FILED
AUG 11 2020
Clerk of the Circuit Court
Macoupin County, Illinois

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
MACOUPIN COUNTY, ILLINOIS

Macoupin County Administrative Order 2020-11
Macoupin County Courthouse Procedures for COVID-19 Coronavirus

Whereas, The Macoupin County Courts will take all reasonable measures to minimize personal contact to prevent the spread of the COVID-19 coronavirus.

Whereas, The Illinois Supreme Court has entered an Order in M.R. 30370 instructing the courts to continue to establish and periodically update temporary procedures to minimize the impact of COVID-19 on the court system, while continuing to provide access to justice.

Whereas, the Illinois Supreme Court has entered an Order in M.R. 30370 and issued the Guidelines for Resuming Illinois Judicial Branch Operations During the COVID-19 Pandemic authorizing for essential court matters and proceedings to be heard.

Whereas, Illinois Supreme Court has entered an Order in M.R. 30370, and subsequently, amended said Order authorizing for trial courts to continue all civil and criminal jury trials indefinitely.

Whereas, the Macoupin County Courts have conducted a further review of its temporary operations and have identified a need to begin to hear certain matters that have previously been classified as non-essential in an effort to strike a balance between critical societal needs to access justice and the critical societal need to prevent the spread of the novel coronavirus and the disease, COVID-19.

Whereas, the Administrative Office of the Illinois Courts has awarded Macoupin County Courts three video carts to permit video conferencing platforms for each of the members of judiciary to broaden the scope of proceedings that can be meaningfully conducted remotely. Any court action utilizing the new video conferencing platforms shall follow the Illinois Supreme Court Remote Access Policy, effective 1/1/2020 and Revised effectively 6/1/2020. Each judge is permitted their own conferencing protocols.

Whereas, for the health and safety of Courthouse staff and patrons, it is the statutory duty of the Sheriff of Macoupin County, as Courthouse Custodian, to comply with any and all cleaning and health-related measures as mandated by the Center for Disease Control, Illinois Department of Public Health and Macoupin County Public Health.

WHEREFORE, IT IS HEREBY ORDERED, that the operational limitations previously imposed upon Macoupin County Courts' proceedings shall continue with modifications as follows:

Essential Cases and Court Proceedings

Beginning June 1, 2020, the Macoupin County Courts will resume holding status hearings, motion hearings, evidentiary hearings, and bench trials in additional cases and court proceedings. The complete list of essential cases and court proceedings that will be heard pursuant to this Administrative Order include:

Criminal Felony cases (CF)
Traffic & DUI cases (TR, DT)
Criminal Misdemeanor cases (CM)
Probate/Guardianships (P)
Conservation Violations (CV)
Family Court (F, D)
Child Support
Law (L)
Emergency & Plenary Orders of Protection
Small claims (SC)
Tax (TX)
Miscellaneous Remedies (MR)
Municipal Corporations (MC)
Adoptions (AD)
Ordinance Violations (OV)
Eminent Domain (ED)
Juvenile cases
Chancery/Foreclosures (CH)
LM, except evictions
Civil Law (CL)

Mental Health (MH) Drug Court & Grand Jury

At each judge's discretion, whenever feasible, and subject to constitutional limitations, all matters and proceedings may be heard remotely, via telephone, video, or other electronic means.

Other Cases and Court Proceedings

Until further Order of Court, unless modified pursuant to a periodic review hereafter conducted, the following cases and court matters shall be continued or otherwise postponed:

- Certain federally funded residential mortgages may be subject to a federal moratorium. Plaintiffs should check with the lending institutions before filing a foreclosure suit or proceeding with judgment or enforcement.
- Evictions—Be advised that they cannot be resumed until Governor's Executive Order is lifted unless they meet the emergency exceptions and comply with the mandatory pleading requirements. Also, landlords are admonished that the Illinois Supreme Court has a new rule requiring filing of a certification as to your rental property in the lawsuit that you are not receiving any federal loans/subsidies. Please refer to the Circuit Clerk's website for additional information.
- Courthouse Tours
- On-site Weddings and Civil Unions

Jury Trials

Unless modified pursuant to periodic review hereafter conducted, or based upon a review of this Administrative Order if so mandated by relevant Illinois Supreme Court order entered hereafter, all civil and criminal jury trials currently scheduled shall be continued generally as authorized in Supreme Court Order M.R. 30370, except for: felonies and Sexually Violent Person (SVP) cases, beginning September 8, 2020. All permissible jury trials enumerated herein must be scheduled through the Presiding Judge.

Rules Regarding Court Appearances

A. Individuals represented by attorneys in traffic, criminal, DUI, OV, conservation, and juvenile cases do not have to appear in court unless a judge orders them to be present.

B. If you are unable to appear because any of the restrictions cited in this Order, please notify the Macoupin County Circuit Clerk at (217) 854-3211 before your court date.

C. Have your witnesses check in with court security as they enter on the ground floor of the Courthouse for further instructions.

D. Court participants requiring special assistance to conduct official business will be permitted entrance with their personal assistant.

E. Unless medically intolerant, face coverings (masks over nose and mouth) are required for all persons entering the courthouse and each person may be questioned regarding any COVID-19 issues and will be required to have their temperature taken with a digital, no-contact thermometer, an identification check (to assist with possible contact tracing if necessary), required use of hand sanitizer, and/or written or verbal questionnaire, and may be asked these questions:

- Have you had contact with anyone who you are aware was symptomatic or COVID positive for more than 15 minutes and within less than 6 feet in the last 14 days?
- Are you COVID positive or symptomatic yourself?
- Have you been directed to quarantine, isolate or self-monitor at home for COIVD by any medical or public health provider?
- Do you have flu-like symptoms including fever, cough, nausea, diarrhea and/or shortness of breath?

F. Anyone turned away or refusing the screening will be asked to leave his/her name and contact address with security so that this information can be passed along to the appropriate courtroom.

G. Bring your own face-coverings because court security personnel has a limited supply of masks.

H. All persons must wear masks or other face coverings in the courtrooms but participants shall not be required to wear masks or other face covering while speaking on the record, and sign language interpreters shall not be required to wear masks while interpreting.

I. Nothing in this Order shall require anyone otherwise subject to provisions of this Order to wear a facial covering as directed when doing so would be contrary to their health or safety from a pre-existing medical/mental health condition.

J. Nothing in the Order shall require children two and under to wear facial coverings as directed.

K. Everyone who enters the Courthouse must use good personal health habits as recommended by the Center for Disease Control. This includes cleaning hands often with soap and/or hand sanitizer, avoid touching eyes, nose, and mouth, avoiding close contact, and covering coughs and sneezes with tissues or elbows.

L. Social distancing measures are required to be observed. Everyone should maintain a 6 feet distance whenever reasonably possible. To allow for proper social distancing, the number of people in Court will be restricted by reduced court calls and staggered court-call times, as well as remote appearances and hearings. You may be asked to wait outside or in your car once the Courthouse reaches its maximum capacity.

M. Any attempt to enter the Courthouse or remain in the Courthouse in violation of these rules will cause you to be denied access or removed by security personnel.

N. Civil and criminal lawsuits and any pleadings may still be filed in person or via electronic filing.

O. If you are representing yourself in court and have any questions or concerns, you may contact the Circuit Clerk's Office at (217) 854-3211 or visit the Circuit Clerk's website at JUDICI.com. You are encouraged to call before coming to the Courthouse.

P. Emergency matters are set on a case-by-case basis by contacting the Macoupin County Circuit Clerk at (217) 854-3211 who will then put you in touch with the judge's assistant for scheduling.

Q. Any delay resulting from this Order shall not be attributable to either the State or the defendant for purposes of sections 103-5 (speedy trial) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5).

R. Any delay resulting from this Order shall not be attributable to either the State or the juvenile for purposes of section 5-601 of the Juvenile Court Act (705 ILCS 405-601).

Additional Information

Except as noted above, Court cases and related Court procedures are expected to resume as of August 11, 2020, at 8:30 AM, unless Federal or State authorities mandate otherwise; and, this Administrative Order supersedes 2020-AO-008 and shall remain in full force and effect until further Order of Court. This Order may be extended, supplemented, or amended as circumstances require.

IT IS SO ORDERED.

ENTERED THIS 10th DAY OF August, 2020.

Kenneth R. Deihl

Kenneth R. Deihl
Presiding Judge