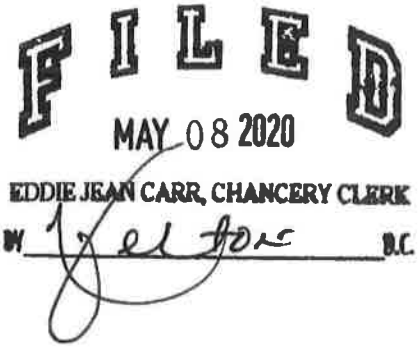
IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI
FIFTH CHANCERY COURT DISTRICT



No. 20-9999

IN RE: EMERGENCY ORDER RELATED TO CORONAVIRUS (COVID-19)

EMERGENCY ADMINISTRATIVE ORDER

On March 13, 2020, the President of the United States declared a national emergency due to the pandemic outbreak of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) and the resulting occurrences of COVID-19. The Supreme Court and the Chief Justice, in his capacity as chief administrative officer of all courts in the State, found that certain emergency actions were required. The Court has continued to monitor this situation and has entered additional orders as necessary. All courts were directed to prepare for potential infection in their communities. While acknowledging that local judges and their staff are in the best position to, with the assistance of attorneys, measure risk, fears, and attitudes in their communities, the Court ordered compliance with certain protocols and directives to minimize public health risks presented by exposure to SARS-CoV-2 (known colloquially as "Coronavirus").

Of particular note, the Court stated:

- To "[p]lease adhere to any other rules of a particular courtroom that may apply, noting that these rules are subject to amendment or alteration by any judge as the need arises. For instance, temperatures may be taken and hand sanitizer may be required after entering a courtroom. . . ."
- Also "[a]ll court proceedings shall be limited to attorneys, parties, witnesses, security officers, members of the press, and other necessary persons, as determined by the trial judge."
- "Visitors to all courthouses shall follow the recommendations of health officials to protect themselves and others from the spread of COVID-19."

In keeping with the Mississippi Supreme Court's direction and guidance, the judges of the Fifth Chancery Court District order the following steps be taken to minimize risk to all persons using the chancery courthouse and to the judges, clerks, their staff and personnel working to support the court and clerks' offices.

The Fifth Chancery Court District implements the following procedures for returning to the courthouse post COVID-19 pandemic, effective on **May 18, 2020**, until further notice:

IT IS THEREFORE ORDERED:

1. Upon entry into the Hinds County Chancery Court Building, each individual desiring to enter the third (3rd) floor **MUST**:

   a) Wear a mask and/or some form of face covering;
   b) Complete a questionnaire, as provided by court personnel;
   c) Submit to having a temperature check; and
   d) Sign-in.

Should anyone fail to submit to any item above, he or she will not be permitted to enter the elevator or staircase that leads to the third floor. Anyone having a temperature of 100.1 degrees or above also shall not be permitted to enter.

2. After coming onto the third floor, all persons shall use hand sanitizer prior to entering any courtroom.

3. **There shall be no more than two (2) individuals per party to enter the courtroom at a time.** Courtroom proceedings will be limited to attorneys, parties, court staff, and witnesses unless prior authorization is obtained from the judge before the court proceeding. No additional persons will be allowed in the courtroom or in the hallways/witness rooms.

4. Attorneys shall only enter the courtroom with their respective clients. Neither attorneys, nor their clients or witnesses, will be permitted to "wait" in the courtroom. Witnesses may either wait in the hallways or witness rooms on the third floor or in their vehicles outside of the courthouse until they are called to testify.

5. There shall be no more than ten (10) persons in a courtroom at one time, including all court personnel.

6. **Social distancing will be practiced in all courtrooms**, i.e. all persons shall remain six (6) feet apart in distance from another person. Attorneys shall stand in front of the microphones at counsel table to address the court and will not be permitted to walk freely about the courtroom.

7. Trials or other matters heard in person before the court shall require a pre-trial order unless excused by the judge. **Any documents that any party might seek to introduce into evidence at a trial or hearing shall be scanned and**

emailed simultaneously to the appropriate court administrator and opposing counsel at least forty-eight (48) hours prior to the scheduled proceeding. Any documents that may be used in court for other purposes shall be scanned and emailed to the appropriate court administrator under separate cover. **The parties shall communicate with the appropriate court reporter at least twenty-four (24) hours prior to the trial or hearing to discuss pre-marking the exhibits for the trial or hearing.** The failure of any party to comply with this procedure will most likely result in the inability to use the document(s) at the trial or hearing.

8. **Attorneys and self-represented litigants may bring a cellular telephone into the courtroom during a court proceeding to contact potential witnesses, if necessary.** Bailiffs shall retain the cellular telephones of all self-represented litigants until such time the telephone is needed or until the court proceeding is concluded.

9. **No persons shall enter the office of the court administrators for any reason.** All court proceedings shall be scheduled with the court administrators via telephone or email regardless of whether the parties are present in the courthouse.

10. For current information, stay aware of statewide updates. *See* https://msdh.ms.gov/msdhsite/_static/14,0,420.html and https://www.cdc.gov/coronavirus/2019-ncov/index.html

It is the judiciary's responsibility to ensure constitutional rights are protected in a manner consistent with the general welfare and health of the citizens of this State. This order may be amended, extended, or otherwise modified as circumstances dictate.

SO ORDERED.

Signed DENISE S. OWENS

DENISE S. OWENS
SENIOR CHANCELLOR

/S/ J. DEWAYNE THOMAS

DEWAYNE THOMAS
CHANCELLOR

/S/ CRYSTAL WISE MARTIN

CRYSTAL WISE MARTIN
CHANCELLOR

/S/ TIFFANY GROVE

TIFFANY GROVE
CHANCELLOR