

ADMINISTRATIVE ORDER 2020-11

22nd Judicial Circuit
McHenry County, Illinois

FILED

MAY 21 2020

KATHERINE M. KEEFE
McHENRY CTY. CIR. CLK.

Whereas, the Corona Virus known as COVID-19 has caused the 22nd Judicial Circuit to modify its operations as stated in previous administrative orders; and

Whereas, the Supreme Court entered an Order on May 20, 2020 authorizing each circuit court to return to hearing court matters on June 1, 2020, whether in person or remotely, according to a schedule to be adopted for each county by the chief judge in each circuit; and

Whereas, the Supreme Court directed chief judges to consider *the Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations During Covid 19* pandemic and the Chief Judge of the 22nd Judicial Circuit has considered said guidelines in drafting the *22nd Judicial Circuit McHenry County, Illinois Continuity of Operations Reestablishment Plan*; and

Whereas, the Supreme Court, in its May 20, 2020 Order, amended its previous orders stating:

“The Chief Judges of each circuit may continue trials until further order of this Court. The continuances occasioned by this Order serve the ends of justice and outweigh the best interests of the public and defendants in a speedy trial. Therefore, such continuances shall be excluded from speedy trial computations contained in section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)) and section 5-601 of the Illinois Juvenile Court Act (705 ILCS 405/5-601 (West 2018)). Statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 and section 5-601 of the Juvenile Court Act shall be tolled until further order of this Court. This provision also applies when a trial is delayed when the court determines proper distancing and facilities limitations prevent the trial from proceeding safely. The judge in the case must find that such limitations necessitated the delay and shall make a record thereof.” (Supreme Court Order In re Illinois Courts Response to COVID-19 Emergency, M.R. 30370, May 20, 2020).

Therefore, The Chief Judge of the 22nd Judicial Circuit, pursuant to the authority granted by the Supreme Court, hereby orders, authorizes and directs the courts to begin hearing all matters effective June 1, 2020 with the conditions set forth below:

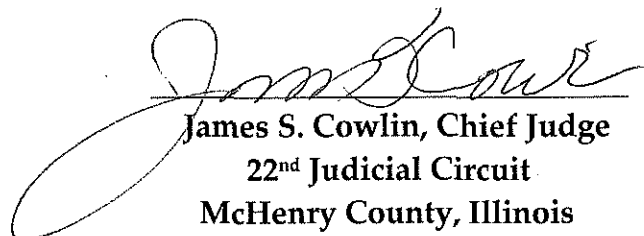
1. All persons entering the Michael J. Sullivan Judicial Center shall wear a mask or face covering while in the building and maintain six (6) feet of social distancing. Court staff may remove their face covering or mask in their office or work space when not in contact with others. Litigants, attorneys or others may remove their face covering or mask when directed to do so by the judge presiding. Judges shall exercise their discretion whether to wear a face covering or mask while conducting court proceedings.
2. It is necessary that court dates and times for proceedings be adjusted in order to maintain a reduced capacity in the courtrooms and the building. All parties are directed to the 22nd Circuit's Restablishment Plan, hereby adopted, and found at <https://www.mchenrycountyil.gov/county-government/courts/22nd-judicial-circuit> to determine conditions of operation and scheduling of types of events. You may check your court date and scheduled time on the Circuit Clerk's website at www.McHenryCircuitClerk.org. Patrons should arrive no more than 15 minutes prior to their scheduled event.
3. The use of remote access to the courts, including but not limited to audio and video virtual court sessions, is a practical solution to operate in a safe and efficient manner and may be ordered by the judge for court sessions, hearings, trials or conferences. The 22nd Circuit Guidelines for Virtual Courtroom Proceedings shall be adhered to when conducting such proceeding. The particular audio or video platform to be used shall be at the discretion of the judge presiding over the proceeding.

4. Social distancing results in reduced capacities in the courtrooms and the building. Due to space constraints only necessary parties shall attend court proceedings.
5. Access to the Michael J. Sullivan Judicial Center is under the control of the Sheriff of McHenry County. Security requires all persons entering the building to pass through a magnetometer with personal property inspected by X-ray and additional screening by deputies when warranted. In order to efficiently enter the building patrons should bring only necessary identification and documents for court proceedings. Bags, backpacks, purses and the like should not be brought for entry into the judicial center. Likewise the wearing of jewelry, watches, shoes containing metal, or any metal on your person will slow entry and should be avoided.

It Is Further Ordered that the Chief Judge reserves ruling on particular trial continuances under the grant of authority from the Supreme Court pursuant to its Order of May 20, 2020 stated above. (Supreme Court Order In re Illinois Courts Response to COVID-19 Emergency, M.R. 30370, May 20, 2020).

This Order shall remain in full force and effect until further order of the Chief Judge.

Order entered by the Court this 21st day of May, 2020


James S. Cowlin, Chief Judge
22nd Judicial Circuit
McHenry County, Illinois