Serial: 230781

IN THE SUPREME COURT OF MISSISSIPPI

No. 2020-AD-00001-SCT

IN RE: EMERGENCY ORDER RELATED TO CORONAVIRUS (COVID-19)

EMERGENCY ADMINISTRATIVE ORDER

On March 13, 2020, the President of the United States declared a national emergency due to the outbreak of Coronavirus (COVID-19). The Supreme Court and the Chief Justice, in his capacity as chief administrative officer of all courts in the state, find that certain emergency actions as set forth hereinafter are required. Additionally, due to the pandemic nature of this emergency and the rapidly changing circumstances, the Court will continue to monitor this situation and may enter additional orders as necessary.

All courts are directed to prepare for potential infection in their communities. While local judges and their staffs are in the best position to, with the assistance of attorneys, measure risk, fears, and attitudes in their communities, this Court directs compliance with the following guidelines to minimize public health risks from coronavirus (COVID-19).

IT IS THEREFORE ORDERED:

1. In compliance with the Constitution, all state courts – municipal, justice, county, chancery, circuit, and appellate courts – will remain open for business to ensure courts fulfill their constitutional and statutory duties. See Miss. Const. Art. 3, §§ 24, 25, 26, and 26A. Courts should continue normal business matters as much as possible. Any orders from trial courts contrary to this Order are vacated to that extent.

2. In compliance with the State Health Department, courts shall not permit aggregate gatherings of over 200 people. Courts should consider the avoidance of any proceedings that involve vulnerable persons or require witnesses or parties to travel from an infected area, increasing the chances of transmission of the disease.

3. Individual judges have discretion to control their general dockets and are authorized to instruct their clerks that jury summonses may not be sent to jurors which would be returnable to any date prior to April 13, 2020.

4. Individual judges have the discretion to postpone any trials on their own docket scheduled through April 10, 2020.

5. Courts shall limit the number of people summoned for jury duty to the minimum amount of persons necessary.

6. Jurors who have traveled to areas with a high concentration of confirmed coronavirus cases shall contact the court before reporting for jury duty. Jurors who have been diagnosed with an illness or who are primary caregivers for a vulnerable person who has been diagnosed with an illness shall contact the court by telephone. They shall not come to the courthouse before speaking with court personnel. Jurors who disregard this Order shall be immediately released and sent home. Additionally, all attorneys and parties shall take the same precautions.

7. All court proceedings shall be limited to attorneys, parties, witnesses, security officers, members of the press, and other necessary persons, as determined by the trial judge.

8. The trial courts are hereby authorized to exercise their sound discretion in extending deadlines, rescheduling hearings and trials and any other matters by case specific actions or by general orders.

9. Each judge conducting drug intervention courts is authorized to modify the scheduling of drug testing and home-supervision visits for the next 30 days as they see fit.

10. Courts shall communicate effectively with the local bar, local officials, the public, and the state.

11. The payment and/reimbursement of out-of-state travel is suspended for judicial employees and judges.

12. Courts are encouraged to work with those responsible for cleaning and maintaining courthouses to ensure compliance with enhanced cleaning requirements. Although not confirmed it has been reported that COVID-19 can remain in the air for up to three hours and live on surfaces such as plastic and stainless steel for up to three days, copper surfaces four hours, and cardboard for up to twenty-four hours.

13. Visitors to all courthouses shall follow the recommendations of health officials to protect themselves and others from the spread of COVID-19. Those include washing hands frequently with soap and hot water for at least 20 seconds and maintaining a safe social distance from others.

14. For current information, stay aware of statewide updates. *See* https://msdh.ms.gov/msdhsite/_static/14,0,420.html and https://www.cdc.gov/coronavirus/2019-ncov/index.html

It is the Judiciary's responsibility to ensure constitutional rights are protected in a manner consistent with the general welfare and health of the citizens of this State. This Order may be amended, extended, or otherwise modified as circumstances dictate.

SO ORDERED.

DIGITAL SIGNATURE
Order#: 230781
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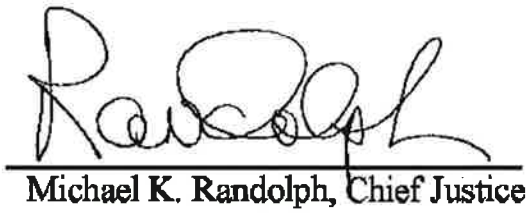
Org: SC
Date: 03/13/2020



Michael K. Randolph, Chief Justice