

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
16TH JUDICIAL CIRCUIT, STATE OF MISSOURI**

In Re: Resumption of Jury Trials in 16th Judicial Circuit

ADMINISTRATIVE ORDER 2020-106

WHEREAS, during the emergence of COVID-19 and its spread into a global pandemic, it has been and continues to be imperative and of great importance to the 16th Judicial Circuit (“Court”) that all appropriate steps be taken to protect the health and safety of all Court employees, all judicial officers, all attorneys, all litigants, all victims, all witnesses, all prospective jurors, all members of the general public and any other individuals or entities who have cases and hearings pending in the Court and/or have business with the Court; and

WHEREAS, while giving full consideration to the concerns stated above, the Court has also consistently considered the performance of its constitutional duties as the judicial branch of government, considering and balancing the rights of all parties and litigants to have their cases, hearings, disputes and matters heard and adjudicated; and

WHEREAS, as a result of and in response to the spread of COVID-19, the State of Missouri, Jackson County and various Mayors of cities in Jackson County, issued stay at home Orders and other emergency Orders which closed or limited certain governmental functions and which closed certain aspects of society and communities, the Court has previously cancelled all jury trials for a period of several months; and

WHEREAS, previously entered stay at home Orders and emergency Orders have been lifted or terminated and/or have been replaced with Orders allowing for the continuing phased re-opening of society, businesses, communities and the courthouses in which the Court operates, while also including continued restrictions to minimize the potential spread of COVID-19; and

WHEREAS, notwithstanding the ending of various stay at home Orders and the phased re-opening of society, businesses and government, social distancing guidelines remain in effect, which guidelines recommend, suggest or require a minimum separation distance of 6 feet between people as a way to minimize the spread of the COVID-19 virus; and

WHEREAS, notwithstanding the ending of various stay at home Orders and the phased re-opening of society, businesses and government, limitations on the size of groups that may gather at any one time and in any one location remain in effect, although the size of allowed gatherings continues to grow and expand; and

WHEREAS, as a result of these changing circumstances, it is proper to enter one additional suspension of jury trials, recognizing however the clear intent of the Missouri Supreme Court, the State of Missouri and Jackson County to continue re-opening society, businesses and communities and resume more complete operations, including the ability to safely conduct jury trials; and

WHEREAS, the Missouri Supreme Court has authorized the Presiding Judge of each Circuit to determine the timing and manner in which hearings, including jury trials, are to be safely conducted and facilitate local solutions regarding the continuation and/or restoration of court operations, while also considering and maintaining a certain degree of uniformity; and

WHEREAS, the Court has been evaluating and continues to evaluate all factors that impact the timing and ability to safely resume jury trials and all options and mechanisms by which the Court could safely resume jury trials, while also continuing to evaluate and undertake appropriate steps to vigorously protect the health and safety of all employees of the Court, all judicial officers, all attorneys, all litigants, all victims, all witnesses, all prospective jurors, all members of the general public and any other individuals or entities who have cases and hearings pending in Court and/or have business with the Court; and

WHEREAS, the Court conducts jury trials at the Kansas City Courthouse (“KCCH”) and the Eastern Jackson County (Independence) Courthouse (“EJCCH”). Each courthouse presents different challenges and limitations that impact the ability to safely resume jury trials, including but not limited to the on-going construction at the Kansas City Courthouse; and

WHEREAS, the Presiding Judge of the Court has administrative authority over dockets of the Court and the administrative and discretionary authority regarding the manner in which any hearings are conducted in the Court.

IT IS THEREFORE ORDERED as follows regarding petit juries and jury trials (a separate Administrative Order will be entered regarding grand juries):

1. The Court Administrator is Ordered and authorized to continue to suspend summoning and impaneling all petit jurors during the time herein set forth:

A. All jury trials scheduled to be heard in the EJCCH through September 20, 2020 are hereby cancelled, continued and will be rescheduled to a later date by the judicial officer presiding over said case.

B. All jury trials scheduled to be heard in the KCCH through October 4, 2020 are hereby cancelled, continued and will be rescheduled to a later date by the judicial officer presiding over said case.

2. Unless the continued lifting of restrictions and the resulting re-opening of society, businesses and communities pursuant to the current "re-opening" plans results in a significant elevation of COVID-19 infections, regression in the return to normal court operations or other significant, negative changes in circumstances that would warrant an extension of the cancellation of jury trials, it is anticipated that no additional cancellations of jury trials will be ordered and jury trials will resume on the dates herein set forth.

3. Therefore, barring circumstances as described in paragraph 2 above, the Court will resume hearing all scheduled jury trials as follows:

A. Effective September 21, 2020, jury trials will resume at the EJCCH.

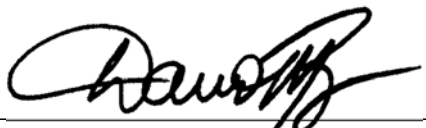
B. Effective October 5, 2020, jury trials will resume at the KCCH.

IT IS FURTHER ORDERED that 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 as to the specific terms set forth herein.

THIS ORDER MAY BE AMENDED, EXTENDED, MODIFIED AND/OR REVOKED AS CIRCUMSTANCES REQUIRE.

IT IS SO ORDERED.

June 19, 2020
Date



David M. Byrn, Presiding Judge

Certificate of Service

This is to certify that a copy of the foregoing was emailed to the following on June 19, 2020.

16th Circuit Court Judiciary and Staff
Frank White, County Executive
Troy Schulte, County Administrator
Darryl Forte, Sheriff
Mary A. Marquez, Court Administrator
Jean Peters-Baker, Prosecutor
Ruth Petsch, District Defender
All Bar Associations

