

THE 12<sup>th</sup> JUDICIAL DISTRICT COURTS OF KANSAS  
WASHINGTON, REPUBLIC, JEWELL, CLOUD, MITHCHELL, and LINCOLN COUNTIES

ADMINISTRATIVE ORDER: 401

RESUMING COURT OPERATIONS

A PHASED APPROACH:

This order complements actions to mitigate local or statewide outbreak of COVID-19 disease. This order supersedes any district court orders or prior Administrative Orders of this court conflicting with this order.

It has been determined the following actions are necessary to secure the health and safety of court users, staff and judicial officers while keeping the court operating. On May 1, 2020, the Supreme Court of Kansas issued Orders 2020-PR-44, 2020-PR-45, 2020-PR-46, 2020-PR-47, 2020-PR-48, and 2020-PR-49. All six orders relate to the finding of Chief Justice Luckert that “in-person judicial proceedings continue to pose a threat to the health and safety of court users, staff, and judicial officers.”

Order 2020-PR-045 authorizes the district court to conduct all hearings within its jurisdiction through two-way telephonic or electronic audio-visual communication, referred to herein as “remote proceedings”. The Order states “Judges and litigants are encouraged to use remote proceedings whenever possible and especially when any party, witness, attorney, or other participant expresses health concerns.”

Upon consulting with local public health officials and keeping in mind the safety requirements set forth in Orders 2020-PR-48 and 2020-PR-49, the following is ordered:

**Phase 1**

Beginning May 18, 2020

Remote proceedings mandatory for all hearings

Employees return to courthouse offices

County specific safety plans enforced

Strict social distancing enforced

In-person counter service remains closed

Probation offices closed to clients and telework preferred

**Phase 2**

Courthouse public open

Remote proceedings mandatory for all hearings

In-person counter services resume with such restrictions as advised by local health officials, including social distancing

Probation offices closed to clients and telework approved

**Phase 3**

No earlier than June 1, 2020

Remote proceedings preferred per 2020-PR-045

In-person court proceedings and in-person services resume with such restrictions as advised by local health officials, including social distancing and no more than 10 people

Telework approved for some offices

**Phase 4**

No earlier than June 22, 2020

Remote proceedings preferred per 2020-PR-045

In-person dockets resume through the use of group scheduling, including social distancing and group size limited to 30 people

**Phase 5**

No earlier than July 6, 2020

Remote proceedings preferred per 2020-PR-045

Jury selection may resume

**General Procedures:**

- a. All judges in the 12<sup>th</sup> Judicial District will coordinate operations for all possible cases through remote proceedings. Those hearings may occur without delay upon consultation with counsel and self-represented litigants. Dockets may resume with use of remote communication.
- b. In-person proceedings may occur when designated above, remote proceedings are preferred. In the event of an in-person hearing, the judge shall take necessary steps to practice social distancing in order to minimize potential exposure to COVID-19. The presiding judge must ensure that all participants in the proceeding maintain at least 6-foot social distance from each other at all times.
- c. Spectators and family members who are not court participants may not attend proceedings until emergency conditions pass. Spectators may view hearings streamed live where applicable. The Court will post links to live stream channels on <https://www.kscourts.org/About-the-Courts/District-Courts/Districts/12th-Judicial-District>.
- d. Any person, regardless of status, who is exhibiting symptoms consistent with COVID-19, or any person who has knowingly been in contact with another person who is suffering from the effects of the COVID-19 virus, is prohibited from entering any court facility. Court staff and local law enforcement officials are hereby granted authority to screen and remove persons from courtrooms, or court facilities in accordance with this Order.

- e. Any person, regardless of status, shall wear a face-covering in all public areas of the courtrooms, court offices and court facilities.
- f. Court employees shall wear face-coverings while working in shared offices when 6-foot social distancing cannot be maintained.
- g. Mediation or settlement conference conducted by court personnel may resume via remote proceeding until further order of this Court.
- h. The 12<sup>th</sup> Judicial District Supervised Visit and Exchange Program shall remain closed until further order of this Court. Supervised in-person parenting time may resume after June 1, 2020, where social distancing, and all other best practices as prescribed by the CDC, KDHE and local health officer are maintained.
- i. Those who have been directed to report on probation or for interviews with Court Services Officers are directed to report by telephone, remote proceeding or e-mail.

This Order shall be effective immediately and shall remain in effect until further order of this Court or the Kansas Supreme Court.

The Court will provide updates regarding phase level changes and progress on the court's website and other broadcast media.

IT IS SO ORDERED, this 14<sup>th</sup> day of May, 2020.



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Kim W. Cudney  
Chief Judge, 12<sup>th</sup> Judicial District