

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

IN RE THE MATTER OF)
PROCEDURES IN THE JUVENILE)
DIVISION PURSUANT TO THE)
CONTINUITY OF OPERATIONS)
COVID-19 PROTOCOLS.)
)

Juvenile Division
Standing Order 2020-01

FILED
APR 06 2020
KATHERINE M. KEEFE
McHENRY CTY. CIR. CLK.

IT IS HEREBY ORDERED that, in response to the COVID-19 Pandemic and while the court is operating under the Circuit’s Pandemic Continuity of Operations Plan and hearing only essential matters in accordance with the Illinois Supreme Court Order filed under M.R. 30370 on March 17, 2020, the Juvenile Division hereby implements the following procedures related to juvenile delinquency and juvenile abuse, neglect and dependency cases until further order of Court.

I. JUVENILE DELINQUENCY

¶ 1. Matters with Respondents Held in Detention. All juvenile delinquency matters in which the minor-respondent is being held in detention, shall proceed pursuant to statute and as scheduled.

¶ 2. Matters with Respondents Not Held in Detention. Like other matters in the courthouse, court dates for juvenile delinquency matters will be very limited. Generally, cases currently scheduled between April 1, 2020 and May 1, 2020 that do not involve a minor that is currently in custody will be continued on Court’s motion for at least 45 days *unless* it is determined by the Court that emergency or exigent circumstances exist and a sooner court date is required. Cases that will be automatically continued include the following:

- a. First Appearance Dates. All juvenile delinquency pre-adjudication matters in which the minor or the minor's parents/guardian(s) have been served with notice and ordered to appear in Courtroom 101, will be continued for at least 45 days and scheduled for a new date at 9:00AM.
- b. Status Dates. All juvenile delinquency matters in which the minor-respondent has been arraigned and admonished of their rights, which are currently set for a statue date, will be continued for at least 45 days and set for status at 9:00AM.
- c. Motions & Trials. All juvenile delinquency matters that are set for hearing on any motion or adjudicatory hearing or trial, will be continued beyond a 45 day date and set for status and rescheduling of hearing or trial at 9:00AM.
- d. Reviews & Petitions to Revoke. All reviews, status of/or hearings on petitions to revoke sentence and petitions for contempt will be continued for at least 45 days and set for review and/or status of hearing at 10:00AM.
- e. Sentencing/Disposition. All juvenile sentencing/dispositions scheduled between April 1, 2020 and May 1, 2020, will be continued for at least 45 days and will be set for status and rescheduling of sentencing or disposition.

¶ 3. Filing of Motions. The State's Attorney's Office, attorneys of record, and the Juvenile Division of McHenry County Court Services are given leave to

electronically file motions at any time. If the party filing the motion believes that it is an emergency, it should caption the motion accordingly and plead the basis for emergency scheduling and relief.

¶ 4. Scheduling Emergency Motions for Presentment & Hearing. No motion shall be scheduled for presentment or hearing without leave of Court. An attorney or Court Services personnel may seek leave of court to schedule an emergency motion by emailing a copy of the pleading to the Court, with a copy of all counsel of record, and asking that it be scheduled on the Court's docket. After reviewing the pleading, the Court will determine if an emergency exists and, as necessary, consult with the moving party, other attorneys of record, and Court Services to determine how and when to proceed.

II. JUVENILE ABUSE, NEGLECT AND DEPENDENCY

¶ 1. All Matters Generally Continued. Like other matters in the courthouse, court dates for juvenile abuse, neglect, and dependency matters will be very limited. Generally speaking, cases currently scheduled between April 1, 2020 and May 1, 2020 will be continued on Court's motion for at least 45 days. However, the Court is actively reviewing new and pending matters for emergencies or exigent circumstances, especially in matters involving shelter-care hearing and renewal hearings. If the Court determines that an emergency or exigent circumstance exists, it will consult with the attorneys of record, any party and/or other individual necessary to the proceeding, about the circumstances of the case and schedule a court date and time.

¶ 2. Filing of Motions. The State's Attorney's Office, attorneys of record, Guardians *ad litem*, and Regional Counsel for the Illinois Department of Children and Family Services are given leave to electronically file motions at any time. If the party filing the motion believes that it is an emergency, it should caption the motion accordingly and plead the basis for emergency scheduling and relief.

¶ 3. Scheduling Emergency Motions for Presentment & Hearing. No motion shall be scheduled for presentment or hearing without leave of Court. An attorney or Court Services may seek leave of court to schedule an emergency motion by emailing a copy of the pleading to the Court, with a copy of all counsel of record, and asking that it be scheduled on the Court's docket. After reviewing the pleading, the Court will determine if an emergency exists and, as necessary, consult with the moving party, other attorneys of record, and Court Services to determine how and when to proceed.

¶ 4. Guardians' ad litem. The requirement that the GAL conduct personal, in-person interviews and ongoing in-person contact with the minor(s), and foster parents or other care givers pursuant to 705 ILCS 405/2-17(8), is hereby suspended until further order of Court. The GAL is permitted to have telephonic and/or electronic contact, such as "Facetime" or "Skype", as the circumstances may dictate, with the minor(s), and foster parents or other care givers in conformity with Sec. 2-17 (8), until further order of Court.

III. GENERAL ORDERS

¶ 1. Diagnosis of COVID-19. Any person scheduled to appear in juvenile court should not enter the Michael J. Sullivan Judicial Center if he or she has been diagnosed with, or had close contact with anyone diagnosed with, COVID-19. Do Not Come to Court.

¶ 2. Other Illness. Any person scheduled to appear in juvenile court should not enter the Michael J. Sullivan Judicial Center if he or she is unwell, coughing, sneezing, has a runny nose, has difficulty breathing, or is sick or has a fever. Do Not Come to Court.

¶ 3. Recent Travel. Any person scheduled to appear in juvenile court should not enter the Michael J. Sullivan Judicial Center if he or she has traveled within the last 21 days, to any country or region of the United States designated by the United States Centers for Disease Control (CDC) as high risk locations or “hot spots” for transmission of COVID-19 or if they reside with, or have had close contact with, anyone who has travelled to one of these locations. Do Not Come to Court.

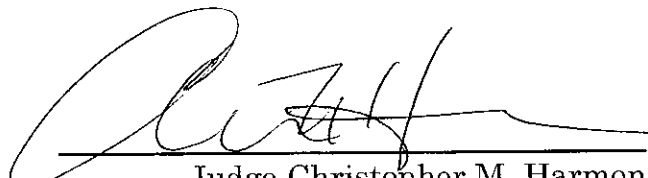
¶ 4. Quarantines. Any person scheduled to appear in juvenile court should not enter the Michael J. Sullivan Judicial Center if he or she has been directed by a medical provider to quarantine, isolate or self-monitor at home. Do Not Come to Court.

¶ 5. Rescheduling. Any party prevented from coming to court by these rules should contact their attorney or Court Administration at 815-334-4385 and advise them of the situation and they will inform the judge. Your matter will be rescheduled to a later date and time.

If an attorney is advised by a client that they are unwell, coughing, sneezing, have a runny nose, have difficulty breathing, are sick or have a fever, the attorney should advise the client to not come to court or enter the courthouse and that their matter will be rescheduled to a later date and time.

¶ 6. Best Practices in the Michael J. Sullivan Judicial Center. While in the Michael J. Sullivan Judicial Center each person is encouraged to utilize Personal Protective Equipment, "P.P.E.'s", such as masks which cover their nose and mouths, as well as gloves at all times. Persons shall also avoid touching other individuals when interacting with one another. Persons in the courtroom shall use social distancing techniques when interacting with court staff, parties, clients and anyone else in the courtroom. This includes maintaining at least 6ft of distance between individuals at all possible times. All persons are expected to practice good personal hygiene by frequently washing their hands for at least 20 seconds using soap and hot water. If hand washing is not possible, frequently use "hand sanitizer" containing at least 60% alcohol. Persons in the courtroom should avoid touching their face, eyes and hair and shall not place fingers or foreign objects such as pens and pencils in, or near their mouth.

Entered this 6th day of April, 2020



Judge Christopher M. Harmon
Presiding Judge, Family Division