

IN THE CIRCUIT COURT
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS

ADMINISTRATIVE ORDER NO. 2021-13

WHEREAS, on May 19, 2021, Coles County Administrative Order 2021-CA-4 was entered regarding the sealing of eviction files;

WHEREAS, on June 2, 2021, Coles County Administrative Order 2021-5 was entered setting forth 2021 Court Operations effective June 1, 2021;

WHEREAS, on June 2, 2021, Vermilion County Administrative Order 2021-3 was entered effective instantler relaxing some mitigation measures pertaining to Court Operations during the COVID-19 Pandemic;

WHEREAS, on June 3, 2021, Coles County Administrative Order 2021-6 was entered June 3, 2021 setting forth 2021 Court Operations Small Claims Policy effective June 1, 2021;

IT IS THEREFORE ORDERED that Coles County Administrative Orders 2021-CA-4, 2021-5, 2021-6 and Vermilion County Administrative Order 2021-3 are hereby adopted and approved, retroactive to the effective date of said orders.

DATED this 7th day of June, 2021.



Thomas M. O'Shaughnessy, Chief Judge

FILED
MAY 19 2021

Melissa Hurst
Circuit Clerk COLES COUNTY, ILLINOIS

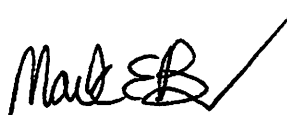
**IN THE CIRCUIT COURT
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS
COLES COUNTY, CHARLESTON, ILLINOIS**

ADMINISTRATIVE ORDER 21-CA- 4

Sealing of Eviction Files

Pursuant to Illinois P.A. 102-2005 and 735 ILCS 5/9-122, all pending landlord/tenant residential eviction cases filed since March 9, 2020 shall be sealed. Furthermore, any other residential eviction actions filed through March 31, 2022 shall be sealed upon the commencement of the case. The Court shall follow the requirements of 735 ILCS 5/9-122 hereafter in the management of residential eviction cases.

Dated, this 19th day of May 2021.



Mark E. Bovard, Presiding Judge

IN THE CIRCUIT COURT
OF THE FIFTH JUDICIAL CIRCUIT
CHARLESTON, COLES COUNTY, IL

ADMINISTRATIVE ORDER NO. 2021-5

RE: 2021 COURT OPERATIONS --
EFFECTIVE JUNE 1, 2021

The Circuit Court for Coles County of the Fifth Judicial Circuit of Illinois adopts the following Administrative Order pertaining to Court Operations effective June 1, 2021 during the continuing Coronavirus (COVID-19) Pandemic:

WHEREAS on March 9, 2020, the Governor of the State of Illinois declared a State of Emergency in response to COVID-19, and, on March 20, 2020 the Governor issued Executive Order # 8. Since that date the Governor has issued additional Executive Orders addressing health restrictions and activities in the State. Most recently he has issued Order 2021-10 (Bridge Phase Order) and 2021-11;

WHEREAS, on March 17, 2020, the Illinois Supreme Court entered an Order, *In Re: Illinois Courts Response to Covid-19 Emergency, MR. 30370*, directing all courts to establish and periodically update temporary procedures to minimize potential exposure to and the impact of the COVID-19 pandemic on judicial operations while continuing to provide access to justice; since that date the Supreme Court has entered several additional orders addressing circuit court operations during the pandemic, including most recently Orders of May 27 and 28, 2021.

WHEREAS, on March 17, 2020, the Presiding Judge of Coles County entered **Administrative Order 2020-2** directing that measures be taken in response to the pandemic, intending to balance health and safety concerns with the need to continue the essential court services to the citizens of Coles County; All of these measures restricted access to the Coles County Courthouse, incorporated the use of video and teleconferencing to minimize personal contact, followed social distancing practices, all subject to the discretionary exceptions authorized by each judge presiding over a specific case. Coles County Courts have operated since June 1, 2020, by providing essential court services, and, in doing so have continued to monitor all health guidelines to minimize risk and prevent spread of virus.

WHEREAS, in recent weeks the State of Illinois and Coles County have experienced significant progress in the management of the COVID-19 pandemic, including the administration of vaccines to a large portion of the adult population, resulting in a marked decrease in the number of positive cases, hospitalizations and deaths. The Governor of the State of Illinois has removed various health restrictions on activities based upon various factors including CDC and IDPH guidelines, resulting in the further opening up of the State of Illinois for more regular activities.

WHEREAS, the Presiding Judge, acting on behalf of the Circuit Judges of Coles County, having considered the recommendations of the CDC, IDPH, local health agencies and in conjunction with the Governor's Executive Orders and Illinois Supreme Court Orders, deems that public health conditions within the County permit the continuance of full court operations and services to the citizens of the County, while still protecting the health and welfare of all Courthouse employees and patrons, and the community at large, and hereby adopts the following provisions:

1. **Effective Date:** This Order is effective June 1, 2021 and its measures shall remain in effect until amended or modified by further order. The provisions of Administrative Orders 2020-2 through 2020-8 and 2021-1 are hereby supplemented, and, to the extent inconsistent herewith, superseded.

2. **Court Operations:** All court-related offices will operate at full capacity, subject to the discretion of elected office-holders and department heads who shall determine how to best implement staffing within their respective offices.

It is the intention of the Courts to continue to respect public health recommendations regarding social distancing and mask or facial covering wearing in the courtrooms as may be necessary to provide a safe and healthy environment.

3. **General Restrictions Upon Entry into Courthouse:** Entry into the Courthouse may still be restricted or denied to any person who is determined to pose a health risk. Any person who has recently tested positive for COVID-19, who has been ordered to quarantine or isolate due to exposure or confirmation of a positive test, or who has flu-like symptoms including fever, cough or shortness of breath, should not enter the Courthouse and should **immediately** contact the Circuit Clerk's office or their attorney and advise of their inability to be present.

A. Health Screenings. All persons entering the Courthouse are subject to questioning to determine compliance with general restrictions for entry, namely if they have any health issues or symptoms, or, if they are subject to any quarantine or isolation orders.

B. Masks and Facial Coverings. The CDC has removed the mask mandates requirements for those who have been vaccinated; however, due to the large groupings of persons and limited spaces certain calls experience, the Court will still require mask use in the courtrooms of the Courthouse. The following mask rules shall otherwise apply:

1. Anyone entering the Courthouse for court purposes must have a mask unless otherwise excused by the judge, security officer or probation officer. All persons entering the Courthouse are expected to have their own face-covering.

2. All non-vaccinated persons must wear a mask or facial covering at all times while in the building for court purposes unless permitted to remove it by the judge presiding in the courtroom;

3. Vaccinated persons are not required to wear a mask while in the common areas of the building; however, all persons including vaccinated persons must wear a mask while in a courtroom unless otherwise excused by the judge presiding in that courtroom at that time.

C. Courthouse Environment. Maintenance crews shall continue to conduct regular cleanings with an emphasis on disinfecting frequently touched surfaces such as railings, door knobs, counters, benches and areas proximate to the elevators.

D. Courtroom Conduct. All counsel, litigants and court attendees shall maintain a safe distance between themselves, and judges or court security may otherwise direct them where to position themselves within the courtroom.

CRIMINAL & TRAFFIC COURTS

1. FELONY COURT

The court will continue to manage the size of high volume calls by staggering the start times of cases throughout the day. All defendants must appear as ordered by the Court unless specifically excused by the Court for health-related reasons.

A. Bond Court. Bond Court hearings shall be conducted remotely through use of the court's video conferencing system at 1:00 pm on those days when felony court is not regularly held, and, on Sunday/Holiday Court hearings at 8:30 am unless otherwise scheduled by the judge presiding over said hearing. All other bond court hearings will be conducted in person.

B. In Custody (Inmates) Cases. Defendants who are in CCSD custody in all felony and misdemeanor cases shall appear in person and in the courtroom, except bond court and any other cases that the then presiding judge deems necessary to appear remotely. In those instances, the hearing will be conducted via ZOOM video or other similar media.

2. MISDEMEANOR and TRAFFIC COURT

The court will continue to manage the size of high volume calls by staggering the start times of cases throughout the day. All defendants must appear as ordered by the Court unless specifically excused by the Court for health-related reasons.

3. **Jury Trials.** In conjunction with guidance and Orders from the Illinois Supreme Court, Coles County courts will continue to conduct jury trials.

The court, jury commissioner and Circuit Clerk shall implement precautionary measures to maintain public health social distancing recommendations in order to best protect the health and safety of prospective jurors, attorneys, litigants, personnel and patrons. Potential jurors can request deferment of his/her service term for COVID-related reasons by contacting the jury commissioner.

4. **Warrants and Body Attachments.** The Court, in its discretion, will resume issuing warrants or body attachments for, amongst other things, failure to appear in Court as ordered. The judge may set bond at \$0 (with a Notice to Appear) or, may set a cash bond **that the defendant must post** before being released. In those instances where the Court has set a cash bond amount, the defendant should be taken into custody to post the requisite bond amount or otherwise be brought before a judge in a timely manner. Should an officer have a concern about his/her health or safety in taking a misdemeanor or traffic defendant into custody, said defendant may be released with a Notice to Appear without posting bond. Should an officer have a concern about his/her health or safety in taking a felony defendant into custody, the officer should contact the States Attorney's office for instruction.

5. **Periodic Jail Sentences.** The Courts and Coles County Safety and Detention Center (CCSD) will resume allowing the serving of certain periodic jail sentences, namely "weekend" sentences unless otherwise determined to be unsafe on a case-by-case basis. CCSD staff shall conduct necessary health screenings on any inmate reporting for a weekend sentence, and may decline admission if the inmate is determined to pose a health risk to officers or inmates. In such an instance, the CCSD shall notify the States Attorney office. Due to ongoing COVID-19 concerns, work release sentences will not resume at this time.

CIVIL COURT CASES

1. **Small Claims Court.** In order to further minimize in-person appearances and contact in the Courthouse, small claims court shall continue to be conducted pursuant to the **Attached Memorandum (#1)**. In addition, the Court may schedule in-person appearances on matters such

as bench trials, rules to show cause and citations, but will not hold regular “payment status” hearings. Citation and wage garnishment proceedings may proceed in conjunction with state and federal orders in place at the time.

2. LM (Landlord/Tenant) and Civil Division.

All LM (Landlord/Tenant/Eviction) Cases will be conducted in person unless the presiding judge authorizes appearance via telephone or video. Permission to appear via phone or video must be obtained at least 24 hours in advance of the scheduled appearance.

LM/ Eviction proceedings will be conducted in conjunction with the then existing state and federal orders addressing evictions. At this time Eviction proceedings must comply with the Illinois Supreme Court Order 30370 entered on December 22, 2020, and any other applicable orders. All litigants whether represented by an attorney, or, self-represented are expected to be familiar with the applicable eviction rules and regulations that are in effect;

3. Family Law and Divorce Divisions. All family law, divorce and Order of Protection hearings will be conducted in person. The judge presiding over a specific case may authorize appearance via Zoom, telephone or similar media in certain matters such as status and case management hearings. All contested matters and settlement prove-ups shall be conducted in person.

Initial hearings on Emergency Orders of Protection and Stalking No Contact Orders will be on Monday, Tuesday, Thursday and Friday at 1:00 pm. Only petitions filed before 11:30 am will be reviewed for determination if an ex parte hearing will occur that day. Any petitions filed after 11:30 am will then be considered for hearing on the next available weekday.

4. Post-Judgment Proceedings. Pursuant to the Governor’s Executive Orders, the issuance of summonses for Wage Deduction and Citation to Discover Asset proceedings remains stayed. Once this stay is lifted, creditors may resume post-judgment collection proceedings. The Court will enter Wage Deduction and Turnover Orders for those cases where summons was issued prior to April 14, 2020.

MISCELLANEOUS

1. Adult and Juvenile Probation. The Department of Court and Probation Services will operate at full capacity, subject to the Director’s discretion to limit contact on a case-by-case basis. Probationers shall report to their officers as ordered by the officer.

2. Marriages and Civil Unions. The Court will perform marriage and civil union ceremonies in the Courthouse. Only the two individuals being married or joined in civil union

are permitted to attend the ceremony. The judge presiding over the ceremony may authorize additional persons to attend upon proper request.

Entered this 1st day of June, 2021



Mark E. Bovard, Presiding Judge

Notice Regarding Small Claims

Effective January 1, 2021 the following changes shall occur in Small Claims Proceedings. All previously set hearings shall remain set for the purposes they have been set. These changes are in large part due to the COVID 19 Pandemic but are permanent changes.

1. Small claims shall be filed using a 30-day summons. The summons shall set forth the information contained in paragraph 2 and 3 of this notice. A form summons is available in the Circuit Clerk's Office.
2. Defendants will file their Entry of Appearance along with their fee or obtain a waiver of fee.
3. After 30 days if the defendant has not filed his entry the Plaintiff may file a Motion for Default Judgment.
4. Small Claims Court shall occur one Thursday of each month (this will generally be the third Thursday). Initial appearance or Motion for default Judgment shall be set by the Plaintiff at 9:00 am on this Thursday. The hearing date shall be arranged through the Circuit Clerk (217) 348-0516. These hearings shall be held via conference call (Call in number: (217)348-9450; Access #: 0515896). The call in information will appear on the Notice of Hearing. The party setting the hearing shall notify the other party using a Notice of Hearing similar to that attached to this Notice. From this hearing generally either a Judgment will be entered or a trial date will be set.
5. Small Claims Bench Trials shall occur on the Thursday of each month set for Small Claims commencing at 1:00pm (the afternoon session). Trials shall be in person unless otherwise ordered by the court.
6. **There will no longer be general Proof of Payment dates.** If a Payment order is violated than the Plaintiff must file an appropriate pleading. Citations to Discover Assets shall be set in the afternoon session and shall be heard and concluded on the date of hearing unless good cause is shown for the continuance. Citations and Wage Deductions will begin upon the termination of the moratorium. Citation hearings shall be in



Notice to Defendant

Take Notice that you must Enter your Appearance in this cause and pay any Appearance Fee to the Circuit Clerk of Coles County not later than 30 days after Service of Summons. In the event you fail to do so a DEFAULT JUDGMENT may be entered against you. Entry of Appearance Forms are available in the Coles County Circuit Clerks Office.

In the event you believe you qualify for a Waiver of Court Fees you must file an Application for Waiver of Fees and your Entry of Appearance within 30 days of Service. Application for Waiver of Fees is available in the Coles County Circuit Clerk's Office.

Upon the filing of an Entry of Appearance and the Payment of the Appearance Fee or Entry of an Order Waiving Fees either party may request this matter set for a First Appearance. The Court date must be arranged through the Circuit Clerk of Coles County, (217) 348-0516 and Notice of Hearing must be sent. This Notice will be in the form available through the Circuit Clerk's Office. The Initial Appearance will be held through Conference Call (Call in #: (217) 348-9450; access # 0515896).

This Notice shall be attached to ALL Small Claims Summons

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
VERMILION COUNTY, ILLINOIS**

**ADMINISTRATIVE ORDER NO. 2021-3
RELAXING SOME MITIGATION MEASURES PERTAINING TO
COURT OPERATIONS DURING THE COVID-19 PANDEMIC**

The Circuit Court for Vermilion County in the Fifth Judicial Circuit of Illinois adopts the following administrative order pertaining to court operations during the 2019 Novel Coronavirus [COVID-19] pandemic:

WHEREAS, on March 17, 2020, the Illinois Supreme Court entered an Order - *In re: Illinois Courts Response to COVID-19 Emergency*, MR. 30370, directing all courts to establish and periodically update procedures to minimize potential exposure to and the impact of the COVID-19 pandemic on judicial operations, while continuing to provide access to justice, and further directed that all non-essential matters and proceedings be continued or, if feasible, conducted remotely; and on March 20, 2020 entered an Order authorizing the continuance of all civil and criminal jury trials for sixty (60) days, and suspending speedy trial terms during said time period; and on April 7, 2020 entered an Order authorizing the continuance of all civil and criminal jury trials and all juvenile trials until further order of the Court, and suspending speedy trial terms in all criminal and juvenile cases during said time period; and on May 20, 2020 entered an Order authorizing each Circuit to return to hearing court matters, whether in person or remotely, according to a schedule to be adopted for each County by the Chief Circuit Judge; and on that day also issued guidelines for resuming court operations;

WHEREAS, on March 9, 2020 the Governor of the State of Illinois, pursuant to 20 ILCS 3305/7, issued a statewide emergency disaster declaration authorizing the exercise of all of the emergency powers provided by said Act; and on March 20, 2020, the Governor issued Executive Order No. 8, ordering and directing all citizens of the State to remain at home or other place of residence unless performing an essential function; the terms and provisions of said Order were to be effective until April 7, 2020, unless otherwise extended by further order; and from time-to-time since then the Governor has extended the term of said Emergency Disaster Declaration and Executive Order;

WHEREAS, on March 20, 2020, the Chief Circuit Judge entered an Administrative Order continuing all civil and criminal jury trials within the 5th Judicial Circuit for sixty (60) days, and suspending speedy trial terms during said period; and on April 7, 2020, entered an Administrative Order continuing all civil and criminal jury trials and all juvenile trials within the 5th Judicial Circuit until further order of the court, and suspending speedy trial terms during said period; and on May 28, 2020, the Chief Circuit Judge entered an Administrative Order authorizing the resumption of civil and criminal jury trials, and juvenile delinquency trials within Vermilion County as of July 6, 2020;

WHEREAS, the Presiding Circuit Judge for Vermilion County has been granted temporary emergency administrative authority to enter orders affecting the general operation of the Rita B. Garman Vermilion County Courthouse [the Courthouse] pursuant to authority granted by the Chief Circuit Judge under Supreme Court Rule 21(b);

WHEREAS, on March 17, 2020, pursuant to said authorities, the Presiding Judge of Vermilion County entered Administrative Order No. 2020-1, directing that measures be taken in response to the pandemic, intending to balance health and safety concerns with the need to continue to provide essential court services to the citizens of the County; and on March 25, 2020 the Presiding Judge entered Administrative Order No. 2020-5 amending Administrative Order No. 2020-1 by adopting superseding provisions; and on April 1, 2020 the Presiding Judge entered Administrative Order No. 2020-6 amending Administrative Order Nos. 2020-1 and 2020-5 by adopting superseding provisions; and on April 30, 2020 the Presiding Judge entered Administrative Order No. 2020-9 amending Administrative Order Nos. 2020-1, 2020-5, and 2020-6 by adopting superseding provisions. All of these measures restricted access to the Rita B. Garman Vermilion County Courthouse; incorporated the use of videoconferencing and teleconferencing to minimize personal contact; followed social distancing practices; and temporarily suspended non-essential court functions through May 29, 2020, subject to discretionary exceptions authorized by the judge presiding over a specific case;

WHEREAS, on May 26, 2020, the Circuit Judges of Vermilion County, having considered local public health data and the recommendations of local health agencies based upon that data, deemed that public health conditions within the County then permitted a resumption of Courthouse operations in a measured and structured manner to minimize in-person contact, protect the health and welfare of all Courthouse employees and patrons, and the community at large, and mitigate the risk of resurgence of the COVID-19 virus, while fulfilling the judiciary's mission to protect the rights and liberties of the People by providing equal access to justice, resolving disputes, upholding the law, providing essential services to the citizens of the County, and attending the court's administrative responsibilities;

WHEREAS, on said date, the Circuit Judges of Vermilion County, acting through the Presiding Judge, having balanced public health and safety considerations with the need for judicial access and openness, and considered those factors specifically set forth in the Supreme Court Order entered May 20, 2020, adopted Administrative Order No. 2020-12 adopting a plan for the resumption of all court operations in measured and structured manners;

WHEREAS, on November 23, 2020, the Circuit Judges of Vermilion County, having considered local public health data and the recommendations of local health agencies based upon that data, deemed that public health conditions within the County necessitated a temporary suspension of all

jury trials in the Courthouse in order to minimize in-person contact, protect the health and welfare of all Courthouse employees and patrons, and the community at large, and mitigate the resurgence of the COVID-19 virus, and adopted Administrative Order No. 2020-17, which temporarily suspended jury trials in the Courthouse and implemented other measures designed to protect the health of the public and Courthouse personnel;

WHEREAS, on January 15, 2021, the Circuit Judges of Vermilion County, having considered local public health data and the recommendations of local health agencies based upon that data, deemed that public health conditions within the County allowed for the resumption of jury trials within the Courthouse, and adopted Administrative Order 2021-1, which approved and implemented a plan addressing the backlog of cases awaiting trial;

WHEREAS, since March 2020, the COVID-19 pandemic has caused extraordinary sickness and loss of life, infecting over 9,900 Vermilion County residents, and taking the lives of 138 residents;

WHEREAS, since March 2020, the Circuit Judges of Vermilion County considered changing national, state, and local public health data and the recommendations of the Centers for Disease Control and Prevention [CDC], the Illinois Department of Public Health [IDPH], and local public health agencies based upon that data, and adopted measures designed to protect the health and welfare of all Courthouse employees and patrons while fulfilling the judiciary's mission to protect the rights and liberties of the People by providing equal access to justice;

WHEREAS, COVID-19 vaccines have been developed that are readily available to all residents of Vermilion County and effective at preventing COVID-19, especially severe illness and death; however, the disease continues to pose a considerable risk to Vermilion County residents particularly in light of the significant percentage of the population that remains unvaccinated;

WHEREAS, the CDC and the IDPH recently updated their recommendations for fully vaccinated people, providing that they no longer need to wear a face-covering nor physically distance in any non-healthcare setting, except where required by federal, state, or local, laws, rules, and regulations, including local business and workplace guidance;

WHEREAS, the CDC and IDPH guiding principles for these updated recommendations are:

- Indoor and outdoor activities pose minimal risk to fully vaccinated people;
- Fully vaccinated people have a reduced risk of transmitting COVID-19 to unvaccinated people;
- Fully vaccinated people should still get tested if experiencing COVID-19 symptoms; and
- Fully vaccinated people should not visit private or public settings if they have tested positive for COVID-19 in the prior ten (10) days or are experiencing COVID-19 symptoms.

WHEREAS, the CDC, IDPH, and local health officials continue to advise that cloth face coverings or masks protect persons who are not fully vaccinated from COVID-19;

WHEREAS, the number of new COVID-19 cases in Vermilion County has decreased in recent weeks, and the public health metrics now allow for the Courthouse to relax some mitigation measures as more County residents have been fully vaccinated;

WHEREAS, on May 27, 2021, in light of the most recent CDC and IDPH recommendations, the Illinois Supreme Court amended its Order - *In re: Illinois Courts Response to COVID-19 Emergency, MR. 30370*, authorizing the trial courts to no longer mandate that fully vaccinated people, who are two weeks past their final vaccine injection, wear face-coverings while in a courthouse; and

WHEREAS, the Circuit Judges of Vermilion County judges, having consulted local public health officials regarding revisions to the mitigation measures currently in place for the safe operation of the Courthouse in light of the recent recommendations of the CDC and IDPH, and further having considered the direction of the Illinois Supreme Court (*e.g.*, *MR. 303070* and its amendments), and **FINDING** it is now necessary and appropriate to amend prior administrative orders entered in response to the COVID-19 pandemic while taking into account the mandate of the court to provide access to justice and protect the health and welfare of all Courthouse employees and patrons, acting through the Presiding Judge, adopt the following provisions as the order of the court:

NOW, THEREFORE, IT IS ORDERED:

- 1. Effective Date.** This administrative order is effective June 3, 2021 and its precautionary measures shall remain in effect until amended or modified by further order of the court.
- 2.** The provisions of Administrative Order Nos. 2020-1 through 2020-12, 2020-17, and 2021-1 are hereby supplemented, and to the extent inconsistent herewith superseded.
- 3. Intent of this Administrative Order.** The intent of this administrative order is to safely and conscientiously, and in a manner consistent with CDC, IDPH, and local health agencies' guidance, expand activities that were restricted and limited pursuant to the administrative orders referred to in paragraph 2 above.

For purposes of this administrative order, "fully vaccinated" means being two weeks past the final vaccine injection.

- 4. Resumption of Court Operations.** It is anticipated that the Courthouse offices will continue to operate at full capacity, subject to the discretion of elected office-holders and department heads to determine how best to implement staffing and face-to-face appointments within their respective offices (including through the use of remote systems), all staffing decisions shall be

in conformity with the County Board's Personnel Policies as may be amended from time-to-time.

Court operations will function as scheduled by Court Administration, excepting jury trials, which shall continue to be scheduled in accordance with Administrative Order 2021-1, entered January 15, 2021.

It is the intention of the court to continue to respect and abide by the public health recommendations of the CDC, IDPH, and the County's Health Department regarding social distancing and continue to reduce the number of persons in the Courthouse at any given time in order to best protect the health of those who are required to be present. Maintaining personal hygiene, social distancing, and wearing face-coverings as directed are critical for a continuation of normal court operations, and the public's cooperation and patience is appreciated. As noted in the Supreme Court guidelines for resuming operations: "Most individuals do not come to court by choice. As such, courts have a particularly compelling responsibility to make certain that courthouses are safe. Procedures that involve large numbers of individuals, such as ... jury duty, need to be implemented in a manner that not only assures safety but also makes individuals *feel* safe before and after they arrive at the courthouse."

- 5. General Restrictions upon Entry into Courthouse.** If a non-fully-vaccinated person has traveled to any place to which travel restrictions have been placed by agencies of the federal government within the last twenty-one (21) days; resides or has had close contact with someone who has traveled to one of these areas within the last twenty-one (21) days; has been asked to self-quarantine by any hospital, clinic, physician, or health agency; has been diagnosed with, or has had contact with, anyone who has been diagnosed with COVID-19; or has flu-like symptoms including fever, cough, or shortness of breath, he/she must not enter the Courthouse.

If a fully vaccinated person has been asked to self-quarantine by any hospital, clinic, physician, or health agency; has been diagnosed with COVID-19; or has flu-like symptoms including fever, cough, or shortness of breath, he/she must not enter the Courthouse.

Non-fully-vaccinated older adults and people who have severe underlying chronic medical conditions such as diabetes, cardiovascular or lung disease, long-term kidney disease, or a weakened immune system should exercise caution and discretion in determining whether to enter the Courthouse.

If any person meets the above criteria and is scheduled to appear at any hearing before the court, he/she must notify the Court Administrator, preferably prior to the date of appearance, so that appropriate safeguard measures may be taken or the hearing continued. Judges will

consider all requests for a continuance on a case-by-case basis. It is recommended that all such requests be supported by medical documentation of the health condition. Attorneys and/or litigants who are unable to be present in courtrooms may be able to appear remotely with the permission of the judge presiding over the hearing.

A Notice advising the public of these restrictions upon entry into the Courthouse, in a form substantially as that attached hereto as Exhibit A, shall be posted at the entrance to the Courthouse and upon the County's website.

Subject to constitutional limitations, entry into the Courthouse for hearings shall continue to be limited to attorneys, named litigants, and necessary witnesses. The court strongly encourages litigants not to bring family, friends, or spectators to court appearances in any case. The courtrooms remain open to the public to the extent required by law, but judges are authorized, and will enforce a limit upon the number of persons who may be present and observe proceedings from the public gallery areas. The limits may be fewer than the capacity of the courtrooms in order to comply with recommended social distancing standards. Moreover, consistent with CDC, IDPH, and local health agencies' social distancing recommendations, in order to maintain an appropriate limit of persons present within the Courthouse at any given time, visitors who are solely present to observe hearings may be denied entry to the Courthouse by court security.

All persons within the Courthouse, including employees, are encouraged to be alert for symptoms of COVID-19, such as fever, cough, and shortness of breath; cover coughs and sneezes; stay home when sick; wash hands often with soap and water for at least twenty (20) seconds; avoid touching eyes, nose and mouth with unwashed hands; avoid close contact with people who are sick; and clean and disinfect frequently touched surfaces and objects.

In order to comply with social distancing guidelines, excepting security personnel accompanying a person in custody, no more than two (2) non-fully vaccinated persons shall be present in an elevator cab at any given time.

- 6. Health/Wellness Screenings.** All persons entering the Courthouse remain subject to a health or wellness screening to determine compliance with the general restrictions for entry, i.e., COVID-19 or flu-like symptoms including fever, cough, or shortness of breath.

The court will not routinely screen persons in the Courthouse to determine their vaccination status, but reserves the right to inquire as to any person's vaccination status and/or require evidence thereof. An attorney's election to not wear a face-covering in the Courthouse will be interpreted as a representation to the court under Supreme Court Rule 3.3 that the attorney has been fully vaccinated.

7. Face-Coverings/Masks. Any person who is not fully vaccinated and over two (2) years of age entering the public spaces of the Courthouse, and who is able to medically tolerate a face-covering, shall wear a face-covering or mask at all times when located within the indoor public spaces of the Courthouse and shall, when possible, maintain appropriate social distance. This provision applies to all persons entering the Courthouse, including, but not limited to all State and County employees and elected officials essential to court operations (judges, court administration staff, deputy circuit clerks, state's attorney's staff, public defender staff, court security, court reporters and specialists, probation services staff, building and grounds staff, information technology staff, and the like), attorneys, litigants, witnesses, and vendors.

Fully vaccinated persons shall not be required to wear a face-covering or mask when located within the indoor public spaces of the Courthouse. For purposes of this administrative order, "indoor public spaces" shall not include office or work spaces, nor courtrooms.

Subject to the discretion of elected office-holders and department heads, fully vaccinated courthouse personnel may remove their face covering or mask in their office or work space; and, subject to the discretion of elected office-holders and department heads, such personnel who are not fully vaccinated may remove their face covering or mask in their office or work space when able to maintain recommended social distance.

All persons inside a courtroom, who are able to medically tolerate a face-covering, including courtroom personnel, jurors, attorneys, parties, court security, and witnesses, including law enforcement personnel, must wear a face covering or mask at all times while inside of the courtroom. Litigants, attorneys or others may remove their face covering or mask only when directed or authorized to do so by the judge presiding over the hearing.

Nothing in this administrative order prevents any person, even if fully vaccinated, from wearing facial coverings should he/she choose to do so.

All persons, who are not fully vaccinated, and who enter the public spaces of the Courthouse, and all persons who enter a courtroom are expected to have their own face-covering. Court Administration will continue to provide Courthouse security personnel with a limited supply of face-coverings. Any person who does not have a face-covering and needs access to the Courthouse will, when available, be provided with a face-covering. If a person enters the Courthouse without a face covering or mask when one will be required for such person's purpose for entry and none are available from security personnel, entrance to the Courthouse may be denied, and entry to any courtroom will be denied unless otherwise authorized by the judge presiding over the hearing.

- 8. Courthouse Environment/Facilities.** All practical measures should continue to be taken within the Courthouse and courtrooms to ensure a clean environment and mitigate the risk of spreading the virus. Hand sanitizer shall be provided within the Courthouse and courtrooms. Facility crews shall conduct regular cleanings with an emphasis on disinfecting first-touch areas such as railings, doors knobs, counters, and areas inside elevators and restrooms. Court personnel shall conduct regular disinfecting of touch areas inside of courtrooms such as keyboards, desk tops, counters, and chairs.

Court Administration shall continue to coordinate with the County Board, Sheriff, and the County's Building & Grounds Department to modify courtrooms and other Courthouse facilities as is as necessary to maintain social distancing recommendations in order to protect the health and welfare of all Courthouse employees and patrons while fulfilling the judiciary's mission to provide access to justice, particularly as this mission relates to the conduct of jury trials.

- 9. Remote Hearings.** The Supreme Court, in Supreme Court Rules 45, 46, and 241, along with its Remote Court Proceedings – Guidance Document, authorizes and encourages the use of remote technology to conduct court proceedings, including the taking of testimony, finding the use of such technology increases accessibility to the courts, aids in the efficient administration of justice, avoids delays in trials, and more efficiently administers testimony for case participants who face an obstacle to appearing personally in court such as illness, disability, or distance from the Courthouse.

The guidelines and protocols for conducting hearings remotely (both teleconference and videoconference hearings) previously adopted as a local rule of this court remain in full force and effect.

The court continues to recommend conducting hearings in both civil and criminal cases remotely (through videoconference and/or teleconference) where appropriate. Courts throughout the nation have taken advantage of technology during the COVID-19 pandemic and integrated its usage into courtrooms. Since many social distancing guidelines remain in place and may well continue past the COVID-19 pandemic, it is the intention of the court that remote hearings become a part of our court's permanent operations.

The court recognizes that certain proceedings, both civil and criminal, do not lend themselves to being conducted remotely. Therefore, the determination as to the appropriateness of the use of remote technology remains a discretionary decision of the judge presiding over the hearing.

Subject to the discretion of the judge presiding over the hearing, in-custody hearings where the defendant's personal presence is not mandated or is waived may be conducted via the Courthouse/Public Safety Building videoconference system.

- 10. Approval of Online Parenting Education Programs.** The court shall continue to consider and approve the curriculum and competencies of online parenting education programs, the satisfactory completion of which would meet a parent's obligations under Supreme Court Rule 924.
- 11. Courtroom Conduct.** The judge presiding over a hearing may evaluate and determine where attorneys, bailiffs, litigants, court reporters, interpreters, and witnesses are situated within the courtroom and rearrange the positions as necessary to maintain social distancing. As a general rule, counsel and litigants present in any courtroom shall remain seated at counsel table and maintain a safe distance between themselves, other counsel, and courtroom personnel at all times, unless otherwise allowed by the judge presiding over the hearing. All persons present in any courtroom or public space of the Courthouse shall follow all instructions/markings employed to facilitate or identify social distancing spacing, as well as all instructions of court security personnel and bailiffs.
- 12. Sunday/Holiday Bond Court.** Sunday/Holiday Bond Court hearings shall continue to be conducted remotely through use of the Courthouse/Public Safety Building videoconference system.
- 13. Grand Jury Proceedings.** A Notice to Prospective Grand Jurors regarding the COVID-19 pandemic, in a form substantially as that attached hereto as Exhibit B, shall accompany each summons.

Persons called for grand jury duty, and all other persons participating in any grand jury proceeding, including attorneys, courthouse personnel, court security, and witnesses, including law enforcement personnel, while within the grand jury courtroom, shall continue to wear face coverings throughout the entirety of the grand jury proceedings.

- 14. Jury Trials.** The provisions of Administrative Order 2021-1 adopting the court's plan addressing the backlog of cases awaiting trial, to the extent not inconsistent with the provisions of this administrative order, remain in full force and effect.

A Notice to Prospective Jurors regarding the COVID-19 pandemic, in a form substantially as that attached hereto as Exhibit C, shall accompany each summons.

Persons called for jury duty, and all other persons participating in any jury trial, including attorneys, parties, courthouse personnel, court security, and witnesses, including law

enforcement personnel, while within the jury assembly room, courtroom, and deliberation room, shall continue to wear face coverings throughout the entirety of the jury selection process and trial, unless otherwise directed not to do so by the judge presiding over the trial.

The court, jury commission, and Circuit Clerk shall continue to monitor local public health data and implement social distancing and other precautionary measures based upon the recommendations of local health agencies to best protect the health and safety of prospective jurors, attorneys, litigants, Courthouse personnel and patrons.

15. High Volume Calls. The process of staggering high-volume calls into multiple settings will continue to be utilized in order to maintain social distancing protocols inside of courtrooms and in the Courthouse hallways. Subject to the discretion of the judge presiding over the Division, no more than twenty (20) cases shall be scheduled each hour (depending upon the historical appearance rate), with a target of fifteen (15) hearings.

16. Waivers of Personal Appearances/Agreed Orders/Pleas. Except in criminal felony cases (where personal appearances are now required), where a litigant is represented by counsel, agreed waivers of personal appearances, with counsel accepting notice on behalf of his/her client, and shall continue to be encouraged. Likewise, agreed orders/written pleas in traffic and misdemeanor cases are also encouraged.

17. Payment Due Dates: The Circuit Clerk shall continue to accept payments for court-ordered assessments, fines, fees, costs, restitution, and maintenance (alimony). Nothing in this or prior administrative orders shall be construed as extending the due date of maintenance or child support payments.

The public is reminded that certain traffic tickets may be paid by mail, online, or at the Circuit Clerk's window. For more information, the public should call: (217) 554-7720. In order to minimize personal contacts, the public is encouraged to pay eligible traffic tickets by mail or online.

18. Notices to Appear. Until further order of the court, the discretion of all law enforcement officers, authorized by Administrative Order Nos. 2020-3, 2020-4, 2020-7, 2020-10, and 2020-12 to satisfy the obligation of certain warrants, bonds, or civil bench warrants by issuing the defendants/arrestees a notice to appear, or alternatively, releasing the defendants/arrestees on a \$1,000 personal recognizance bond without the necessity of appearing before the court is extended.

19. Adult and Juvenile Probation. The Department of Court and Probation Services will continue to operate at full capacity, subject to the discretion of the Director to limit in-person

contacts, suspend certain large group meetings, and implement staffing (including the use of remote access) within the Department.

Probationers should contact their probation officer via telephone and follow his/her directions. Probationers should not appear at the probation office unless otherwise directed.

- 20. Juvenile Detention Center.** The Director of the Juvenile Detention Center may continue to implement visitation and transport procedures for minors held at the Detention Center in order to minimize potential exposure to COVID-19 as authorized by Administrative Order Nos. 2020-2 and 2020-8, and 2020-12, including suspending all travel, transports, and returns of juveniles, by Detention Center staff, to and from the Detention Center, to and from any location outside of Vermilion County. Nothing in this administrative order shall be construed as prohibiting personnel from other counties from transporting and returning juvenile detainees to and from the Detention Center, nor of prohibiting the Detention Center from admitting juveniles who have been so transported and returned from outside Vermilion County to the facility.

The Director of the Detention Center is authorized to implement policies for the medical screening of juveniles presented to the Detention Center for admission and/or return to determine the presence of symptoms of COVID-19, refuse to accept custody of juveniles who exhibit such symptoms, and deny their admission to the facility until such time as they have received medical clearance. Non-essential personnel/visitors may be denied access to the facility to ensure the health and safety of minor detainees and Detention Center staff.

- 21. Waiver of GAL In-Person Contacts.** The guardian ad litem in-person interview requirements pursuant to 705 ILCS 405/2-17(8) are continued to be waived until further order of the court. Such contacts may be conducted by telephone, video, or other electronic means.

- 22. Marriages and Civil Unions.** The court will continue to perform marriage and civil union ceremonies in the Courthouse. However, only the two individuals being married or joining in a civil union, plus two (2) witnesses, are permitted to attend the ceremony. Additional people, including family and friends, will be denied access to the Courthouse, and not allowed to attend.

23. Miscellaneous.

- a. The court may issue further orders as necessary to address circumstances and conditions arising from the COVID-19 pandemic, including re-assessing the provisions of this administrative order, to determine if additional measures are required to protect court

personnel and the public, and/or whether public health conditions warrant the easing of precautionary measures.

- b. It is further ordered that this administrative order be filed in the Office of the Circuit Clerk of Vermilion County, Illinois and be made available to the public.
- c. The Clerk of the Circuit Court is to post this administrative order on her website.
- d. This administrative order shall be posted upon the County's website.
- e. This administrative order is effective *instanter*.

Dated: this 2nd day of June, 2021



Thomas M. O'Shaughnessy, Presiding Judge

Exhibit A

IF YOU ARE NOT FULLY VACCINATED FROM COVID-19, YOU SHOULD NOT ENTER THE COURTHOUSE IF YOU:

- **You have been in China, Italy, Iran, or South Korea within the last 14 days;**
- **You reside or have had close contact with someone who has been in one of these countries within the last 14 days; or**
- **You have been asked to self-quarantine by any hospital, clinic, physician, or health agency; or**
- **You have been diagnosed with, have had contact with, anyone who has been diagnosed with COVID-19; or**
- **You have flu-like symptoms including fever, cough, or shortness of breath.**

IF YOU ARE FULLY VACCINATED FROM COVID-19, YOU SHOULD NOT ENTER THE COURTHOUSE IF YOU:

- **You have been asked to self-quarantine by any hospital, clinic, physician, or health agency; or**
- **You have been diagnosed with COVID-19; or**
- **You have flu-like symptoms including fever, cough, or shortness of breath.**

Instead, you should immediately call the Court Administrator at 217/554-7830 and report your situation for instructions on how to proceed.

If you have a scheduled appearance or were otherwise directed to attend court today, you will not be penalized for your absence provided you call the Court Administrator.

EXHIBIT B

COVID-19 PRECAUTIONS FOR GRAND JURORS

The presence of the coronavirus/COVID-19 in our community continues to require vigilance from all of us.

For the protection of grand jurors, the Jury Commission is implementing the following protective measures after review of recommendations from the Centers for Disease Control and Prevention (CDC) and the Vermilion County Health Department:

- Thorough daily cleaning of the County Administration Building;
- Calling in a smaller number of grand jurors (only the essential amount needed);
- Implementing social distancing protocols with proper signage and traffic control; and
- Providing hand sanitizer and disinfectant wipes.

Grand Jury proceedings are a foundation of our criminal justice system. You have been summoned to serve only because your service is essential. We encourage you to consider the following personal precautions while at the County Administration Building:

- Attempt to keep a six-foot distance between yourself and others;
- You will be required to wear a face-covering while in the grand jury courtroom. We encourage you to bring one if you are able.
- Wash your hands often and remember to always cover your mouth and nose with a tissue when you cough or sneeze, or use the inside of your elbow.

POSTPONEMENT OF GRAND JURY SERVICE

Based on currently available information and clinical expertise, older adults and people of any age who have serious underlying medical conditions might be at higher risk for severe illness from COVID-19. If you fall within any of the high-risk categories listed below, you may call or email the Office of the State's Attorney and request a 12-month postponement of your service:

- People 65 years and older;
- People who live in a nursing home or long-term care facility;
- People with chronic lung disease or moderate to severe asthma;
- People who have serious heart conditions;
- People who are immunocompromised;
- People with severe obesity (body mass index [BMI] of 40 or higher);
- People with diabetes;
- People with chronic kidney disease undergoing dialysis;
- People with liver disease.

Any juror appearing for grand jury duty with a temperature, COVID-type symptoms or who has been exposed to a positive case in the past 14 days will not be allowed to serve.

If you have any questions or you want to request postponement of your grand jury service you must call or email us within 10 days of receiving this notice. You may contact the Vermilion State's Attorney at 217-554-7750 (Katie Taylor) or by email katie.taylor@vercounty.org.

EXHIBIT C

COVID-19 PRECAUTIONS FOR PETIT JURORS

The presence of the coronavirus/COVID-19 in our community requires vigilance from all of us. The Court temporarily paused the summoning of jurors in response to guidance from public health officials. Consistent with that same guidance, we are resuming jury trials beginning in July.

For the protection of jurors, the Jury Commission is implementing the following protective measures after review of recommendations from the Centers for Disease Control and Prevention (CDC) and the Vermilion County Health Department:

- Thorough daily cleaning of the Courthouse;
- Calling in a smaller number of jurors (only the essential amount needed);
- Implementing social distancing protocols with proper signage and traffic control; and
- Providing hand sanitizer and disinfectant wipes.

Jury trials are the bedrock of our justice system. You have been summoned to serve only because your service is essential. If you are called and selected, you will only be asked to hear one case. We encourage you to consider the following personal precautions while at the Courthouse:

- Attempt to keep a six-foot distance between yourself and others;
- You will be required to wear a face-covering while within the jury assembly room, courtroom, and deliberation room. We encourage you to bring one if you are able.
- Wash your hands often and remember to always cover your mouth and nose with a tissue when you cough or sneeze, or use the inside of your elbow.

POSTPONEMENT OF JURY SERVICE

Based on currently available information and clinical expertise, older adults and people of any age who have serious underlying medical conditions might be at higher risk for severe illness from COVID-19. If you fall within any of the high-risk categories listed below, you may call or email the Vermilion County Jury Coordinator and request a 12-month postponement of your jury service:

- People 65 years and older;
- People who live in a nursing home or long-term care facility;
- People with chronic lung disease or moderate to severe asthma;
- People who have serious heart conditions;
- People who are immunocompromised;
- People with severe obesity (body mass index [BMI] of 40 or higher);
- People with diabetes;
- People with chronic kidney disease undergoing dialysis;
- People with liver disease;

Any juror appearing for jury duty with a temperature, COVID-type symptoms or who has been exposed to a positive case in the past 14 days will not be allowed to serve.

If you have any questions or you want to request postponement of your jury service you must call or email us within 10 days of receiving this notice. You can call us at 217-554-7865 or by email kdixon@vercounty.org.

FILED
JUN - 3 2021

Melissa Hurst
Circuit Clerk COLES COUNTY, ILLINOIS

IN THE CIRCUIT COURT
OF THE FIFTH JUDICIAL CIRCUIT
CHARLESTON, COLES COUNTY, IL

ADMINISTRATIVE ORDER NO. 2021-6

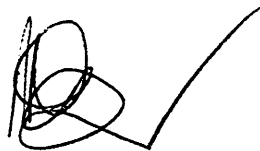
RE: 2021 COURT OPERATIONS –
EFFECTIVE DATE JUNE 1, 2021
SMALL CLAIMS POLICY

WHEREAS, on June 2, 2021, Coles County Administrative Order 2021-5 was entered, effective June 1, 2021 setting forth Court Operations for Coles County;

WHEREAS, an Amended Notice Regarding Small Claims cases was issued by Judge Bower effective April 1, 2021, setting forth the policies and procedures for Small Claims Court in Coles County;

WHEREFORE, Coles County adopts the previously issued Small Claims policy that was issued effective April 1, 2021, a copy of which is attached as Exhibit A.

DATED, this ^{AD}3 day of June, 2021.



Mark E. Bovard, Presiding Judge

Amended Notice Regarding Small Claims

Effective April 1, 2021 the following changes shall occur in Small Claims Proceedings. All previously set hearings shall remain set for the purposes they have been set. These changes are in large part due to the COVID 19 Pandemic but are permanent changes.

- 1. Small claims shall be filed using a specific day summons. The summons shall set forth the information contained in paragraph 2, 3 and 4 of this notice. A form summons is attached to this Notice and is available in the Circuit Clerk's Office.**
- 2. Defendants will file their Entry of Appearance with their fee prior to the court date. If the defendant chooses they may file an Application for waiver of fee along with their Entry of Appearance prior to the first court date. The court will rule on this Application for fee waiver.**
- 3. At the hearing on the specified date, if service is proper and if the defendant has not filed his entry of appearance or does not appear at the phone conference hearing, the Plaintiff may request a Default Judgment.**
- 4. Small Claims Court shall occur one Thursday of each month (this will generally be the third Thursday). Initial appearance or Motion for default Judgment shall be set by the Plaintiff at 9:00 am on this Thursday. The hearing date shall be arranged through the Circuit Clerk (217) 348-0516. These hearings, unless a personal appearance has been requested and approved by the court in writing, shall be held via conference call (Call in number: (217)348-9450; Access #: 0515896). The call in information will appear on the Summons and Notice of Hearing. The party setting the hearing shall notify the other party using a Notice of Hearing similar to that attached to this Notice. From this hearing generally either a Judgment will be entered or a trial date will be set.**
- 5. Small Claims Bench Trials shall occur on the Thursday of each month set for Small Claims commencing at 1:00pm (the afternoon session). Trials shall be in person unless otherwise ordered by the court.**

6. **There will no longer be general Proof of Payment dates.** If a Payment order is violated than the Plaintiff must file an appropriate pleading. Citations to Discover Assets shall be set in the afternoon session and shall be heard and concluded on the date of hearing unless good cause is shown for the continuance. Citations and Wage Deductions will begin upon the termination of the moratorium. Citation hearings shall be in person unless otherwise ordered by the court. **No Citation will be continued as a vehicle to monitor payment.**
7. Petitions for Rule to Show Cause and other motions not involving evidence shall be heard via conference call on the Small Claims Thursday each month commencing at 10:00am. The same Notice procedure set forth in paragraph 4 shall apply.
8. All hearings shall be set by contacting the Circuit Clerks Office (217) 348-0516.

Judge Bower

