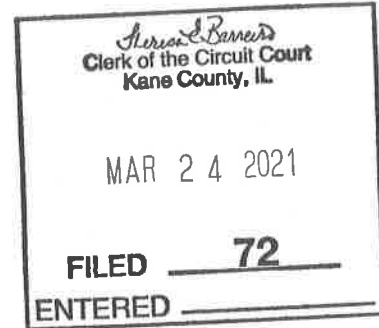


IN THE SIXTEENTH JUDICIAL CIRCUIT
GENERAL ORDER 21-06
Effective April 5, 2021

IN THE MATTER OF)
 AMENDING AND SUPERSEDING)
 GENERAL ORDER 20-07,)
 GENERAL ORDER 20-14,)
 GENERAL ORDER 20-18,)
 GENERAL ORDER 20-22,)
 GENERAL ORDER 20-29,)
 GENERAL ORDER 20-30,)
 GENERAL ORDER 21-01,)
 GENERAL ORDER 21-02 and)
 GENERAL ORDER 21-04)
 COVID-19 EMERGENCY MEASURES)
 IMPACTING COURT OPERATIONS)



WHEREAS, the Coronavirus pandemic is ongoing and in order to protect the health and safety of the public, Circuit Court judges and Circuit Court employees, and pursuant to the Illinois Supreme Court Rule 21 (b) and the Court's inherent authority; and

WHEREAS, the Supreme Court of Illinois entered Order MR. 30370 on May 20, 2020, authorizing each Circuit Court to return to hearing court matters, whether in person or remotely, according to the schedule to be adopted for each county by the Chief Judge of each Circuit. The Order recommends that Circuit Courts shall continue, to the extent possible, to allow for appropriate social distancing; and

WHEREAS, it is in the best interests of all of the above-named parties and individuals to limit the number of people in the Kane County Judicial Center, Kane County Courthouse, Kane County Juvenile Justice Center and the Branch Courts to as few as needed to accomplish critical tasks.

IT IS HEREBY ORDERED that Court Security Personnel and Judicial Staff shall take reasonable measures to enforce six-foot social distancing and the wearing of mask/face coverings within the public spaces of the courthouse and all courtrooms.

IT IS THEREFORE ORDERED, that effective April 5, 2021, the following procedures are in effect in the Sixteenth Judicial Circuit:

- 1) **REMOTE COURT ACTIVITY:** Each Division has entered Administrative Orders titled "In the Matter of Covid-19 Temporary Procedures for _____ Matters" establishing temporary procedures for each division. Attorneys and self-represented litigants appearing in these divisions should consult the Administrative Orders to learn about the scheduling and procedures that must be followed for each division.

- 2) **CRIMINAL JURY TRIALS:** Criminal jury trials started on February 25, 2021 and are subject to limitations on the number that can be accommodated. This order incorporates the language contained in the Illinois Supreme Court order M.R. 30370 signed May 20, 2020. “The Chief Judges of each circuit may continue trials until further order of this Court. The continuances occasioned by this Order serve the ends of justice and outweigh the best interests of the public and defendants in a speedy trial. Therefore, such continuances shall be excluded from speedy trial computations contained in section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 [West 2018]) and section 5-601 of the Illinois Juvenile Court Act (705 ILCS 405/5-601 [West 2018]). Statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 and section 5-601 of the Juvenile Court Act shall be tolled until further order of the Court. This provision also applies when a trial is delayed when the court determines proper distancing and facilities limitations prevent the trial from proceeding safely. The judge in the case must find that such limitations necessitated the delay and shall make a record thereof.”
- 3) **CIVIL JURY TRIALS:** Civil Jury Trials will begin no sooner than April 5, 2021, subject to the approval of the Presiding Judge.
- 4) **BOND CALL/ORDERS OF PROTECTION/EXPUNGEMENTS (COURTROOM 005):** All bond calls will continue to be heard at the Kane County Judicial Center. Aurora and Elgin bond call matters will also be heard at the Kane County Judicial Center. The Courtroom will also be open for in-person appearances for emergency orders of protection, stalking/no contact orders, civil no contact orders, plenary orders of protection hearings and expungements.
- 5) **MASK/FACE COVERINGS:** Pursuant to General Order 20-21, all persons in public areas of the courthouses, including courtrooms, must wear a mask/face covering unless the judge presiding over the courtroom gives permission to remove the mask/face covering in order to participate in court proceedings.
- 6) **ADDITIONAL PERSONS DISCOURAGED:** The Sixteenth Judicial Circuit will be limiting the number of people inside the courthouses and courtrooms. In the event that an in-person appearance is authorized by a Judge, litigants are discouraged from bringing in any other person with them to the courthouse. Individuals appearing with litigants will be asked to remain outside of the building with limited exceptions.
- 7) **REMOTE HEARING:** If your case is going to be heard remotely, parties should plan to appear as scheduled, to make a timely appearance, and should familiarize themselves with the “Guidelines for Virtual Courtroom Proceedings of the Sixteenth Judicial Circuit” and the Illinois Supreme Court Remote Access Policy, effective January 1, 2020, and revised effective June 1, 2020.

A “remote hearing” is one that is conducted either telephonically or via a video conferencing system. A “remote hearing” includes, but is not limited to, status dates,

pleas, motion hearings, and trials. The Sixteenth Judicial Circuit will be utilizing the Zoom video conferencing platform.

Each judge may exercise his or her discretion in establishing additional parameters for remote hearings. In misdemeanor and felony matters, a clerk and court reporter must be present either in-person, telephonically, or by video conferencing when contested remote hearings are held to ensure a record is made.

- 8) **MENTAL HEALTH COURT:** All hearings will continue as scheduled.
- 9) **SPECIALTY COURTS:** Drug Court, Treatment Alternative Court (Mental Health Court), and Veterans Court will be held remotely. Defendants may be ordered to attend court in-person by the Court or directed to appear in-person by his/her Probation Officer or Attorney.
- 10) **GRAND JURY:** Both the Tuesday and the Friday afternoon grand juries will continue to meet in-person at the Kane County Judicial Center.
- 11) **WEDDINGS:** Weddings will resume on April 5, 2021.
- 12) **KANE COUNTY LAW LIBRARY & SELF HELP LEGAL CENTER:** The Law Library and Self Help Legal Center will physically re-open on April 5, 2021.
- 13) **ARBITRATION HEARINGS:** Arbitration hearings set between February 2, 2021 and April 30, 2021 will be conducted via Zoom. In-person hearings will begin no sooner than May 3, 2021.
- 14) **BANKRUPTCY/WORKERS COMPENSATION:** Hearings will not be conducted at the Kane County Courthouse until further order of Court.
- 15) **CHILDREN'S WAITING ROOM:** The waiting room will re-open on April 5, 2021.
- 16) **OTHER MATTERS:** Non-essential gatherings, meetings and programs at the Kane County Courthouse, Kane County Judicial Center, or the Kane County Juvenile Justice Center may be held upon authorization by the Chief Judge or Court Administration.

The Court may issue further Orders, as necessary, to address the changing circumstances surrounding the Coronavirus pandemic.

Entered this 24th day of March 2021, and effective April 5, 2021.

A true copy of the original of this document is on file in my office
Attest <u>March 24</u> 20 <u>21</u>
<u>Theresa E. Barreiro</u> Circuit Court Clerk, Kane County, Illinois
By: <u>Theresa E. Barreiro</u> Deputy Clerk


Clint Hull, Chief Judge