



Bellefontaine *Neighbors*

Asst. Court Clerk: Juanita Sykes

Chief Municipal Judge, Hon. Judy P. Draper

Bellefontaine Neighbors Municipal Courts Division
9641 Bellefontaine Road
St. Louis, MO 63137
314-867-0076

Continuity of Operations (COOP)

Plan for Restarting In-Person Hearings

Bellefontaine Neighbors Municipal Court

Division of St. Louis County 21st Circuit

Presented to: Hon. Michael D. Burton, Presiding Judge

Prepared by: Hon. Judy P. Draper, Chief Municipal Judge

May 21, 2020

PREFACE

This plan has been prepared by Judge Judy P. Draper as directed by the Presiding Judge of St. Louis County 21st Circuit, Hon. Michael D. Burton as a plan for resuming Bellefontaine's Neighbors Municipal Court Division after the COVID-19 Pandemic in accordance to the phases listed below and the issued Administrative Order # 30.

During all phases:

- Proceedings may be conducted remotely
- Common spaces will be sanitized regularly
- Visitors will be screened to mitigate against spread of COVID-19 in court facility
- Courts may consider requiring visitors to wear masks or face coverings
- Social-distancing protocols will be followed

Phase Zero

- Most in-person proceedings suspended
- Access to courthouse greatly limited

Phase One

- Critical proceedings may resume
- Courtrooms and other public spaces limited to no more than 10 people if possible

Phase Two

- Additional proceedings may resume
- Courtrooms and other public spaces limited to no more than 25 people if possible

Phase Three

- Resume proceedings in compliance with local social distancing and occupancy limit protocols
- Courtrooms and other public spaces open in accord with social distancing protocols

BELLEFONTAINE NEIGHBORS COOP

Judge Burton's Directive #1 :

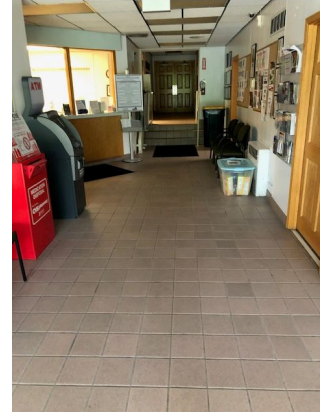
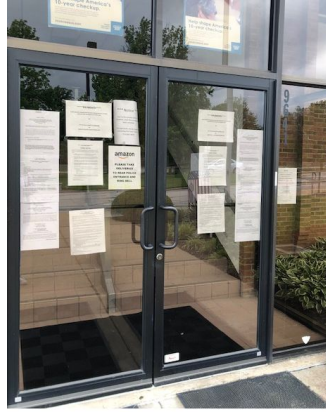
The Municipal Division's plan for social distancing [as described by the Centers for Disease Control and Prevention ("CDC") and St. Louis County Department of Public Health ("DPH")] to protect the court personnel and the public.

Bellefontaine Municipal Division plans to implement Requirement 1 as follows:

- Courtroom will not contain more than ten (10) persons for any in-person hearings.
- All citizens will be given a number when first arriving on the Bellefontaine parking Lot in front of City Hall and will stay in their cars until called to line up keeping a distance of six (6) feet which will be marked with either tape or drawn in a box.
- Citizens will be instructed to stay in their cars and will be given a sequential number according to time of arrival.
- Citizens who do not arrive by car will be given a place to stand if possible or be given seating if necessary keeping a distance of six (6) feet apart.
- Citizens 1-7 will be called to get in line at six feet apart according to taped areas or boxed areas.
- Before entering the court building, there will be a temperature check. If the temperature is less than 100.4 degrees, he/she will be provided a mask, a one-time mask, if they did not bring one. The citizen will be allowed to enter the courtroom and sit in a marked chair.
- If the citizen's temperature reads over 100.4 or more, he/she will be given a continuance notice to the next available court date after 14 days have passed.
- The Judge, Bailiff and Court Clerk will be in the courtroom handling the docket with a mask worn.
- Security will be at the front door and will monitor ingress and egress. As people leave the courtroom, security will instruct the next person in line to enter the courtroom all while keeping six (6) feet social distancing and so on.
- Security will call/radio "officer" outside in order for that individual to instruct the next group of citizens to line up according to their number.
- There are plans to install plexiglass on the bench.
- Gloves will be provided to court staff to handle documents and files if necessary.
- Sanitizing stations and hand sanitizers will be at prominent locations prior to entering the courtroom for use by public and court personnel.

(continued)

- Large Prominent signs will be placed advising citizens and staff to sanitize their hands - Be sure to have Masks on - Stay six (6) feet apart and respect SOCIAL DISTANCING. Municipal Division will determine the number of court appearance notices to be sent out and stagger the docket according to past number of notices sent out and the approximate number of those who actually appear in court on those notices.
- Wherever possible, the Municipal Division will strive to conduct court business via Zoom/ WebEx/other programs.



Judge Burton's Directive #2 :

Compliance with CDC and DPH directives for preventing the spread of COVID 19 including, but not limited to: cleaning and disinfecting public areas, providing face masks, gloves for staff and making available hand sanitizers for all visitors.

- BN has a janitor who will clean and disinfect the Courtroom and all surfaces before Court and after Court with EPA-approved disinfectant OR with mixed solution of bleach and water or with a 70% alcohol solution. Cleaning company will clean and disinfect all surfaces that can be touched by visitors and employees including but not limited to walls, light switches, chairs, tables, doorknobs, and lecterns.
- Janitor will first clean all surfaces with soap and water prior to disinfecting.
- Janitor will also clean and disinfect Court offices and public utilities in the same manner.
- Janitor staff will also clean and disinfect all points of ingress and egress for court employees and court visitors.
- BN will provide face masks and gloves for all court employees.
- Hand Sanitizers or hand sanitizing stations will be available for all Court employees and for all Court visitors.
- BN will provide disposable masks and gloves if necessary to all court visitors upon entering the public hallway prior to entering the courtroom.

*** The Municipal Division will consult with its Mayor and Board to request purchasing a text messaging program: which would provide a service that would allow for a litigant to check in for court using their cellular device. The court clerk will have the ability to manage the software and send an individual text to notify the person to proceed into the courtroom to have their cases adjudicated.

Judge Burton's Directive #3 :

Alternate means for court operations such as video-conferencing, Zoom hearings, staggered dockets, additional dockets (Please address other ways to reduce the number of visitors to the Courtroom , including means in which litigants can contact the Prosecuting attorneys and resolve their cases before their matters are set).

- BN Court Division will limit notices sent out for any one docket call in order to stagger dockets.
- Additional docket times and days may be added.
- BN has purchased a Zoom program.
- The court automation committee has offered Webex as a means of electronic communication and the court will utilize this software.
- Video conferencing will be utilized wherever feasible.
- The above alternate means of operating courts will be tried to determine which works best for the municipality taking into consideration it's demographics, constituency and affordability.
- Notices will be sent to citizens requesting that they limit non-essential persons accompanying them to court and to bring mask/face coverings to court.
- Notices shall include the Prosecutor's contact information (as provided by the prosecutor a. - e.) in order for those matters to be resolved with self-represented litigants as is the case with litigants utilizing attorneys.
 - a. Attorneys need not appear. All recommendations and requests for amendments by mail only.
 - b. Due to court size we should limit the docket either by last names or a hard and fast number of defendants.
 - c. If a pro se defendant asks for a trial we could first send them a proposed recommendation by mail and if they still request a trial then we should follow the procedures set by Judge Burton.
 - d. We should consider a specific day for in court payments and not accept payments on court nights to avoid congestion in the lobby.
 - e. Any requests for continuances and extensions of payment dates should be made in advance by attorneys and not on a court night to avoid attorneys appearing for such requests

Judge Burton's Directive #4 :

Notification to litigants of court protocols to instill confidence in the court's providing a safe place to appear.

(This "Court Reset Notice" will be mailed with the summons to all litigants and attorneys)

PUBLIC BN COURT POSTING/MAILING

Enclosed you have received notice of your rescheduled court date, which had previously been suspended due to the Coronavirus also known as COVID-19. (The Presiding Judge of St. Louis County had suspended all in-person hearings for all Municipal Courts until all Municipalities had complied with Centers for Disease Control ("CDC") and Department of Health ("DOH") regulations to ensure your safety and limit the spread of COVID-19.) Bellefontaine Neighbors is currently in compliance with all CDC and DOH safety regulations.

Please continue to check the Bellefontaine Neighbors web-site at www.cityofbn.com for further information.

This is a rescheduled court date and if you fail to appear, negative legal consequences may ensue.

Please be advised that Bellefontaine Neighbors Municipal Court and its staff are following the Center for Disease Control Guidelines and Missouri Department of Health to ensure the safety of all involved during Court proceedings. The courtroom will be cleaned and sanitized before and after each court session. All Court Personnel will be wearing masks. You are required to bring a mask or face covering with you to use during Court. Please do not bring any additional non-essential persons with you when you appear for any Court related business. We will also be enforcing social distancing asking you to keep a distance of (six) 6 feet apart from those around you.

THESE PRECAUTIONS WILL HELP YOU AND OTHERS WITH WHOM YOU INTERACT FROM SPREADING THE VIRUS.

Your cooperation will be greatly appreciated. WE MUST WORK TOGETHER TO PROTECT EACH OTHER. THANK YOU!

Any questions, feel free to contact the Bellefontaine Neighbors Municipal Court Clerk at (314) 867-0076 or check the Bellefontaine Neighbors Website @ www.cityofbn.com and/or St. Louis County Court Website @www.courts.mo.gov

***** YOU WILL BE REQUIRED TO BRING A MASK WITH YOU FOR YOUR NEXT COURT APPEARANCE**

ADMINISTRATIVE ORDER 30

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ADMINISTRATIVE ORDER RE OPERATIONS OF THE COURT SUBSEQUENT TO THE MISSOURI SUPREME COURT'S MAY 4, 2020 ISSUANCE OF OPERATIONAL DIRECTIVES

WHEREAS, in March, 2020, the Centers for Disease Control and Prevention declared that the outbreak of COVID-19 is a worldwide pandemic, and the St. Louis County Executive consequently declared a state of emergency; and

WHEREAS, the St. Louis County Executive subsequently announced a Stay-At-Home Order for all residents and businesses in St. Louis County, Missouri that went

into effect on Monday, March 23, 2020 and remains in effect at this time, and that during this time, all non-essential businesses have been closed and all non-essential personnel have been asked to work from home if possible; and

WHEREAS, the continuing operation of the 21st Judicial Circuit Court ("Court") is deemed to be an essential governmental service and therefore, the Court has remained open and operational during the term of the Stay-At-Home Order; and

WHEREAS, notwithstanding the fact that the Court has remained open, the Court has taken steps to protect the health and safety of all employees of the Court, all judicial officers, all attorneys, all litigants, all victims, all witnesses and any other individuals or entities who have cases and hearings pending in Court, while also balancing the rights of all said individuals to have their matters heard; and

WHEREAS, notwithstanding the fact that the Court has remained open, the Court's operations have been significantly modified during the term of the Stay-At-Home Order; and

WHEREAS, the Missouri Supreme Court has entered Orders since March 6, 2020, regarding on-going court operations and has instructed courts in this state to "prepare for potential infection in their community"; and

WHEREAS, the Missouri Supreme Court has directed its courts to "consider strategies to prevent the spread of respiratory germs into, within, and between facilities"; and

WHEREAS, the Missouri Supreme Court has suspended all in-person proceedings with certain identified exceptions, and the Missouri Supreme Court has authorized the Presiding Judge of each Circuit to determine the manner in which hearings are to be conducted, including the discretion to excuse individuals from appearing; and

WHEREAS, the Court desires to employ additional necessary and reasonable measures to protect the general public, litigants, lawyers, employees and all other individuals from exposure to COVID-19; and

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

WHEREAS, as state and local governments begin to relax stay-at-home orders and restrictions on social distancing and group gatherings, the Supreme Court of Missouri, on May 4, 2020, provided Operational Directives to the courts of this state that they must follow before resuming court activities that have previously been suspended by this Court's prior orders; and

WHEREAS, these Operational Directives are designed to assist courts in ensuring public safety when making decisions at the local level. The Directives established phases which reflect differing approaches to in-person proceedings, personnel and staffing, and courthouse operations; and

WHEREAS, as the Supreme Court has indicated, "the citizens of the state and employees who enter Missouri courthouses and court facilities must feel confident for their own safety and understand that the health and welfare of

every litigant, juror, witness, victim, judicial employee, attorney, and other individual involved in judicial proceedings across the state is paramount in the decisions that are made under these Operational Directives"; and

WHEREAS, as Missouri courts have been operating at what the Missouri Supreme Court has referred to as "Operating Phase Zero" since the Supreme Court's March 16, 2020 Order that suspended most in-person court proceedings. These conditions continued as the Supreme Court's Orders indicated since March 16, 2020. The Supreme Court has directed this Court to continue to operate under this phase until certain local conditions warrant moving to Operating Phase One; and

WHEREAS, such conditions include the absence of COVID-19 cases in the courthouse, the rescission of stay-at-home orders, the loosening of group gathering restrictions, the improvement of COVID-19 health conditions in the community and support from both local health officials and "judicial partners"; and

WHEREAS, employees and detainees of his Court have recently been diagnosed with COVID-19 and County Executive Sam Page has not changed his Executive Order which took effect on March 23, 2020, restricting activities to limit the spread of the virus, and 3,724 individuals in St. Louis County have been diagnosed with COVID-19, 220 of whom have died as of May 7, 2020. During the past week, 190 new cases of COVID19 have been diagnosed in St. Louis County and nine residents have died from the virus;and

WHEREAS, as the Missouri Supreme Court declared, "any order or decision that moves courthouse operations from one Operating Phase to another must implement appropriate policies protecting litigants, witnesses, victims, judicial employees, attorneys, and other individuals involved in judicial proceedings."

IT IS HEREBY ORDERED that the terms of this Court's Administrative Order 29 (dated April 22, 2020) are extended until further order of this court.

1. The Court shall continue to remain open and operational. However, except for the noted exceptions in Administrative Order 29, there shall remain no in-person proceedings, hearings or conferences held in the St. Louis County Courthouse. This Court continues to encourage the judges to conduct proceedings, hearings and conferences by telephone, Polycom, videoconferencing, Zoom or any other method that does not require the physical presence of persons in the Courthouse.

2. Entry into the Courthouse shall continue to be limited to the same persons as indicated in Administrative Order 29.

3. The Adult Abuse Office, located on the street level of the Courthouse, shall continue to remain open for all individuals seeking to obtain orders of protection. The Adult Abuse Office's hours of operation are 8:00 a.m. to 4:00 p.m., Monday through Friday; 9:00 a.m. to 12:00 p.m. on Saturdays. Petitioners are encouraged to file their

petitions online whenever possible. Instructions and the necessary forms are provided on the St. Louis County Circuit Court's website. Nonetheless, the Adult Abuse Office welcomes all petitioners in person as well.

The Adult Abuse Office can be reached by calling (314) 615-4725. Petitioners are encouraged to also contact their local police departments or St. Louis County Police precincts for assistance. Additional resources can be found on the Court's website at <https://wp.stlcountycourts.com/family-court/adult-abuse-domestic-violence-court>;

4. Individuals not authorized to enter the Courthouse are provided the following contact information to ensure remote access to the administration of justice:

(a) If you are represented by an attorney, please contact your attorney with any questions;

(b) If you are an attorney scheduled to appear in court before a circuit or associate circuit judge or a commissioner, please contact the division clerk directly. The Court's website at <https://wp.stlcountycourts.com> has court division contact information;

(c) If you need information about the status of your case, please consult Casenet or contact the Circuit Clerk's Office at (314) 615-8029;

(d) For St. Louis County Prosecuting Attorney matters, please contact the St. Louis County Prosecuting Attorney's office at (314) 615-2600; and

(e) For St. Louis County Public Defender matters, please contact the Missouri Public Defender's St. Louis County Office at (314) 615-4778.

The St. Louis County Judicial Administrator shall continue to provide procedures and protocols for prose litigants to deliver and/or file pleadings and other documents with_ the Court. These procedures shall continue to be posted on the Courthouse doors and posted on the Court's website at <https://wp.stlcountycourts.com>.

5. The Judicial Administrator is ordered and authorized to suspend the impaneling of all jurors until further order of this court. Jury trials in this Circuit shall not commence until this Court enters Operating Phase Two (as described in the Missouri Supreme Court's May 4, 2020 Operational Directives). Nevertheless, according to the Supreme Court, the only jury trials that could be heard during Operating Phase Two are proceedings that are the "most extraordinary, pressing and urgent."

***6. All municipal courts in St. Louis County, Missouri continue to be subject to this Court's administrative orders and, more specifically, Administrative Orders 23 and 24. The municipal courts shall continue to take appropriate action consistent with these administrative orders and the Centers for Disease Control and Prevention guidelines. No in-person proceedings shall occur in any municipal court until this Court enters Operating Phase Three (as described in the Missouri Supreme Court's May 4, 2020 Operational Directives). Moreover, such proceedings shall not occur in any municipal court until the municipal court receives written approval from this Court of its Continuity of Operations Plan (which was described to all municipal judges and court administrators in an email from this Court dated May 6, 2020) that describes measures that must be taken to ensure that the courts are engaged in safe practices as recommended by the Centers for Disease Control and Prevention to prevent the spread of COVID-19.**

7. This Court will continue to be compliant with the guidelines from the Centers for Disease Control and Prevention pertaining to the prevention of the spread of COVID-19. Consequently, as of May 12, 2020, no one shall enter this Courthouse without a mask. This Court will make every effort to provide masks to visitors who do not have them. Further, masks shall be worn at all times in this Courthouse in the lobbies, hallways, elevators, parking garage and courtrooms of the St. Louis County Courthouse. Masks, of course, need not be worn when persons are alone in their own enclosed offices or in areas where they can ensure that others are more than six feet away from them.

THIS ORDER SUPPLEMENTS THE APRIL 22, 2020 ORDER OF THIS COURT WHICH IS INCORPORATED HEREIN BY THIS REFERENCE, and MAY BE AMENDED AS CIRCUMSTANCES

REQUIRE. IT IS SO ORDERED.

May 7, 2020

Michael D. Burton

Presiding Judge, 21st Judicial Circuit

Saint Louis
COUNTY
PUBLIC HEALTH

Date: _____ Time: _____

Name: _____ Agency: _____

Phone Number: _____

Any recent travel outside the Metro St. Louis area? **YES / NO**

Date of Return: _____

Are you experiencing any symptoms?

Cough: **YES / NO**

Fever: **YES / NO**

Shortness of Breath: **YES / NO**

Any direct exposure to a COVID-19 positive patient other than in a medical capacity while wearing all appropriate Personal Protective Equipment?

YES / NO

Temperature: _____

Signature:

If denied entry, please note reason:
