

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
SEVENTH CIRCUIT COURT DISTRICT**

**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. Emergency declarations were also made by the Governor of Mississippi, the Hinds Court Board of Supervisors and several mayors through the State. The Supreme Court of Mississippi through 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 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 foregoing directives, the Seventh Circuit Court District for the State of Mississippi acknowledges the fluid situation surrounding the contagious coronavirus and the risk of serious illness and death. As such, the Court hereby orders the following steps be taken to minimize risk to the public, as well as the risks to attorneys, parties, judges and their staff, clerks, the sheriff and his security staff, and all personnel working to support the court and clerks' offices.

The Seventh Circuit Court District implements the following procedures and directives for entering and traveling throughout the circuit courtrooms, offices, common areas and hallways during the COVID-19 pandemic until further order of the court:



3. After coming into the building, all persons shall use hand sanitizer prior to entering any courtroom, and continue that practice when traveling throughout the building. The courtrooms shall be sanitized daily after any in-person appearance in the Court, and at such other times as directed by the presiding judge. Circuit judges shall notify the Circuit Clerk when any in-person appearance has occurred and assure access to the areas used so that the county can sanitize offices and courtrooms after use.
4. During in-person hearings, when permitted by a presiding judge, there shall be no more than one (1) Attorney or individual representing a party allowed to enter the courtroom per case called. No additional persons will be allowed in the galley of courtroom or in the hallways/witness room, unless permitted by the presiding judge.
5. Neither attorneys, nor their clients or witnesses, will be permitted to "wait" in the courtroom where in-person hearings are permitted. Any witness may either wait in the witness room, common areas or in their vehicles outside of the courthouse until they are called. While waiting, all persons must observe Social Distancing.
6. There shall be no more than ten (10) persons in a courtroom at any one time, including all court personnel. Said number may adjusted as the presiding judge determines to be safe in light COVID19 and Social Distancing guidelines.
7. **Social distancing must be practiced in all courtrooms and throughout the court building-** meaning that all persons shall remain six (6) feet apart in distance from all other persons. Attorneys shall stand at the podium or at counsel table to address the Court and will not be permitted to walk freely about the courtroom. All circuit court rules of decorum shall be followed.
8. Generally, **all jury trials before the circuit court have been CONTINUED** until further order of the Court. A supplemental order shall be entered governing jury trials when full jury trials resume. This provision does not preclude an individual circuit judge from scheduling non-jury or jury trials, if the same is done within the safety/health guidelines of the CDC, the Mississippi Supreme Court orders and all other judicial or governmental agency governing the same.
9. All cell phones or laptops, iPads or other technological instruments will remain turned off or silenced during any in-person proceedings, unless permitted by the presiding judge. **Court bailiffs will assist Security in monitoring all healthy and safety provisions herein while visitors are in the courtroom and adjacent areas, to include but not limited to, hallways, common areas, bathrooms, elevators, chambers and offices.**



**IT IS THEREFORE ORDERED:**

1. The circuit court of the Seventh Circuit District (Hinds County) for the State of Mississippi is and shall remain open. However, due to the contagiousness and the deadly consequences of the coronavirus, the Circuit Court must restrict in-person appearances by those with business before the Court Circuit. All persons with business before the Circuit Court must first make an appointment to appear by contacting the Court Administrator of the presiding judge], in advance. [County and governmental employees, law enforcements agents, judges and their staff are exempt from scheduling if they have been screened by Security at one of the circuit court entrances on the day that they are visiting the Court. They are not however exempt from the daily initial screening for COVID19].

All persons may continue to contact the Court by telephone, email or regular mail. Packages, mail and drop offs may continue to be left with Security at the front door or handicap entry to the courthouse. Security will notify the bailiffs for Court pick up.

**Attorneys should continue to file pleadings and motions in accordance with the provisions of Mississippi Electronic Courts (MEC).** Motions may be resolved by the presiding judges without hearings, or hearings may, at the discretion of the presiding judge, be heard by teleconference, videoconference, other technological means or hearings may be in-person, if the presiding judge determines that the hearing can be done in accord with court rules and in accord with governmental COVID19 safety and health guidelines.

2. Upon entry into the Hinds County Circuit Court Building, each individual desiring to enter the Circuit Courtrooms, offices, hallways, common areas must stop for Security check and **MUST:**
  - a. Wear a mask or some form of face covering at all times;
  - b. Answer questions ask by Security about COVID-19 and/or complete any questionnaires requested before entering the building;
  - c. Submit to having a temperature check upon entering the building, if requested;
  - d. Sign-in at the front desk or at the handicap entrances to the building as directed by Security;
  - e. Wash hands and/or use sanitizers often.

**Should anyone fail to comply with any item above, he or she will not be permitted to enter the elevators or staircases that leads to the courtrooms on floors 1-3. Any person having a temperature of 100.1 degrees or above or any person that Security determines is ill shall not be permitted to enter the circuit court building or any courtroom or judges offices therein.**

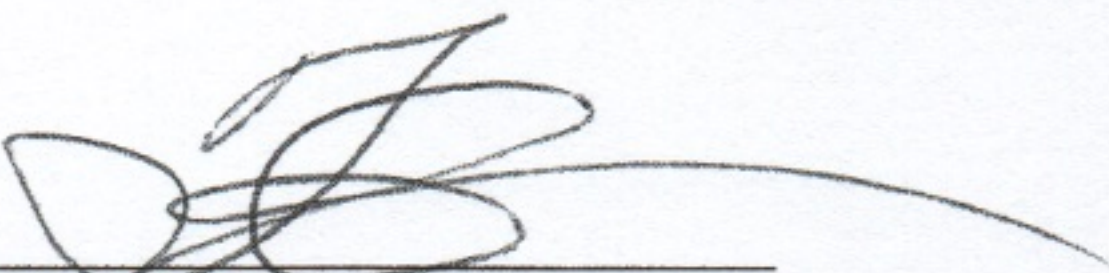


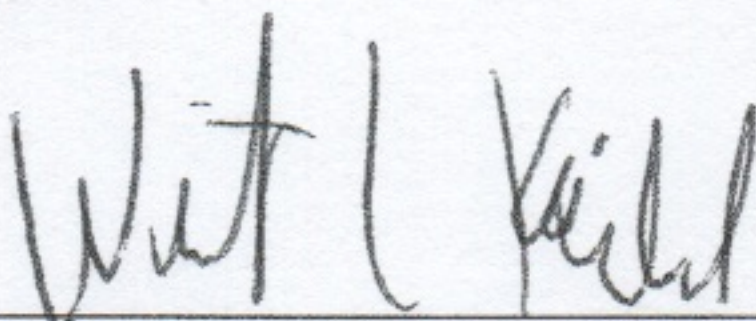
10. No person shall enter the offices of the court administrators, law clerk/staff attorneys, judge's chambers or offices for any reason, without prior permission. All courts proceedings, hearing or other appearance shall be scheduled with the presiding judges' court administrator via telephone or email.

11. For current information on the coronavirus and to remain aware of statewide updates. See [http://msdh.ms.gov/msdhsite/\\_static/14,0,420.html](http://msdh.ms.gov/msdhsite/_static/14,0,420.html) and <http://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. Additionally, if any part of this order conflicts with any order of the Supreme Court or any other governmental authority, then the herein order shall conform to the same.

SO ORDERED, this the 19<sup>th</sup> day of May 2020.

  
TOMIE GREEN  
SENIOR CIRCUIT JUDGE

  
WINSTON KIDD, CIRCUIT JUDGE

  
E. FAYE PETERSON, CIRCUIT JUDGE

  
ADRIENNE WOOTEN, CIRCUIT JUDGE



Document: Miss. Code Ann. § 19-25-69



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**Miss. Code Ann. § 19-25-69**

**Copy Citation**

Current through the 2019 Regular Session.

Mississippi Code 1972 Annotated > Title 19. Counties and County Officers (Chs. 1 — 31) > Chapter 25. Sheriffs (§§ 19-25-1 — 19-25-87)

**§ 19-25-69. Sheriff** to have charge of courthouse, jail and protection of prisoners.

The **sheriff** shall have charge of the courthouse and jail of his county, of the premises belonging thereto, and of the prisoners in said jail. He shall preserve the said premises and prisoners from mob violence, from any injuries or attacks by mobs or otherwise, and from trespasses and intruders. He shall keep the courthouse, jail, and premises belonging thereto, in a clean and comfortable condition, and it shall be his **duty** to prosecute all persons who are guilty of injuring or defacing same. If, after a hearing by the Governor, held in accordance with due process of law, it shall be ascertained that the **sheriff** has wilfully failed, neglected or refused to preserve the courthouse, or the jail, or any prisoners lawfully in his custody from injuries by mob violence, then the Governor shall have the power and it shall be his **duty** to remove such **sheriff** from office.

However, in the case of a jail owned jointly by a county and municipality, under the provisions of Section 17-5-1, Mississippi Code of 1972, after the appointment of a jailer, pursuant to Section 47-1-49, Mississippi Code of 1972, responsible for all municipal prisoners lodged in said jail, neither the **sheriff** nor his bondsmen shall be responsible for actual maintenance or operation of said jail, insofar as municipal prisoners are concerned.

**History**

Codes, 1857, ch. 6, art 136; 1871, § 242; 1880, § 342; 1892, § 4132; 1906, § 4684; Hemingway's 1917, § 3101; 1930, § 3331; 1942, § 4256; Laws, 1966, ch. 369, § 1, eff from and after passage (approved May 6, 1966).



Document: Miss. Code Ann. § 9-3-31



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**Miss. Code Ann. § 9-3-31**

Copy Citation

Current through the 2019 Regular Session.

Mississippi Code 1972 Annotated > Title 9. Courts (Chs. 1 – 27) > Chapter 3. Supreme Court (§§ 9-3-1 – 9-3-73) > General Provisions (§§ 9-3-1 – 9-3-49)

**§ 9-3-31. Court may require **sheriff** of Hinds county to attend.**

The Supreme Court may at any time require the **sheriff** of Hinds county, with a competent number of deputies, to attend and perform all lawful orders of the court; and, for any failure in this, after notice of the requirement by the court, the **sheriff** may be punished by the court for a contempt; and for attending the court he shall be allowed two dollars a day for each person so attending, to be paid as the marshal and porter are paid. And at all times, when proper, the court shall dispense with the services of a marshal and require the said **sheriff** to perform all its **duties**.

**History**

Codes, 1880, §§ 1452, 1453; 1892, § 4388; 1906, § 4953; Hemingway's 1917, § 3229; 1930, § 3370; 1942, § 1954.

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**Mississippi Code 1972 Annotated** > **Title 19. Counties and County Officers (Chs. 1 — 31)** > **Chapter 25. Sheriffs (§§ 19-25-1 — 19-25-87)**

**§ 19-25-31. Riding bailiffs.**

Each judge of a circuit, chancery or county court, or a court of eminent domain may, in the judge's discretion, by order entered on the minutes of the court, allow the **sheriff** riding bailiffs to serve in the respective court of such judge, not to exceed four (4) bailiffs. Any such person so employed shall be paid by the county on allowances of the court on issuance of a warrant therefor in an amount of Fifty-five Dollars (\$55.00) for each day, or part thereof, for which he serves as bailiff when the court is in session. No full-time deputy **sheriff** shall be paid as a riding bailiff of any court. County court judges shall be limited to one (1) bailiff per each court day.

**History**

Codes, 1930, § 3311; 1942, § 4236; Laws, 1926, ch. 198; Laws, 1958, ch. 329; Laws, 1977, ch. 357; Laws, 1989, ch. 487, § 1; Laws, 2004, ch. 505, § 7, eff August 19, 2004 (the date the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965, to the amendment of this section.).

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**Miss. Code Ann. § 47-1-57**

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Mississippi Code 1972 Annotated > Title 47. Prisons and Prisoners; Probation and Parole (Chs. 1 — 7) > Chapter 1. County and Municipal Prisons and Prisoners (§§ 47-1-1 — 47-1-63).

**§ 47-1-57. Furnishing of medical aid to prisoners; nurse screening for county prisoner for nonemergency medical complaints.**

(1) When any person confined in jail shall be in need of medical or surgical aid, the **sheriff** shall immediately examine the condition of such prisoner and, if he is of the opinion that the prisoner needs such aid, he shall call in a nurse or physician to attend him. If the prisoner be unable to pay the cost, the account of the nurse or physician, when allowed and certified as required in respect to accounts of **sheriffs** for keeping prisoners, shall be paid, in like manner, out of the treasury of the county in which a prisoner is charged with the crime for which he is imprisoned. The board of supervisors may contract with a physician for the jail by the year.

(2) The board of supervisors of any county may authorize the **sheriff** to establish a program under which prisoners expressing the need for non-emergency medical attention will have access to a registered nurse who will evaluate their condition and determine the necessity for treatment by a physician. Charges for such a visit with a registered nurse shall be paid by the prisoner by deductions made by the **sheriff** out of any funds of the prisoner held by the **sheriff** or in any other manner satisfactory to the **sheriff**; however, such prisoner shall not be required to pay out of funds of the prisoner held by the **sheriff**, more than Ten Dollars (\$10.00) per visit. If the prisoner is unable to pay the cost, the cost shall be paid out of the county treasury in the same manner as provided for payment of other medical costs in subsection (1) of this section.

**History**

Codes, Hutchinson's 1848, ch. 28, art. 8; 1857, ch. 6, art. 132; 1871, § 238; 1880, § 345; 1892, § 4139; 1906, § 4690; Hemingway's 1917, § 3107; 1930, § 3337; 1942, § 4262; Laws, 1940, ch. 262;