



## **In the Circuit Court of Jackson County, Missouri DIVISION 6 – Judge J. Dale Youngs**

### **Standing Order Regarding Division Policies and Procedures for In-Person Hearings and Trials in Response to the COVID-19 Pandemic**

#### **Introduction**

The COVID-19 pandemic has forced courts around the country to make significant changes to the way they function so they can continue to perform their obligation to effectively and fairly administer justice – and do it safely. By Missouri Supreme Court Orders, as well as 16<sup>th</sup> Circuit Administrative Orders and orders issued by state and local governments, many hearings and trials in the 16<sup>th</sup> Judicial Circuit have either been postponed, or are being conducted by telephone and video conferencing. Recently, these restrictions have been loosened somewhat and in any event, some hearings and trials simply must be held in the courtroom with all participants being physically present.

The gradual resumption of in-person hearings and trials is subject to those same directives and must be conducted in a way that minimizes risk to parties, witnesses, attorneys, court staff and the community. Therefore, the below policies will govern the conduct of such hearings in Division 6. Most proceedings will continue to be conducted remotely.

This situation is evolving, and the below policies will similarly evolve as necessary in order for the Division to be compliant with current and future Supreme Court, 16<sup>th</sup> Circuit, and state and local orders. **IMPORTANT – These directives do NOT apply to jury trials, which continue to be suspended.** The below procedures apply to all counsel appearing in Division 6 and, where, applicable, clients, self-represented parties, and witnesses. Persons who fail or refuse to comply with these requirements may be excluded from the courtroom. Any questions regarding these directives should be directed to Division 6 staff at (816) 881-3606 or via e-mail at [Div6.Cir16@courts.mo.gov](mailto:Div6.Cir16@courts.mo.gov).

## **Courtrooms**

- Social distancing is required in the courtrooms. Devices such as floor and seating markings and partitions have been installed to facilitate this. No person within the courtroom shall approach the bench or court staff except with leave of court and in the manner directed.
- Hand sanitizer is provided in various areas of the courthouse, including in all courtrooms, and all persons are encouraged to make use of it upon entering and leaving the courtrooms. The wearing of gloves is encouraged, but not required. Court staff will not provide gloves.
- All persons within the courtroom should expect that masks will be required to be worn inside the courtroom at all times, unless the wearing of such masks is excused by the court. Under any circumstance, persons within the courtroom will be encouraged to wear masks and, pursuant to administrative and other orders, masks **MUST** be worn in all other public areas of the courthouse, including Division offices, lobbies and hallways, restrooms, and witness rooms. Court personnel will not supply masks. All persons coming into the courtroom will be required to provide their own masks and will be required to wear them so their mouths and noses are covered at all times.
- Courtrooms, hallways, and other areas of the courthouse are subject to limitations on the number of persons that can be assembled there. Counsel and parties should ensure that they are aware of the current limitations and plan accordingly as those restrictions will have an impact on the ability of persons not directly involved in the proceeding to be present in the courtroom.

## **Exhibits**

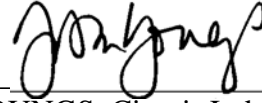
- No fewer than two (2) business days prior to the commencement of any in-person proceeding, counsel and self-represented litigants shall provide all exhibits they anticipate offering into evidence to opposing counsel/parties and to the court. Exhibits shall be pre-numbered in accordance with Jackson County Local Rules or Division requirements. The exhibits shall be accompanied by an exhibit list in the form shown and available at the Division's webpage, <https://www.16thcircuit.org/division-6-judge-j-dale-youngs>.
- Exhibits shall, if possible, be provided to opposing counsel/parties and the court via e-mail. Exhibits e-mailed to the Court shall be mailed to the Division e-mail address, [Div6.Cir16@courts.mo.gov](mailto:Div6.Cir16@courts.mo.gov). Counsel and parties shall not personally deliver hard copies of exhibits to the court without having first received permission to do so.
- With regard to non-documentary exhibits such as objects, a photograph of the proposed exhibit shall be provided to opposing counsel/parties in the manner described above, and the actual object may then be brought to the hearing by its proponent.

- In order to minimize the handing of exhibits to witnesses, each party shall provide a notebook containing that party's proposed exhibits for use by witnesses during the trial or hearing. In no event shall anyone hand any exhibit to a witness except with leave of court and in the manner directed. Counsel and parties are encouraged to make use of evidence presentation technology, including overhead projectors, ELMOs, etc.

IT IS SO ORDERED.

June 10, 2020

\_\_\_\_\_  
Date



\_\_\_\_\_  
J. DALE YOUNGS, Circuit Judge  
Division 6