

**MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
(City of St. Louis)**

In re:)	
)	COVID-19 ORDER 28
COVID-19)	
Re-opening of Courthouses)	Division No. 1
Operating Phase Two)	

ADMINISTRATIVE ORDER

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) have declared that the outbreak of COVID-19 is a worldwide pandemic, and the St. Louis City Mayor has, accordingly, declared a state of emergency; and

WHEREAS, the State of Missouri and the City of St. Louis have previously entered emergency Orders, including Health Commissioner’s Order No. 10, specifying guidelines essential to health and safety; and

WHEREAS, the continuing operation of the 22nd Judicial Circuit Court (“Court”) has been deemed to be an essential governmental service and therefore, the Court has remained open and operational during the terms of the emergency Orders, performing core judicial functions, often through remote technologies including video and telephone hearings and conferences; and

WHEREAS, the Missouri Supreme Court has issued several Orders regarding court operations, which include Operational Directives criteria related not only to strategies to prevent the spread of COVID-19, but also directives which provide for a phased approach toward easing restrictions related to court operations, with a clear intent to move toward more complete court operations; and

WHEREAS, it has been and continues to be imperative that the Court take steps to protect the health and safety of employees of the Court, all judicial officers, all attorneys, all litigants, all victims, all witnesses, all detained youth and any other individuals or entities who have cases and hearings before the Court and all members of the general public who interact with or have business with the Court; and

WHEREAS, the Court operates in numerous buildings and courthouses, including the Civil Courts Building, the Carnahan Courthouse collectively known as the downtown campus, the Family Court Juvenile Division and the Family Court Annex, collectively known as the Juvenile Court Division, and the Municipal Courts (all buildings herein collectively referred to as the “Court Buildings”); and

WHEREAS, pursuant to Section 478.240.2 R.S.Mo. and Section 15 of the Missouri Constitution, the Presiding Judge has general administrative authority over all judicial personnel and court officials in the Circuit as well as administrative and discretionary authority regarding the manner in which any hearings are conducted in the Court Buildings. The Missouri Supreme Court has also authorized the Presiding Judge to facilitate local solutions regarding the continuation and/or restoration of court operations, while also considering and maintaining a certain degree of uniformity throughout the courts.

THEREFORE, IT IS HEREBY ORDERED, that effective July 6, 2020, and continuing until rescinded, amended, modified or extended in a subsequent Administrative Order:

1. The Court will follow the Operational Directives and criteria set forth by the Missouri Supreme Court as it works toward full restoration of court operations, including the utilization of local solutions and administrative orders appropriate to local conditions.
2. The Court will submit “Exhibit A, Notice to the Supreme Court of Missouri of Higher/Lower Operating Phase” as set forth in and referenced in the Supreme Court’s Order dated May 4, 2020, effective May 16, 2020. The Court will follow the applicable guidelines and directives for the Phase specified in its submitted Exhibit A, supplemented by the specific terms of this Administrative Order and any amendments hereto. To the extent this Administrative Order provides local solutions or additional terms unique to the local conditions presented to the Court, those solutions and terms shall continue to apply until rescinded or modified by a subsequent Administrative Order.
3. The Court Buildings meet the Gateway Criteria as detailed in the Supreme Court’s Order dated May 4, 2020, in that: there has been no confirmed COVID-19 case in the Court Buildings for a period of 14 days from June 18, 2020 through July 1, 2020; the original Stay-at-Home Order of the City of St. Louis has been relaxed, by various Orders, including Health Commissioner’s Order No. 10, which also relaxes group gathering restrictions in the local community; COVID-19 health conditions have improved in the City of St. Louis over the last 14 day period according to local safety and health officials; consultations have occurred with the Department of Health on court activities; and consultations have occurred between the judiciary and court partners.
4. The Court shall continue to utilize all available technologies, including teleconferencing and video conferencing, to the greatest possible extent for all proceedings, hearings and/or conferences (“proceedings”) so as to not require the physical presence of persons in Court Buildings. The Court will limit in-person proceedings as much as possible.

5. The following persons **shall not** enter the Court Buildings:

- (a) Persons who have traveled to any foreign country within the last 14 days;
- (b) Persons who reside or have had close contact with someone who has traveled to any foreign country within the last 14 days;
- (c) Persons who have been asked to self-quarantine by any doctor, hospital, or health agency;
- (d) Persons who have tested positive, been diagnosed with, or have had contact with, anyone who has been diagnosed with COVID-19; and
- (e) Persons with fevers, or unexplained coughs or shortness of breath.

6. **Entry to Court Buildings shall be limited to the following persons:**

- (a) Judicial Officers;
- (b) Employees of the Court possessing their government issued identification cards. All employees working in the Civil Courts Building or Carnahan Courthouse must enter these buildings through the east entrances on the 11th street sides beginning July 13, 2020;
- (c) Those individuals specifically identified by a Judicial Officer as necessary for an in-person hearing as required and set forth in paragraph 10 below;
- (d) Independent contractors, delivery persons and vendors who have permission to enter Court Buildings from either the Presiding Judge of the Court or the Court Administrator and whose entry into Court Buildings is necessary for continuous operation of the Court;
- (e) This Administrative Order is not intended to limit access to Court Buildings as determined to be necessary or appropriate by the Mayor of the City of St. Louis, Court Administration, or the Sheriff of the City of St. Louis.

7. **Cashier's Office Procedures for Receiving Cash in Person in Phase 2:**

- (a) The Cashier's Office working hours are from 9:30 am to 2:00 pm;
- (b) The customer should request to make a cash payment to the Circuit Clerk's Office at the Sheriff's Office Security Desk;
- (c) The Sheriff Deputy at the Sheriff's Office Security Desk will call the Cashier's Office to ensure a cashier is available;
- (d) The Sheriff Deputy will escort the customer to the designated Cashier window when the Cashier is available. Only one customer will be escorted at a time. The customer shall wear a mask;
- (e) The cashier will perform the task of receipting the transaction. The cashier will wear a mask during the transaction;
- (f) The customer will be instructed to exit the building;
- (g) The cashier will disinfect the area with cleaner and wipes after each customer.

8. **If you have a scheduled appointment** or you are otherwise required to appear at one of the offices or divisions located in a Court Building, and you are unable to appear because of the restrictions listed above, you should proceed as follows:
- If you are represented by an attorney, please contact your attorney;
 - If you are scheduled to appear in Court before a circuit court judge, an associate circuit court judge or a commissioner, please visit the Court's website: www.stlcitycircuitcourt.com
 - On the home page, click the COVID link, then 'Docketing and Procedures for Each Division,' then there is a link titled 'Click here for a list of judges and divisions, then click on the list to find procedures for that courtroom.' Each court division may have information about both their upcoming dockets and the rescheduling of those dockets. You may also contact the division clerk directly.
9. **Individuals not authorized to enter** the Court Buildings because of the restrictions listed above are provided the following contact information to have remote access to the administration of justice:
- For information on all other circuits, please visit the State website at www.courts.mo.gov and read court-specific notices at the top of the home page.
 - If you need information about the status of your case, please consult Case.net or contact the circuit clerk's office at 314-622-4433.
 - If you need information about the status of your case at the Family Court - Juvenile Division, please contact the courtroom clerk for Division 30 at 314-552-2071.
 - If you need information about the status of your case in a Family Court - Divisions 10, 14, 15, 16, please contact the clerk of that division.
 - If you need information about a probate case, please contact the probate commissioner at 314-622-4140.
 - If you are a prospective juror, please contact the jury supervisor's office at 314-622-4457.
 - If you are seeking an Order of Protection regarding adult/child abuse, please contact 314-622-3788.

- If you are scheduled to meet with a probation officer, please contact the St. Louis City's Probation Office at 314-340-6999, St. Louis City Central at 314-340-7240, or St. Louis City South at 314-301-4999.
 - For St. Louis City Circuit Attorney matters, please contact the Circuit Attorney's Office at 314-622-4941.
 - For St. Louis Public Defender matters, please contact the St. Louis City Public Defender at 314-340-7625.
 - For St. Louis City Sheriff matters, please call the Sheriff's main line at 314-622-4766.
 - For safety reasons, these restrictions will remain in place until further order of this Court. Those individuals who think that they may have been exposed to COVID-19 should contact their healthcare provider immediately.
 - For the most current information regarding St. Louis City Circuit Court's coronavirus protocols, please proceed to the Court's website:
www.stlcitycircuitcourt.com
10. Subject to the provisions of paragraph 4 above, in-person proceedings may resume but only for the most critical proceedings, based on a determination that alternative methods for conducting the proceedings cannot occur, including a determination by the assigned Judicial Officer that it is not possible for such proceedings to be conducted by telephone, teleconference, polycom, videoconferencing, or any other method that does not require the physical presence of persons in Court Buildings. In-person hearings shall only begin where they can safely be conducted in compliance with social distancing protocols and occupancy rate limitations applicable to the local community. Liberal granting of continuances is encouraged if the parties are not comfortable proceeding under any of the various methods for conducting court proceedings.
11. For the safety of the public and court employees and to assist in contact tracing, if an in-person hearing or conference is to be conducted, the Judicial Officer or his/her administrative staff shall notify Sheriff's Deputies or other security personnel ("Security") at the Court Building where the hearing or conference will occur, that an in-person hearing shall occur and shall provide Security with an order, signed by the assigned Judicial Officer, containing the names and addresses of all attorneys, parties, witnesses and other individuals deemed necessary for the in-person hearing or conference. Only those identified individuals, possessing the above required order will be allowed to enter Court Buildings for the designated in-person hearing. All in-person hearings or conferences shall proceed only upon proper order signed

by the assigned Judicial Officer. **Anyone attempting to enter Court Buildings in violation of these protocols will be denied entry by Sheriff's Deputies or other security personnel.**

12. **No one shall enter beyond the security desks in the Court Buildings without a mask.** Masks will be provided by the Court for those who do not have them. Masks must be worn at all times in the Court Buildings, common areas, lobbies, hallways and elevators. Masks must be worn in all courtrooms unless specifically directed otherwise by the Judicial Officer assigned to such courtroom. Masks need not be worn when persons are alone in their own enclosed offices or in areas where they can ensure that others are more than 6 feet away from them for social distancing.
13. All Court staff and all members of the public who appear at any Court Building for hearings and/or to conduct any court-related business, shall comply with all screening requirements and/or other requirements which are imposed at all Court Buildings to mitigate against the spread of COVID-19, including but not limited to temperature checks in order to enter any Court Building, wearing masks or other face coverings as a condition to enter past security in common areas of any Court Building and social distancing.
14. Judicial employees will be allowed to work from home if the employee:
 - (a) Is subject to a quarantine or isolation order or is living with or caring for such an individual;
 - (b) Has been advised by a health care provider to self-quarantine or is living with or caring for an individual who has been advised to self-quarantine;
 - (c) Is considered high risk based on local or state health official or department criteria for contracting COVID-19, or is living with or caring for such an individual; or
 - (d) Is experiencing symptoms of COVID-19 and seeking medical diagnosis, or is living with or caring for such an individual.
15. In all criminal cases where the defendant is confined in the City of St. Louis' Division of Corrections, or otherwise in custody at any other detention center or prison, such defendants shall not be personally transported to or brought into court for any hearing, without the written order of the Presiding Judge of the 22nd Judicial Circuit or his designee. Otherwise, all hearings regarding any such defendants shall be conducted via videoconferencing, including initial appearance and arraignment hearings.
16. Detailed procedures shall be issued by the Judicial Officer assigned to each division, as needed, and published on the Court's website: www.stlcitycircuitcourt.com

17. To enable electronic filing of documents by pro se litigants and those without computer access to the internet, the Court Administrator has provided computer terminals logged into the court systems in each of the Court Buildings entry areas. In addition, there are drop-boxes for paper documents at those locations.
18. The municipal courts in the City of St. Louis, Missouri are subject to this Administrative Order and are encouraged to take appropriate action consistent with this Administrative Order and Centers for Disease Control and Prevention guidelines.
19. All non-essential travel by judicial employees for work-related functions remains suspended.
20. In compliance with the Order of the Missouri Supreme Court, entitled PROCEDURES FOR JURY PROCEEDINGS DURING COVID-19 PANDEMIC, entered on June 5, 2020, it is determined that exigent circumstances exist such that empaneling a Grand Jury is required to carry out the core functions of the Court and to preserve the constitutional rights of all parties. Attached hereto, marked as Appendix A and incorporated herein, are the Court's Safety Protocols for Resuming Grand Jury.
21. In compliance with the Order of the Missouri Supreme Court, entitled PROCEDURES FOR JURY PROCEEDINGS DURING COVID-19 PANDEMIC, entered on June 5, 2020, it is determined that exigent circumstances exist such that empaneling Petit Juries are required to carry out the core functions of the Court and to preserve the constitutional rights of all parties with extraordinary, pressing or urgent matters. Attached hereto, marked as Appendix B and incorporated herein, are the Court's Safety Protocols for Resuming Jury Trials.
22. As of 7:00 a.m. on July 6, 2020, **COVID-19 ORDER 10**, relating to Summons, Writs, Evictions, and Service of Processes, shall be dissolved and will no longer be in effect.
23. To the extent the directives and declarations set forth in this Administrative Order differ with the Court's prior Administrative Orders, this Administrative Order controls.

Date: July 2, 2020

SO ORDERED:


Rex M. Burlison
Presiding Judge
Division 1

Certificate of Service

**This is to certify that a copy of the foregoing
was emailed to the following on July 2, 2020:**

22nd Circuit Court Judiciary

Court Administrator

Sheriff

Circuit Attorney

District Defender

APPENDIX A

SAFETY PROTOCOLS FOR RESUMING GRAND JURY

INTRODUCTION

The protocols set forth below are guided by recommendations from local public health professionals and the Centers for Disease Control and Prevention (CDC). As this public health crisis will evolve over time, future modifications of these recommended procedures will be necessary in order to address these changing circumstances.

These recommendations modify the traditional Grand Jury process and are tailored to ensure the maximum safety of grand jurors.

The Grand Jury Will Be Conducted In A Manner That Allows For Appropriate Social Distancing And Juror Safety.

1. All grand jurors will be provided with free parking at the Enterprise Center garage or the Justice Center garage.
2. Grand jurors will enter the Carnahan Courthouse through the “employee” entrance, which is located on the 11th Street side of the Carnahan Courthouse, to minimize contact with the general public. Upon entering the Carnahan Courthouse, deputies at the security desk will:
 - a) Take the temperatures of all grand jurors. Temperatures will be checked with a non-contact thermometer. Anyone with a temperature above 100.4 will not be permitted to enter the Carnahan Courthouse.
 - b) Distribute masks to those who do not have their own. Grand jurors may use their own masks. Protective masks must be worn while in the Carnahan Courthouse.
 - c) Insure that each grand juror has: not traveled to any foreign country within the last 14 days; not resided with or had close contact with someone who has traveled to any foreign country within the last 14 days; not been asked to self-quarantine by any doctor, hospital, or health agency; not tested positive, been diagnosed with, or have had contact with, anyone who has been diagnosed with COVID-19; no fever, or unexplained cough or shortness of breath.

General Courthouse Employee and Public Safety

1. Grand jury service will include all health and safety measures recommended by public health professionals and the CDC.
2. Precautions will be taken with all employees and the public at the security desks upon entering the Carnahan Courthouse.

3. All elevators will be restricted to two (2) persons per car with consistent signage and floor decals on the floor to designate where each person should stand.
 - Signs will be placed outside each elevator to remind the public and all employees that only two (2) people per elevator will be permitted.
 - Elevator buttons will be disinfected regularly.
4. Grand jurors will have access to hand sanitizer options throughout the courthouse, including in the Grand Jury Room (“GJR”).
5. Social distancing will be enforced in all common courthouse areas.

Grand Juror Safety

1. After being admitted past the security desk, all grand jurors will take the public elevators to 2nd floor of the Circuit Attorney’s Office (CAO).
2. Upon entering the CAO, the jurors will be escorted to the GJR, where they will be provided instructions on where to report each day for the grand jury sessions.
 - The new GJR is larger than was previously provided, allowing for 6-foot social distancing for each grand juror.
 - The GJR will be consistently marked for social distancing.
 - The individual tables and chairs used by each juror will be marked with numbers corresponding to their grand juror numerical designation, e.g., grand juror #1, will have “#1” marked on his table and chair. Grand jurors will sit in the same location every day and utilize the same chair (same number as desk) every day.
3. The Grand Jury Deputy (“Deputy”) will open the door to the GJR, and ensure the door is kept open, using a door stop.
4. Grand jurors will be instructed on how to enter and exit the GJR safely while maintaining social spacing and minimizing contact with frequently touched surfaces.
5. Grand jurors will be instructed on how to contact the Deputy.
6. The GJR will have a supply of replacement masks on hand.
7. Grand jurors will be provided with personal hand sanitizers.
8. Grand jurors will be shown almost all exhibits via remote technology. In the event that the grand jurors need to handle exhibits, the grand jurors will be provided gloves.

9. Each day the Deputy will consider the health of each grand juror by discussing with them their present health condition and whether their health condition has changed since the time of their prior grand jury service
10. The grand jurors will not have access to a public coffee pot, vending machines or public water fountains.
11. Each day grand jurors will be provided with individually packaged breakfast items.
12. Each day grand jurors will be provided with their own individual lunch.
13. A refrigerator and microwave will be provided for grand juror use. Sanitizing wipes or disinfectant will be provided for grand jurors to wipe down the refrigerator and microwave before and after each use. Signs will be posted on the appliances as a reminder.
14. The GJR will be sanitized twice daily.
15. Grand jurors will have the opportunity to wash their hands in the event of sneezing or coughing.
16. The GJR shall be secured by the Deputy at all times.
17. The buzzer system will be moved to the GJR so that the Deputy may communicate with the grand jurors.
18. Witness testimony and attorney questioning may be live streamed to the grand jurors.
19. Each grand juror will be provided with their own personal ink pen and notebook to be touched only by them.
20. Each grand juror will be assigned their own specific chair and location in the GJR, compliant with social distancing protocols.
21. Each grand juror will be assigned their own personal storage bin, numbered the same as their table and chair.
22. A restroom is designated for use by grand jurors. Only a limited number of CAO employees will also use these restrooms. The Deputy's desk is located between the CAO employees' section and these restrooms. CAO employees, all required to be wearing masks, must check in with the Deputy in order to use the restrooms. Once the Deputy has determined the restroom is empty, he will allow the CAO employee to enter the restroom.

Witness and Victim Testimony and Safety

1. Witness and victim testimony may be live streamed into the 2nd floor GJR from the former Grand Jury Room, located on the 4th Floor of the CAO, now designated the “Grand Jury Testimony Room”.
2. Every morning the CAO will provide a list to the security desk deputy of the witnesses subpoenaed for that day with their expected time of arrival. Only witnesses under subpoena will be allowed into the Carnahan Courthouse. Essential care givers will be noted on the list as well. Non-testifying children are prohibited from coming into the Carnahan Courthouse.
3. Witnesses will be escorted from the Carnahan Courthouse lobby to the 4th floor CAO. The witnesses will check in in an outer reception room. The grand jury attorney assigned to the case will escort the witnesses to the Grand Jury Testimony Room.
4. Witnesses will meet with the attorney assigned to the case, along with Victim Services representatives in a room adjacent to the Grand Jury Testimony Room. The room allows for appropriate social distancing.
5. Cases have been scheduled so as to ensure that the witnesses from a prior case will have already exited the CAO before witnesses from the next case are allowed into the Grand Jury Testimony Room.
6. Witness’ testimony will be live streamed from the Grand Jury Testimony Room to the GJR with attorney assigned to the case being present to ask questions of the witness and grand jurors. The audio component is two way, allowing the grand jurors to ask questions at any time during the case presentation. Exhibits will be scanned and projected onto the screen for grand juror viewing. Videos will be played over the same system with the witness visible to the grand jurors. Videos can be stopped for questions from grand jurors or commentary from the witness.
7. Upon completion of the presentation of their testimony, the witnesses and the attorney assigned to the case will exit and close the door of the Grand Jury Testimony Room, to ensure confidential deliberations by the grand jurors.
8. The grand jurors will deliberate on the 2nd floor. If they have a question or decision, a buzzer that rings at the Deputy’s desk will be available. The Deputy will then determine the need of the grand jurors. The Deputy will then contact the assigned attorney and ask them to re-enter the GJR to receive the communication from the grand jurors.

Grand Jurors Break Room

1. A kitchen/break room is available to the grand jurors. The entire room has been sanitized and the refrigerator cleaned with bleach.

2. Signage regarding social distancing and safety protocols will be posted, reminding grand jurors of their responsibility to remain diligent, safe, and responsible. Only a limited number of people will be able to enter the kitchen at any one time. Grand jurors should spend break time and lunch time at their assigned desks where social distancing is ensured.

Grand Jurors Exiting The Room Or Carnahan Courthouse

1. If exiting the Carnahan Courthouse for lunch or an appointment, the grand jurors will use the employee entrance and exit located on the 11th Street side. While in public grand jurors will be reminded to continue using a mask and to avoid any unsafe contact or practices. Re-entry to the Carnahan Courthouse and GJR will be the same as entry in the morning.

APPENDIX B

SAFETY PROTOCOLS FOR RESUMING JURY TRIALS

I. INTRODUCTION

Over the course of the past several weeks court staff have met with various stakeholders and staff to develop protocols by which jury trial operations may resume in the 22nd Judicial Circuit Court of Missouri during the COVID-19 pandemic.

In resuming jury operations, we face numerous challenges, including: the need to maintain social distancing between individuals while in and around the courthouses; the extent to which juror response rates will be affected by the public health crisis; the extent to which public health measures, such as wearing masks and maintaining social distancing, will delay the process of jury selection and trial; the extent to which jurors will feel safe enough to enter the courthouse and participate in jury selection.

The protocols set forth below are guided by recommendations from local public health professionals and the Centers for Disease Control and Prevention (“CDC”). The Presiding Judge acknowledges that this public health crisis will evolve over time and thus necessitate future modifications of these recommended procedures in order to address these changing circumstances. These recommendations are intended to modify traditional jury reporting and selection processes, tailored for social distancing, lower return rates, higher excuse rates and limited trials.

II. ASSUMPTIONS FOR RESUMING JURY TRIALS

The pre COVID-19 process for jury selection and jury trials included summoning jurors to the Civil Court Building (CCB) on Mondays and Wednesdays. The average number of jurors reporting each Monday was 325 and each Wednesday 120. Through March 16, 2020, the Court conducted an average of 14 trials per month.

Prior to March 16, 2020, each Monday and Wednesday, the courtroom bailiff would receive a panel of prospective jurors from the Jury Supervisor’s Office and guide them to their assigned trial division courtroom. The assigned trial judge presided over *voir dire* in the courtroom, typically conducting *voir dire* with all the jurors present at the same time. The process used for jury selection and jury trials during this public health crisis must be adjusted in order to achieve the appropriate 6 foot of social distancing. Juror reporting times will be staggered so as to limit the number of people gathering in any one location at the same time. Prospective jurors will be brought to the trial courtrooms in groups smaller than previously.

To the extent possible, we will minimize the number of prospective jurors required to physically report to the Civil Court House by using an electronic ejuror or mail-in questionnaire, by responding to email and telephone concerns of the prospective jurors and by using a, prior to appearing excuse from jury service process.

A. All Jury Trials Will Be Conducted In A Manner That Allows For Appropriate Social Distancing And Juror Safety.

1. Jurors will be transported from the parking garage to the CCB in a manner that is safe and consistent with public health recommendations.

- a) The shuttle pick-up areas will be marked for social distancing.
 - b) All surfaces inside the juror shuttle bus will be routinely cleaned and disinfected.
 - c) The temperatures of jurors riding the shuttle bus from the parking garage to the CCB will be checked with a non-contact thermometer prior to their getting on the shuttle. Jurors with a temperature above 100.4 will not be permitted to ride the shuttle or serve as a juror on their present summons.
 - d) Jurors will be provided with an armband to designate they have been screened.
 - e) Protective masks must be worn by jurors before they will be allowed to enter the shuttle bus or court buildings. Jurors may use their own masks. The shuttle driver will distribute masks at the shuttle pick-up station near the parking garage to those who do not have their own. Deputies will distribute masks at the courthouse entrances for those who do not use the shuttle service and do not have their own.
 - f) Jurors will be immediately delivered from the juror garage to the Civil Courts Building. All juror entry will be on the Tucker Blvd. side of CCB.
 - g) Upon arrival at the CCB, jurors who have not previously been screened, will have their temperature taken by the deputy sheriffs at the security desk before being allowed to enter the Jury Assembly Room ("JAR").
 - h) All Court and jury staff will wear masks.
 - i) Once delivered to their assigned trial division courtroom, continued health and safety of jurors will be the responsibility of the trial division judge.
 - j) Jurors will use their summons to validate parking in the garage.
2. The JAR and ceremonial courtroom will be used for juror reporting and orientation.
- a) Seating in the JAR is marked for social distancing. Jurors should be reminded to adhere to the social distancing.
 - b) The JAR capacity without social spacing is approximately 500. The JAR capacity with social spacing is 107 persons, (three open chairs spaced between each chair available for juror use, using every other row of chairs.)
 - c) The JAR has additional capacity in the fourth floor CCB Ceremonial Courtroom. This additional capacity will be reserved for emergency overflow or closed-circuit audio/video feed of the trial, if needed.
 - d) The ceremonial courtroom capacity without social spacing is approximately 75.
 - e) The ceremonial courtroom capacity with social spacing is approximately 16.
 - f) The JAR and courtrooms will have multiple hand-sanitizing options available.
 - g) Division staff will work with Jury staff to get jurors to the assigned courtrooms in a manner that allows for social distancing consistent with public health guidelines. Example: Jury staff members on

the ground floor can assist “sending” the jurors to the floor of the trial courtroom to “receive” the jurors. The juror elevator as well as the lobby elevators will be utilized.

- h) All elevators will be restricted to two persons per car with consistent signage or floor decals to designate where each person should stand.
- i) Jury trial best practices will be refined and modified, when necessary, before increasing the number of jurors allowed in the court facilities.
- j) Jury deliberations will be conducted in a courtroom adjacent to the trial courtroom, or in another room that allows appropriate social distancing.
- k) The court will provide information prior to their service to inform jurors and the general public about the steps the court is taking before and after resuming jury trials.

III. OPERATIONS

A. Jury Selection

1. Jury reporting and selection process shall be modified to accommodate small group *voir dire* in order to limit the number of jurors gathering in any area at one time.
2. Social distancing marking will be added to areas where jurors may line up, such as the operations desk or entrance to the JAR.
3. Jurors should be reminded to adhere to the social distancing.
4. The Jury office shall implement a policy for excusing jurors during the COVID-19 public health crisis. The policy will be updated as the crisis evolves.

B. Trials

The Presiding Judge will set the priority of cases each week. Prospective jurors will be assigned to the cases in the order of their set priority.

1. Upon resuming jury operations, criminal trials will have priority over civil trials.
2. Due to social distancing requirements, a limited number of courtrooms will be outfitted to hold jury trials. Judges may be asked to hold their jury trial in a courtroom that has been prepared in compliance of all health and safety guidelines. *See Attachment C*
3. Trials will be limited initially to two trial courtrooms (some trial courtrooms may use a partner courtroom for jury assembly and deliberation). Use of other courtrooms will be expanded after evaluation of the conducted trials and modification for best practices consistent with all public health considerations.
4. Trial courtrooms will be marked in a consistent way for social distancing.

5. If sufficient witness rooms are not available to allow for appropriate social distancing, alternative arrangements will be available. Available public seating will be modified to allow for adequate social distancing and other safety concerns.
6. The trial Judge's deputy will be exclusively responsible for all contact with the jurors.
7. Courtrooms will have a negative air withdrawal performed each night to cleanse the air.
8. Restrooms will be marked for capacity.

C. Juror Safety

1. To ensure proper social spacing, after jurors are assigned to a trial division, they will be provided instructions on where to report prior to trial, during breaks, and when the Court is in recess. Prior to entering the courtroom, the deputy will open the door with a door stop. Jurors will be given instructions of how to enter and exit the courtroom safely while maintaining social spacing and minimizing contact with doors. Jurors will be provided with instructions on how to contact the deputy.
2. Jurors will be provided with masks upon arrival. If disposable masks are provided, new masks will be provided daily. Jurors will be directed where to dispose of the disposable masks either at the courthouse exit or the parking garage. The trial courtroom will have replacement masks on hand. The jurors will be provided with a CDC.gov handout regarding appropriate use of face coverings.
3. Jurors will be provided with personal hand sanitizer. In the event that they need to handle exhibits, jurors will be given gloves. Jurors should be instructed to use hand sanitizer before putting on gloves. After the exhibit is reviewed, the juror should replace it and remove the gloves, throw away the gloves, and use the hand sanitizer again. The courtroom clerk should follow a similar process when handling exhibits.
4. Jurors will be instructed by the trial Judge about the public health measures that the court has implemented, including the requirements for social spacing and wearing masks. *See Attachment A.*
5. Trial Judge will consider health assessment on a daily basis. This may be as simple as checking in with the jurors before starting for the day and asking if there are any changes in their health.
6. Court staff will follow the recommended protocol for juror safety. *See Attachment B.*
7. Jurors will be transported in the elevators in groups of no more than two and the jurors will be instructed to face the same direction.
8. Juror elevator buttons inside and out will be disinfected throughout the day.
9. Jurors will have access to hand sanitizer throughout the courthouse.
10. If jurors have access to refrigerators or microwaves, the jurors will have access to sanitizing wipes or disinfectant spray and will be instructed to wipe down the item before and after each use. Signs will be posted on the appliances with these instructions.

11. If jurors have an area to eat lunch, they will be seated facing the same direction and the area where they enjoy their meal will be wiped down by the juror when the juror finishes.
12. The security area where jurors enter will be sanitized twice daily.
13. The courtroom and juror spaces will be cleaned twice per day, particularly high touch areas.
14. Jurors will have the opportunity to wash their hands in the event of sneezing or coughing.
15. Scooters or ADA equipment will be sanitized between use with the permission of the juror.
16. Prospective jurors requiring an interpreter (e.g., ASL) will be provided instructions on where to sit to ensure proper social distancing. Instructions should be provided for the JAR and the courtroom and any other jury spaces.

D. Jury Deliberations

1. Jury deliberations shall occur in the partner courtroom located in close proximity to the trial courtroom, allowing for adequate social spacing.
2. The jury deliberation room shall be secured by the courtroom deputy at all times.
3. The buzzer system will be moved to the deliberation court room or some means of communication will be available between the jurors in the deliberation room and the courtroom deputy.

E. General

1. Train court staff, including jury staff, security, and judges regarding recommended safety protocol. This training should include, but not be limited to, social distancing, use of masks, hand sanitizer, and gloves. The courtroom clerks shall participate in the training.
2. On order of the trial judge, identify and train “Safety Monitors” or “Safety Facilitators” regarding recommended safety protocol. Assign Safety Monitors/Facilitators to assist the jurors and court with implementing safety protocols.
3. Upon notice of a trial commencing in a division, the court’s cleaning contractor will clean and sanitize, each day during lunch break and after court proceedings have adjourned, all high touch spaces such as bathrooms, elevator buttons and panels, in the assigned division courtrooms, partner courtrooms and surrounding areas.

IV. PUBLIC INFORMATION PLAN

A. Primary information to be conveyed to potential jurors and the public.

1. The 22nd Judicial Circuit will utilize the services of our Public Information Officer in accomplishing the public information announcements.
2. Jury service will include all health and safety measures recommended by public health professionals and the CDC.

3. Social distancing will be enforced in all common courthouse areas, JAR, elevators and jury shuttle.
4. Juror temperature screening will be conducted daily throughout the jurors' service.
5. Standing or wall mounted sanitation stations will be located inside the courthouse and in the JAR.
6. Masks shall be required for anyone entering the courthouse.
7. Jurors shall be provided with masks before they board the juror shuttle or upon arrival at the courthouse.
8. Jurors will be provided with gloves as necessary for reviewing exhibits during trial or jury deliberations.
9. The JAR will be cleaned on a daily basis.
10. Courtroom social spaces used by jurors will be cleaned twice daily.
11. Hand sanitizer will be available in the courtrooms and all jury areas, including deliberation rooms.
12. The JAR nursing mother's room is limited to use by one juror at a time. Disinfectant spray will be provided to clean up after it has been used.
13. Due to capacity limitations in courtrooms, a viewing area will be established for each trial with the trial judge making the determination as to capacity in the courtroom. A deputy shall be provided for the viewing room. The viewing room shall be treated as an extension of the trial courtroom.

B. Materials and Media

1. Consistent informational signs will be installed throughout the courthouse advising of current CDC information and recommendations regarding the public safety and health of jurors.
2. "Frequently Asked Questions" information is available at the Court's website: www.stlcitycircuitcourt.com.
3. The Presiding Judge will be available for interview(s) with local news outlets.
4. Recommend a walk-thru with TV cameras showing what jurors should expect from boarding the juror shuttle bus through courtroom seating.
5. Internal video production of videos for website and use in the JAR with reporting jurors.
6. Website update with all the above information.

C. Signage

Attention Jurors

- Please do not enter the JAR until you have had your temperature taken by the deputy sheriffs at the security desk.
- Please alert court personnel if you are suffering from any of the following, and do not enter the JAR unless you are directed to do so:

- i. Cough
- ii. Shortness of breath or difficulty breathing
- iii. Fever
- iv. Chills
- v. Muscle pain
- vi. Sore throat
- vii. New loss of taste or smell

- Please remember to wear your face mask while on the juror shuttle and in the courthouse.
- Please request a mask if you need one.
- Please use hand-sanitizer as you enter and exit the courtroom.
- Please respect a distance of at least 6 feet from other jurors at all times.

Recommendations for additional informational signage will continue to be requested as the need is identified.

ATTACHMENT A

Public Health Jury Instruction

All Court operations shall comply with the Centers for Disease Control and Prevention (“CDC”) and local infectious disease authority guidelines, including proper social distancing and use of face masks. Social distancing of at least six feet from another person and the use of face masks or coverings that cover your nose and mouth, are recommended to avoid transmitting and contracting COVID-19.

We urge you to respect others in all your jury activities. Signage is provided that will help you maintain appropriate social distancing. Masks are provided for your use during your jury experience. Please wear them while in the courthouse.

There are sanitizing wipes and hand sanitizer in the jury assembly area, the courtrooms, and jury rooms. You are encouraged to routinely wash your hands throughout the day. We have adopted daily extra cleaning and disinfecting procedures in all court buildings.

Your cooperation with social distancing, wearing your mask, using hand sanitizer, and washing your hands will help maintain a safer environment for everyone.

We have attempted to provide you the safest experience possible so that you may focus on your duty as a juror and not be distracted by health concerns.

If you have any questions or concerns, please let the court know.

ATTACHMENT B

CURRENT CLEANING PROTOCOL FOR COMMON AREAS

Consistent with public health recommendations, the contracts with our cleaning vendors have been modified to increase staffing levels as well as the cleaning frequency of public areas such as elevators, restrooms, courtrooms, and our jury assembly/deliberation rooms. The solution used in the cleaning process is an antiviral product identified by the Center for Disease Control to combat COVID-19.

RECOMMENDED PROTOCOL FOR JURY ASSEMBLY AREA ("JAR")

1. Staff and juror masks.
2. Social spacing.
3. Handwashing signs.
4. Hand sanitizer and wipes at counters and various locations around the JAR (4 dispensers and multiple pump sanitizers).
6. Jury staff is wiping down the front desk multiple times throughout the day.
7. All non-essential documents have been removed from the front desk.
8. Elevators limited to two persons at a time.

RECOMMENDED PROTOCOL FOR DIVISION JURY ROOMS/JURY BOX

1. Eliminate use of laminated juror numbers and use single disposable printed numbers.
2. Single use notepads and pens for jurors.
3. Wipe down surfaces in jury room at the end of each day (tables, chairs, counters).
4. Wipe down juror seats/arm rests/flat surfaces (twice per day if the box is used for defendants).
5. Encourage use of ELMO; exhibits should not be passed to the jury.

RECOMMENDED PROTOCOL FOR REPORTS OF JUROR ILLNESS (fever, cough, shortness of breath or difficulty breathing, chills, muscle pain, sore throat, new loss of taste or smell)

1. Sworn juror: to be addressed by trial judge (may need to release entire panel or at a minimum, the juror identifying with symptoms).
2. Reporting juror: jurors should be given a new date and directed to return home and new date.

PROTOCOL FOR NOTIFICATION

1. The jury office will contact the Court Administrator who will contact the City of St. Louis' Health Department if it learns of any juror who reported and later tests positive. The jury office and Court Administrator will be guided by Public Health as to whether additional notifications are necessary.
2. As directed by Public Health, jury office will notify reporting or sworn jurors of possible contact or will be prepared to provide appropriate contact information.
3. As directed by Public Health, jury office or Court Administrator will make any required internal notifications.

ATTACHMENT C

General Best Practices:

Our Court staff works closely with the Missouri Health Department, obtaining the most reliable information on (COVID-19) and procuring medically-guided recommendations for our Court services.

The best practices for minimizing risk at this time include wearing a mask, washing your hands, maintaining social distancing, limiting contact with symptomatic individuals, increased sterilization of frequently touched surfaces, and practicing good respiratory hygiene.

This memorandum provides recommended best practices for our court.

Jurors & Trial:

- For criminal jury trials, an Order must be sent to the Presiding Judge requesting that a case be prioritized for petit juror assignment. Sample order form is attached hereto as "Attachment D".
- For probate and civil jury trials, notify The Presiding Judge of any special circumstances that may result in your civil jury trial being considered an "essential" trial. Allocation of jurors for trials will be based on the factors in Local Rule (i.e., nature of the case, with criminal cases taking priority, last day issues, days in custody, length, urgency, relative importance of matters, involvement of out-of-town witnesses, parties, or counsel, age of the cases, the matter that was set first, or priority granted by rule or statute).
- Use of social distancing of six feet between jurors during jury selection and trial.
- Locate hand-sanitizer upon the jurors' entrance into and exit from the courtroom.
- Instruct jurors they should advise court staff immediately if they are symptomatic (e.g., fever or signs of communicable respiratory illness). If a juror is symptomatic, confer with counsel and consider whether the juror should be released for hardship or cause.
- Consider empaneling an additional one or two extra jurors as alternates.

Options for Jury Selection:

- Consider dividing your venire panel and conducting multiple sessions of voir dire, striking jurors for cause, then join the jurors from the panels then allow peremptory strikes to be made.
- Consider prohibiting parties from "back-striking" (i.e., once the parties do not request a juror to be stricken for cause or a parties' request for strike for cause has been denied, the juror cannot thereafter be challenge for cause during a subsequent round of challenges, except for cause based on new information).

Criminal defendants and witnesses under subpoena:

- If an out-of-custody criminal defendant or subpoenaed witness alleges to be symptomatic, allow the criminal defendant to appear remotely or reset the matter out 14 days.
- For subpoenaed witnesses, confer with counsel regarding the essential nature of the testimony and seek a stipulation to allow the witness to testify remotely.

Attorneys and parties other than criminal defendants:

- If an attorney or party other than a criminal defendant is symptomatic, allow the attorney to appear remotely or reset the matter.
- Consider liberally granting permission to appear remotely.

ATTACHMENT D

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

STATE OF MISSOURI,)	
)	
Plaintiff,)	
)	Cause No. XX22-CRXXXXX-01
vs.)	
)	Division No.
FIRST AND LAST NAME,)	
)	
Defendant.)	

**ORDER REQUESTING CASE PRIORITY DETERMINATION FOR ASSIGNMENT OF PETIT
JURORS**

The undersigned parties and attorneys of record agree that this case is ready for trial by jury and have requested the Assigned Trial Judge to schedule this case for jury trial, commencing on Month, Date, 2020 at 9:00 am.

The parties believe this case involves exigent circumstances with extraordinary, pressing and urgent issues, in that: _____

In requesting assignment of petit jurors for this case, it is the party's intent to resolve this case by jury trial or by other disposition during the above trial week they have selected. Once the case has been determined by the Presiding Judge to be a priority case, a continuance from the above selected trial week shall only be by order of the Presiding Judge.

The parties believe this case will require ____ days of trial and request ____ jurors be assigned by the Jury Supervisor.

Attorney for State of Missouri

Defendant

Attorney for Defendant

SO ORDERED:

Date: _____

Assigned Trial Judge