than four pages, pagination must be generated and inserted electronically within the PDF (not handwritten). Pagination must be by exhibit number and page number, e.g., P1-1, P1-2, P1-3 ... RA-1, RA-2, RA-3, etc...

The Circuit Clerk, upon receipt of said attached materials, shall forward all attachments from any such email to the Court presiding over the remote hearing or otherwise submit the same as the Court directs.

- H. All parties attending a remote hearing should ensure they have a good connection/signal to avoid a breakdown in connection during the hearing.
- I. The parties will receive a notice via email a day prior to a video conferencing remote hearing with access instructions. Leading up to and on the day of such hearing, it is the responsibility of the parties to ensure their witnesses are properly noticed, available, and ready to proceed at the appointed time.
- J. On the day of a telephonic remote hearing, it is the responsibility of the parties to coordinate a joint telephone call to Court Administration (217/ 554-7830) five minutes prior to the scheduled start time to ensure final necessary steps may be taken by court staff to start the hearing on time. All participants shall be present through the telephone call at the time the call is placed to Court Administration. No participant can be present in person for a telephonic remote hearing unless allowed by the Court.

**Conducting the Remote Hearing.** The precise method in which a remote hearing will be conducted remains within the discretion of the judge assigned to the case, within the bounds of applicable law, rules, and practice procedures. Unless otherwise directed by the Court, however, remote hearings shall be conducted as follows:

- A. All persons must use their legal names to ensure they will be allowed to participate in the hearing;**
- B. Except as otherwise provided, hearings shall be conducted as if all parties were personally present and in accordance with the Illinois Rules of Civil Procedure, Illinois Rules of Evidence, Illinois Supreme Court Rules, and the Local Rules of the Circuit Court of the Fifth Judicial Circuit;**
- C. If requested by a party and if technologically feasible, in a video conferencing remote hearing, the Court will allow breakout meetings, private chats, or other private communication between attorneys and clients; provided, however, that during the testimony of any person, that person may not communicate by private chat or otherwise with any other person;**
- D. The Court will make the official record of the remote hearing, and no party may record any part of the hearing through the platform or any other means;**
- E. All participants must be in an environment free of distractions;**
- F. When a participant is not speaking, the participant should mute his or her microphone;**
- G. Any person testifying must appear remotely by both video and audio unless otherwise authorized by the Court;**
- H. If a party intends to call a non-party witness during a video conferencing remote hearing, that party shall be responsible for providing the invitation to the witness;**
- I. Each witness must be alone in a secure room with the doors closed;**
- J. Each witness should ensure there will be no interruptions or distractions for the duration of his or her testimony;**
- K. If a party or a party's witness requires the use of an interpreter, that party shall be responsible for coordinating with the Court Administrator how the interpreter will be obtained and involved in the hearing; and**
- L. The Court may terminate or suspend the remote hearing for technological or other reasons at any time.**

**M.** In criminal proceedings, a defendant has a right to be present in court at every stage in the proceedings. The Court should make a record at the beginning of the hearing and inquire whether the defendant is aware of his/her right to be physically present in court and whether he/she is waiving that right.

**N.** Victims have a right in criminal proceedings to be present in court. The Court should admonish any victims who are present regarding this right and obtain the waiver of that right on the record.

**Public Access.** The Court, parties, and attorneys shall be cognizant that the courts are generally open to the public and that it remains highly desirable that the operations of the courts are as transparent as practicable. In this regard, parties should be aware that although hearing participants may appear remotely, the Court hearing the matter most likely will be in the courtroom and that the courtroom will be open to the public. The daily court schedule shall reflect that a hearing is remote and the date and time of the hearing.

**Exhibits.** The following protocols govern the submission of exhibits used during a video conferencing remote hearing.

- A.** The Share Screen feature may be used to lay foundation, refresh recollection, and authenticate signatures. The Court should not allow an exhibit to be shown through the Share Screen feature without permission. The Court, having received the exhibits before the remote hearing, will display a requested exhibit on a party's behalf through the Share Screen feature, upon request. The Court may disable file sharing and then only enable it after the participant receives permission to show the exhibit. This also ensures no one improperly or accidentally uses exhibits.
- B.** Tangible exhibits may result in a matter being ineligible for a remote hearing. However, stipulations and photographs may be useful substitutes for tangible evidence by agreement. Parties may show tangible exhibits through video or a photograph through the Share Screen feature. Such items must be viewable by everyone present for the remote hearing. Agreements regarding tangible evidence must be discussed in advance of the remote hearing.
- C.** Parties may submit unanticipated impeachment or rebuttal evidence during the hearing through the Share Screen feature. All such exhibits should be numbered and labeled as provided above.
- D.** For impeachment or rebuttal exhibits, those exhibits shall be emailed by the proponent to [exhibits@vercounty.org](mailto:exhibits@vercounty.org) prior to offering the same in the remote hearing. Once emailed, the Circuit Clerk will forward said exhibits to the Court. The Court may then allow said exhibits to be shown to the witness through the use of the Share Screen feature.

**Attorney/Client Communications.** The Court recognizes that communication between an attorney and client is necessary and appropriate during a contested hearing and that remote hearings are no exception. However, there are certain restrictions that must be enforced during remote hearings as in live courtrooms. For instance, a client cannot communicate with his/her attorney while he/she is testifying. Also, a party usually cannot communicate with any other witness before, during or after the witnesses' testimony. Those same rules apply to remote hearings, whether conducted by video conference or telephonic event. For this reason, the Chat feature in Zoom will be disabled by the Court and allowed to be used only with leave of Court.

**Breakout Rooms.** The Court is able to move participants to separate Breakout Rooms for privacy when appropriate. The Court may create Breakout Rooms during the hearing or assign Breakout Rooms in advance of the hearing when scheduling the meeting. The Court may create one or multiple Breakout Rooms. The Court may message the separate participants and may also be part of a breakout session. For example, the Court may use the Breakout Room with the attorneys for a side bar to rule on objections or may be used by an attorney to consult with their client. Interpreters and Court Reporters should be included in the Breakout Room when appropriate. Otherwise, the Breakout Room is not recorded. The Court should remind participants to hit "return to main session" to exit the Breakout Room. Do not use "leave meeting."

**Waiting Rooms.** The Court has the ability to create and manage Waiting Rooms. The Court may utilize a Waiting Room to keep people out of the virtual courtroom until their case is called. The Court may return participants to the Waiting Room even after the Court has admitted them. During a hearing or trial, the Court may use the Waiting Room to exclude witnesses during testimony. Only the Court is able to place people in and out of the Waiting Rooms. While in a Waiting Room, a person is unable to see or hear anyone else involved in the remote hearing.

**Court Reporter/Court Specialist.** Only the Court's Court Reporter or Court Specialist may prepare an official record of a remote hearing. An admonishment regarding the use of recording devices has been included above.

**Concluding a Remote Hearing.** At the end of the remote hearing, the Court will conclude the matter in the same manner as if physically in court except the Court may reaffirm that the participants were present for the entire remote hearing and that they were able to hear and/or see entire event.

**IN THE CIRCUIT COURT  
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS  
DANVILLE, VERMILION COUNTY, ILLINOIS**

)  
)  
)     No.  
)

**JOINT MOTION TO SET TELEPHONIC OR VIDEO  
CONFERENCING REMOTE HEARING**

The parties to this action, through this Joint Motion to Set Telephonic or Video Conferencing Remote Hearing, request the setting of a telephonic or video conferencing remote hearing to address the following issue: \_\_\_\_\_. The parties, by their signatures below, state:

1.     that the issue to be addressed is appropriate for a telephonic or video conferencing remote hearing;
2.     that use of a remote hearing will not impede the rights of any party herein;
3.     that the parties consent to use of a remote hearing; and
4.     that all participants have the ability and necessary equipment to participate in a remote hearing.

Wherefore, the parties to this action pray for the Court to conduct a remote hearing herein  
[   ] by telephone [   ] by Zoom video conference.

\_\_\_\_\_  
Plaintiff/Petitioner

\_\_\_\_\_  
Defendant/Respondent

**EXHIBIT 1**

**IN THE CIRCUIT COURT  
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS  
DANVILLE, VERMILION COUNTY, ILLINOIS**

)  
)  
)     No.  
)

**MOTION TO SET TELEPHONIC OR VIDEO  
CONFERENCING REMOTE HEARING**

The ☐ Plaintiff/Petitioner ☐ Defendant/Respondent, through this Motion to Set Telephonic or Video Conferencing Remote Hearing, requests the setting of a telephonic or video conferencing remote hearing to address the following issue: \_\_\_\_\_.

Said party, by his/her signature below, states:

1.     that the issue to be addressed is appropriate for a telephonic or video conferencing remote hearing;
2.     that the use of a remote hearing will not impede the rights of any party herein;
3.     that the opposing party objects to said form of hearing or has not taken a position; and
4.     that all participants each have the ability and necessary equipment to participate in a remote hearing.

Wherefore, the ☐ Plaintiff/Petitioner ☐ Defendant/Respondent prays for the Court to conduct a remote hearing herein ☐ by telephone ☐ by Zoom video conference.

\_\_\_\_\_  
☐ Plaintiff/Petitioner    ☐ Defendant/Respondent

**Certificate of Service**

Under penalties as provided by law pursuant to 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that a copy of this motion was sent by E-mail to the parties whose names appear below, using the e-mail addresses indicated therein, or by placing it in an envelope addressed to the party with postage fully prepaid and depositing the same in a US Postal Service Mail Box in \_\_\_\_\_, Illinois at or before 5:00 p.m. on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**EXHIBIT 2**

**IN THE CIRCUIT COURT  
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS  
DANVILLE, VERMILION COUNTY, ILLINOIS**

)  
)  
)     No.  
)  
)

**ORDER ON  
JOINT MOTION TO SET TELEPHONIC OR VIDEO  
CONFERENCING REMOTE HEARING**

This Court, upon the presentation of a Joint Motion to Set Telephonic or Video Conferencing Remote Hearing by the parties hereto, and upon being fully advised in the premises, now orders as follows:

IT IS HEREBY ORDERED:

☐ the joint motion is allowed.

☐ the joint motion is denied for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

☐ A hearing on the issues pending herein as requested pursuant to the joint motion of the parties shall be held by ☐ telephonic remote hearing ☐ Zoom video conferencing remote hearing ☐ personal appearance. The parties shall proceed with the scheduling of said hearing in compliance with applicable guidelines.

ENTERED: \_\_\_\_\_

\_\_\_\_\_  
JUDGE

**EXHIBIT 3**



**IN THE CIRCUIT COURT  
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS  
DANVILLE, VERMILION COUNTY, ILLINOIS**

)  
)  
)     No.  
)

**ORDER ON  
MOTION TO SET TELEPHONIC OR VIDEO  
CONFERENCING REMOTE HEARING**

This Court, upon the presentation of a Motion to Set Telephonic or Video Conferencing Remote Hearing by the one of the parties hereto, and upon being fully advised in the premises, now orders as follows:

IT IS HEREBY ORDERED:

☐ the joint motion is allowed.

☐ the joint motion is denied for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

☐ A hearing on the issues pending herein as requested pursuant to the motion of one of the parties shall be held by ☐ telephonic remote hearing ☐ Zoom video conferencing remote hearing ☐ by personal appearance. The parties shall proceed with the scheduling of said hearing in compliance with applicable guidelines.

ENTERED: \_\_\_\_\_

\_\_\_\_\_  
JUDGE

**EXHIBIT 4**

**IN THE CIRCUIT COURT  
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS  
DANVILLE, VERMILION COUNTY, ILLINOIS**

)  
)     No.  
)

**NOTICE OF REMOTE HEARING**

YOU ARE HEREBY NOTIFIED that a remote hearing by [    ] telephone [    ] video conference will be held herein on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ .m., or as soon thereafter as the parties may be heard, in Courtroom \_\_\_\_ before the Honorable \_\_\_\_\_, judge presiding. The purpose of this hearing is \_\_\_\_\_.

**PARTIES AND/OR COUNSEL PARTICIPATING IN HEARING:**

Plaintiff/Petitioner: \_\_\_\_\_  
Email: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Attorney: \_\_\_\_\_  
Email: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Defendant/Respondent: \_\_\_\_\_  
Email: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Attorney: \_\_\_\_\_  
Email: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Other: \_\_\_\_\_  
Email: \_\_\_\_\_  
Telephone: \_\_\_\_\_

This remote hearing will be conducted as follows:

- A. All persons must use legal names to participate in remote hearing.
- B. The remote hearing will be conducted as if all participants were personally present and in accordance with the Illinois Rules of Civil Procedure, Illinois Rules of Evidence, Illinois Supreme Court Rules, and Local Rules of the Circuit Court of the Fifth Judicial Circuit.
- C. If a party has not appeared in a proceeding and/or a party does not have an email address or telephone number listed above, that party may participate in the scheduled remote hearing by appearing personally at the courthouse at the scheduled time. If that is not feasible, a timely filed motion to continue should be filed and presented.

- D. During testimony of any person, you may not be allowed to communicate by private chat or otherwise with any other person. The Court has the ability, if feasible, to allow breakout meetings or other private communication between attorneys and clients during the hearing.
- E. The remote hearing will be conducted with an official record made by the Court. No participant may record any part of the hearing through any platform or means whatsoever.
- F. All participants must be in an environment free of distractions, interruptions and other disturbances and shall be alone in a secure room with the doors closed.
- G. When a participant is not speaking, his or her microphone shall be muted.
- H. All participants must be able to appear both by video and audio unless the remote hearing is a telephonic hearing or otherwise authorized by the Court.
- I. A list of any witness names, email addresses, and telephone numbers must be exchanged and filed with the Court at least three days prior to any hearing.
- J. The Court may terminate or suspend the remote hearing for technological or other reasons at any time.
- K. Participants in remote hearings should take time prior to the remote hearing to become familiar with devices to be used. The telephone to be used should be functioning well and with proper service. The device to be used for a video conference should have a camera and microphone that function well. Generally speaking, a telephonic remote hearing will be conducted by the participants placing a joint call to the Court. A video conferencing remote hearing will be conducted by participants using a link provided in an email or text message from the Court to join a Zoom meeting originated by the Court. Participants are asked to place any telephone call to the Court for a telephonic remote hearing 5 minutes before the scheduled time and to stand ready to be admitted to a video conferencing remote hearing 5 minutes before the scheduled time.
- L. Information concerning joining a Zoom meeting may be found at the following link: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>.

Although this hearing will be held remotely, the judge presiding over this matter will be in a courtroom at the Rita B. Garman Vermilion County Courthouse, 7 North Vermilion Street, Danville, Illinois. The courtroom will be open to the public unless otherwise determined by the Court.

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#### **Certificate of Service**

Under penalties as provided by law pursuant to 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that a copy of this notice was sent by E-mail to the parties whose names appear below, using the e-mail addresses indicated therein, or by placing it in an envelope addressed to the party with postage fully prepaid and depositing the same in a US Postal Service Mail Box in \_\_\_\_\_, Illinois at or before 5:00 p.m. on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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### **EXHIBIT 5**

## **EXHIBIT C**

### **COVID-19 PRECAUTIONS FOR GRAND JURORS**

The presence of the coronavirus/COVID-19 in our community requires vigilance from all of us. The Court temporarily paused the summoning of grand jurors in response to guidance from public health officials. Consistent with that same guidance, we are resuming grand jury hearings beginning in July.

For the protection of grand jurors, the Jury Commission is implementing the following protective measures after review of recommendations from the Centers for Disease Control and Prevention (CDC) and the Vermilion County Health Department:

- Thorough daily cleaning of the County Administration Building;
- Calling in a smaller number of grand jurors (only the essential amount needed);
- Implementing social distancing protocols with proper signage and traffic control; and
- Providing hand sanitizer and disinfectant wipes.

Grand Jury proceedings are a foundation of our criminal justice system. You have been summoned to serve only because your service is essential. We encourage you to consider the following personal precautions while at the County Administration Building:

- Attempt to keep a six-foot distance between yourself and others;
- If you cannot always maintain personal separation, you will be required to wear a face-covering. We encourage you to bring one if you are able.
- Wash your hands often and remember to always cover your mouth and nose with a tissue when you cough or sneeze, or use the inside of your elbow.

### **POSTPONEMENT OF GRAND JURY SERVICE**

Based on currently available information and clinical expertise, older adults and people of any age who have serious underlying medical conditions might be at higher risk for severe illness from COVID-19. If you fall within any of the high-risk categories listed below, you may call or email the Office of the State's Attorney and request a 12-month postponement of your service:

- People 65 years and older;
- People who live in a nursing home or long-term care facility;
- People with chronic lung disease or moderate to severe asthma;
- People who have serious heart conditions;
- People who are immunocompromised;
- People with severe obesity (body mass index [BMI] of 40 or higher);
- People with diabetes;
- People with chronic kidney disease undergoing dialysis;
- People with liver disease.

**Any juror appearing for grand jury duty with a temperature, COVID-type symptoms or who has been exposed to a positive case in the past 14 days will not be allowed to serve.**

If you have any questions or you want to request postponement of your grand jury service you must call or email us within 10 days of receiving this notice. You may contact the Vermilion State's Attorney at 217-554-7750 (Katie Taylor) or by email [katie.taylor@vercounty.org](mailto:katie.taylor@vercounty.org).

## **EXHIBIT D**

### **COVID-19 PRECAUTIONS FOR PETIT JURORS**

The presence of the coronavirus/COVID-19 in our community requires vigilance from all of us. The Court temporarily paused the summoning of jurors in response to guidance from public health officials. Consistent with that same guidance, we are resuming jury trials beginning in July.

For the protection of jurors, the Jury Commission is implementing the following protective measures after review of recommendations from the Centers for Disease Control and Prevention (CDC) and the Vermilion County Health Department:

- Thorough daily cleaning of the Courthouse;
- Calling in a smaller number of jurors (only the essential amount needed);
- Implementing social distancing protocols with proper signage and traffic control; and
- Providing hand sanitizer and disinfectant wipes.

Jury trials are the bedrock of our justice system. You have been summoned to serve only because your service is essential. If you are called and selected, you will only be asked to hear one case. We encourage you to consider the following personal precautions while at the Courthouse:

- Attempt to keep a six-foot distance between yourself and others;
- If you cannot always maintain personal separation (which can be a challenge in the Courthouse), you will be required to wear a face-covering. We encourage you to bring one if you are able.
- Wash your hands often and remember to always cover your mouth and nose with a tissue when you cough or sneeze, or use the inside of your elbow.

### **POSTPONEMENT OF JURY SERVICE**

Based on currently available information and clinical expertise, older adults and people of any age who have serious underlying medical conditions might be at higher risk for severe illness from COVID-19. If you fall within any of the high-risk categories listed below, you may call or email the Vermilion County Jury Coordinator and request a 12-month postponement of your jury service:

- People 65 years and older;
- People who live in a nursing home or long-term care facility;
- People with chronic lung disease or moderate to severe asthma;
- People who have serious heart conditions;
- People who are immunocompromised;
- People with severe obesity (body mass index [BMI] of 40 or higher);
- People with diabetes;
- People with chronic kidney disease undergoing dialysis;
- People with liver disease;

**Any juror appearing for jury duty with a temperature, COVID-type symptoms or who has been exposed to a positive case in the past 14 days will not be allowed to serve.**

If you have any questions or you want to request postponement of your jury service you must call or email us within 10 days of receiving this notice. You can call us at 217-554-7865 or by email [kdixon@vercounty.org](mailto:kdixon@vercounty.org).