

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

**In Re: Updated Court Operations under Supreme Court Operational Directives -
Effective February 1, 2021**

**THIS ORDER PERTAINS ONLY TO COURT OPERATIONS AT KANSAS
CITY MUNICIPAL DIVISION COURTHOUSE**

Kansas City Municipal Division Courthouse to operate at Phase 2

ADMINISTRATIVE ORDER 2021-~~8881~~ 014

WHEREAS, circumstances regarding COVID-19 continue to evolve and change, frequently on a daily or weekly basis, resulting in continuing re-evaluation of court operations; and

WHEREAS, the Supreme Court's Operational Directives include provisions allowing a presiding judge to "change [the] Operating Phase for each court facility [within a circuit] in which judicial functions are carried out"; and

WHEREAS, on January 11, 2021, the Kansas City Municipal Division was operating under Phase 1 of the Supreme Court's Operational Directives, and

WHEREAS, specific circumstances have arisen within the Kansas City Municipal Division Courthouse which, pursuant to the Supreme Court's Operational Directives, require moving Court operations within the Kansas City Municipal Division Courthouse to Phase 2; and

WHEREAS, the circumstances requiring the change set forth in this Administrative Order are limited to Court operations at the Kansas City Municipal Division Courthouse; and

WHEREAS, the Missouri Supreme Court has continued to encourage judges to utilize all available technologies – including teleconferencing and video conferencing – to limit in person courtroom appearances to the extent not prohibited by the constitution or statutes as to the proceedings; and

WHEREAS, the Missouri Supreme Court's Operational Directives describe criteria to be evaluated and considered regarding the continued operation of the Court as well as the progression or regression to different Phases set forth in the Operational Directives, all of which have been duly considered in the entry of this Administrative Order. The Missouri Supreme Court's Operational Directives also allow for the exercise of local discretion based on factors and circumstances applicable to each courthouse facility; 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 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 HEREBY ORDERED, effective February 1, 2021 and continuing until rescinded, amended, modified or extended in a subsequent Administrative Order, as follows:

1. All terms of this Administrative Order shall pertain **ONLY** to Court operations at the Kansas City Municipal Division Courthouse.
2. Effective January 29, 2021, the Kansas City, Missouri Municipal Courthouse will operate under Phase 2 protocols for the purposes of a test run through for procedures for three cases at 1:30 PM.
3. Effective February 1, 2021, the Kansas City courthouse will operate under Phase 2 of the Missouri Supreme Court's Operational Directives.
4. In person trials at the Kansas City, Missouri Municipal Courthouse will proceed pursuant to the provisions of Administrative Order 2020-174 and other Court protocols and procedures.
5. According to the specific terms of the Supreme Court's Operational Directives, the Court has considered and will continue to consider whether it is appropriate to resume or conduct "extraordinary, pressing and urgent" proceedings at the Kansas City courthouse while said courthouse is operating under Phase 2.
6. Large venues and common areas such as break rooms should be closed in the Kansas City courthouse. Occupancy rates in courtrooms, jury assembly rooms and other areas in the Kansas City courthouse shall be kept at a rate of 25 or less whenever possible and operate under strict social distancing protocols. Face masks or coverings **shall be required** in all public court areas and during all court proceedings unless good cause is shown to limit the requirement in a particular proceeding, such as for a witness who is testifying. In addition, face masks or coverings shall be required in non-public work areas except when an individual is alone in a private office.
7. 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 (collectively referred hereinafter as "proceedings") so as to minimize, as much as possible, the physical presence of persons in the Kansas City courthouse for in person proceedings.
8. Subject to the provisions of paragraph 6 above, in person proceedings *may occur* for proceedings in extraordinary and urgent situations, based on a determination that alternative methods for conducting said proceedings cannot occur, including a determination by the Judicial Officer presiding over any such proceedings 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 the Kansas City courthouse. *In person*

hearings may be conducted when other alternative methods to proceed have failed or are otherwise not available. In any situation where disruptions or interference is attempted or occurs for court proceedings that are conducted by telephone, teleconference, polycom, videoconference or any other “not-in-person” method, a Judicial Officer may conduct any/all subsequent proceedings in person.

9. In all where the defendant is in detention at any detention center:

A. Said defendant shall be personally transported to the Kansas City courthouse for any hearing where the defendant’s personal appearance/presence is required by statute, rule or constitutional provision *and* said hearing is required to immediately proceed;

B. Said defendant shall *not* be personally transported to or brought into the Kansas City courthouse for any hearing other than those specifically identified in paragraph A above. All hearings and conferences other than those specifically identified above in paragraph A shall be conducted via teleconference or videoconference.

10. Cases in the Kansas City Missouri Municipal Court shall be held by video or teleconference unless notified by the Court that the case will be heard in person. Court Administration shall notify the parties of the in-person trial date.


11. All Court staff and all members of the public who appear at the Kansas City courthouse and any other courthouse for hearings and/or to conduct any court-related business, shall comply with all screening requirements and/or other requirements to mitigate against the spread of COVID-19, including but not limited to temperature checks and medical screenings in order to enter any courthouse, wearing masks or other face coverings as a condition to enter any courthouse and wearing masks as set forth in this Order and social distancing.

**THIS ORDER MAY BE AMENDED, RESCINDED, MODIFIED OR EXTENDED AS CIRCUMSTANCES REQUIRE.
IT IS SO ORDERED.**



Ardie A. Bland, Presiding Judge
Kansas City Municipal Division

Dated: 1/25/2021



J. DALE YOUNGS, Presiding Judge
16th Judicial Circuit

Dated: 26-Jan-2021

**16TH JUDICIAL CIRCUIT
STATE OF MISSOURI**

Notice to the Supreme Court of Missouri of Higher/Lower Operating Phase

I, Dale Youngs, Presiding Judge of the 16th Judicial Circuit Court, hereby notify the Supreme Court of Missouri that effective February 1, 2021, the Kansas City Municipal Division Courthouse of the 16th Judicial Circuit will be operating under the terms of Phase 2 of the Supreme Court's Operational Directives, including the utilization of local solutions applicable to local conditions as set forth in this Court's Administrative Order 2020-174, effective October 24, 2020. All other courthouses and court buildings will continue to operate under Phases set forth in prior Administrative Orders and Notices to the Supreme Court.



Dale Youngs, Presiding Judge

Dated: 26-Jan-2021

Certificate of Service

This is to certify that a copy of the foregoing was emailed to the following on 26-Jan-2021.

Missouri Supreme Court
Ardie A. Bland, Presiding Judge, Kansas City Municipal Division
Megan Pfannenstiel, Court Administrator, Kansas City Municipal Division