

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

ADMINISTRATIVE ORDER NO. 2020-12

RE

**PLAN FOR THE RESUMPTION OF ALL 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 a measured and structured resumption of all 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 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, 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 20, 2020, the Governor of the State of Illinois 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 on April 1, 2020 the Governor extended the term of said Executive Order until April 30, 2020; and on April 30, 2020 the Governor extended the term of said Executive Order until May 31, 2020;

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 it is anticipated that on May 28, 2020, the Chief Circuit Judge will enter 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, the Circuit Judges of Vermilion County having considered local public health data and the recommendations of local health agencies based upon that data, deem that public health conditions within the County permit 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; and

WHEREAS, 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, adopt the following provisions:

NOW, THEREFORE, IT IS ORDERED:

1. **Effective Date.** This Administrative Order is effective May 31, 2020 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 2020-11 are hereby supplemented, and to the extent inconsistent herewith superseded.
3. **Resumption of Court Operations.** Effective June 1, 2020, it is anticipated that the Courthouse offices will 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 resume on that date as scheduled by Court Administration, excepting jury trials.

It is the intention of the court's re-opening plan to respect and abide by the public health recommendations of the Centers for Disease Control and Prevention and the County's Health Department regarding social distancing and 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 are critical for a resumption 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."

4. **General Restrictions upon Entry into Courthouse.** If a 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.

Older adults and people who have severe underlying chronic medical conditions like 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 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 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) persons shall be present in an elevator cab at any given time.

- 5. Health/Wellness Screenings.** All persons entering the Courthouse are 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.

- 6. Masks.** Anyone 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 a six foot (6') 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.'

Courthouse personnel may remove their face covering or mask in their office or work space when able to maintain social distance. All persons inside a courtroom, who are able to medically tolerate a face-covering, including courtroom personnel, must also wear one at all times while inside of the courtroom. Litigants, attorneys or others may remove their face covering or mask when directed or authorized to do so by the judge presiding over the hearing.

All persons entering the public spaces of the Courthouse are expected to have their own face-covering. Court Administration will 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 mask and none are available from security personnel, entrance to the Courthouse will be denied.

7. **Courthouse Environment.** All practical measures should 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.
8. **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 court recommends 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 may continue well past the COVID-19 pandemic, it is the intention of the court that remote hearings become a part of our court's permanent operations.

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.

The court, along with Technology Services, Court and Probation Services, Court Reporting Services, and attorneys serving both the private and public sectors, has drafted and shall implement guidelines or protocols for conducting hearings remotely (both teleconference and videoconference hearings). Said guidelines and protocols, attached hereto as Exhibit B, are adopted as a local rule of this court.

9. **Approval of Online Parenting Education Programs.** The court shall 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.
10. **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.
11. **Sunday/Holiday Bond Court.** Sunday/Holiday Bond Court hearings shall be conducted remotely through use of the Courthouse/Public Safety Building videoconference system.
12. **Grand Jury Proceedings.** Grand Jury proceedings will resume July 2, 2020, and the Circuit Clerk is directed to summon a grand jury panel for said term. A Notice to Prospective Grand Jurors regarding the COVID-19 pandemic, in a form substantially as that attached hereto as Exhibit C, shall accompany each summons.
13. **Jury Trials.** Civil and criminal jury trials will resume July 6, 2020, and the Circuit Clerk is directed to summon a *petit* jury panel for said term. A Notice to Prospective Jurors regarding the COVID-19 pandemic, in a form substantially as that attached hereto as Exhibit D, shall accompany each summons.

The court, jury commission, and Circuit Clerk shall 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.

14. Juvenile Delinquency Adjudicatory Hearings. Juvenile Delinquency adjudicatory hearings will resume July 6, 2020.

15. High Volume Calls. The staggering of high-volume calls into multiple settings will 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. In all cases where a litigant is represented by counsel, waivers of personal appearances, with counsel accepting notice on behalf of his/her client, and are 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. However, pursuant to Administrative Order 2020-5, the due dates for all court-ordered assessments, fines, fees, costs, and restitution in Traffic, DUI, criminal felony, criminal misdemeanor, and juvenile delinquency cases were extended for ninety (90) days to June 25, 2020. That date stands. Persons owing payments in these criminal, traffic and delinquency matters will not be penalized or face interest or late charges for failing to remit payments prior to that date, but may be so penalized thereafter.

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, and 2020-10, 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. Effective June 1, 2020, the Department of Court and Probation Services will 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. Until further order of the court, the Director of the Juvenile Detention Center may 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, 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 waived until further order of the court. Such contacts may be conducted by telephone, video, or other electronic means.

22. Marriages and Civil Unions. Until further order, the court will perform marriage and civil union ceremonies in the Courthouse. However, only the two individuals being married or joining in a civil union 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 following the resumption of court operations 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 his website.
- d. This Administrative Order shall be posted upon the County's website.
- e. This Administrative Order is effective *instanter*.

Dated: this 26th day of May, 2020



Thomas M. O'Shaughnessy, Presiding Judge

Exhibit A

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.

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

**GUIDELINES
FOR REMOTE COURTROOM PROCEEDINGS
IN THE CIRCUIT COURT FOR
VERMILION COUNTY ILLINOIS**

Committee on Remote Courtroom Proceedings:

Hon. Mark S. Goodwin, Committee Co-Chair
Hon. Karen E. Wall, Committee Co-Chair
Jamie Atkinson, Court Reporting Services
Thomas M. Gregory, Director of Court and Probation Services
Kaylan V. Huber, Attorney at Law
Teri Huchel, Deputy Circuit Clerk
Liya Hussmann Rogers, Attorney at Law
Michael T. Mara, Public Defender
Leon S. Parker, Attorney at Law
Michael P. Pawl, First Assistant State's Attorney
Cynthia Savalick, Court Administrator
Brian Talbott, Technology Services

May 2020

In an effort to address the unique needs created by the current pandemic and to ensure that the administration of justice may continue during this time and after the resumption of usual court operations, the Committee on Remote Courtroom Proceedings, pursuant to Illinois Supreme Court Rules 45, 46, and 241, has compiled the following guidelines to assist in conducting courtroom proceedings remotely. Remote hearings in this context are either telephonic events and/or video conferencing events that are intended to substitute for in-person, courtroom proceedings. While there are several platforms for conducting telephonic and/or video conferencing proceedings, these guidelines are suggested with the employment of a standard telephone for telephonic proceedings and/or Zoom for video conferencing proceedings.

Eligibility for Remote Hearings. All types of matters are eligible for a remote hearing. Eligibility does not depend upon whether a party is represented by an attorney. As guidance, the following presumptions are created relative to issues that are sought to be addressed by the Court. These presumptions will be reviewed and modified as necessary in an ongoing effort to expand access to justice.

A. Presumed Eligibility. The following civil and/or criminal matters are presumed eligible for remote hearings:

1. progress calls, status conferences, pre-trials and case management conferences;
2. motion hearings other than motions for default;
3. non-evidentiary hearings; and
4. prove-ups, although, as an alternative, parties are encouraged to consider seeking final dissolution judgments and parenting allocation judgments without a court appearance as set forth in Vermilion County Standing Order No. 2020-01.

B. Presumed Ineligibility. The following civil and/or criminal matters are presumed ineligible for remote hearings:

1. first appearances;
2. shelter care, adjudicatory, and dispositional hearings in juvenile matters;
3. hearings regarding orders of protection and no-contact/stalking orders;
4. hearings in which a party is seeking a sanction for contempt of court;
5. hearings in which a party is seeking a finding of default or entry of a default judgment;
6. evidence suppression hearings; and
7. evidentiary hearings, especially those in which tangible evidence is being offered.

Remote Hearings Eligibility Dispute. If there is a dispute between parties concerning eligibility of an issue for a remote hearing, the proponent of the use of a remote hearing shall file a motion to set a remote hearing. The opponent of the remote hearing may file a response but must do so within seven (7) days. After the time for a response is passed, and not with the motion to set a remote hearing, the proponent shall upload a proposed order which allows for alternative forms of relief. The clerk will forward the order to the judge, who will determine the issue. **Note: The filing of a proposed order after the expiration of seven (7) days is the only trigger that brings the motion to a judge's attention. An order filed with a motion will not be seen nor acted upon by a judge.**

Scheduling a Remote Hearing. After any eligibility disputes are determined (through an agreement or Court order), the parties shall have the remote hearing scheduled. Holding a hearing remotely requires proper preparation and planning. The steps required prior to any remote hearing are as follows:

A. The parties shall file either the joint motion to set a telephonic or video conferencing remote hearing and agreed order or secure an order from the Court without an agreement for the holding of a telephonic or video conferencing remote hearing. Actual facsimile signatures on all documents, not typewritten signatures, are required. Sample forms for the motions and orders are attached hereto as Ex. 1 through Ex. 4. The assigned judge will then review the file and either approve the order or reject it and make a docket entry as to the reasons for any rejection. The judge may also conduct a telephonic remote hearing on the motion. **Note: The filing of a proposed order is the only trigger that brings the motion to a judge's attention. A joint motion filed without a proposed order will not be seen nor acted upon by a judge.**

B. Upon entry of any order authorizing a hearing, a hearing date shall be obtained through the Court Administrator's Office (217/ 554-7830) or through the appropriate scheduling desk in the Circuit Clerk's office (217/554-7700).

C. After the time and date have been determined, the party scheduling the hearing shall provide notice of the hearing to all other parties. In the notice, in addition to the time, date, and subject matter of the hearing, the party shall specify:

1. that the hearing is to be conducted remotely by telephone or through video conferencing; and
2. the telephone number or e-mail address at which each party or their counsel may be reached for the hearing.

The notice required must comply with applicable procedural rules and be filed with the Circuit Clerk no less than 72 hours prior to the remote hearing. A sample notice form is attached hereto as Ex. 5.

D. If an opposing party has not appeared and/or the party providing notice does not have an opposing party's e-mail address or telephone number, the notice also shall inform the party that the party may participate in the hearing personally at the designated time and place. If such an appearance is not feasible, that party shall file a timely motion to continue and present the same to the Court for ruling.

E. Three court days prior to a remote hearing during which witnesses are sought to be presented, the parties seeking to present the witnesses shall file a list containing the names and email addresses of the witnesses who will attend the hearing. All persons must use their legal names to ensure they will not be prevented from entering the hearing.

- F. Three court days prior to a remote hearing during which exhibits are sought to be presented, the parties seeking to present the exhibits shall exchange the exhibits they intend to introduce and thereafter conduct a conference with the opposing side to identify any exhibit(s) they stipulate may be admitted into evidence. If a party fails to comply with this provision the Court in its discretion may deny the introduction of that party's exhibits.
- G. At least two court days before a remote hearing during which exhibits are sought to be presented, the parties shall prepare and email all proposed exhibits to the Circuit Clerk at exhibits@vercounty.org (and if appropriate an electronic bundle of authorities) as follows:
1. A searchable PDF format shall be used;
 2. Each exhibit shall be a separate file. Each file name shall reflect the party offering it and the exhibit number e.g. P1, P2, CPI, CP2, RA, RB, DI, D2, etc.;
 3. An index of all exhibits shall be included that states the number of pages in each exhibit; and
 4. For exhibits greater than four pages, pagination must be generated and inserted electronically within the PDF (not handwritten). Pagination must be by exhibit number and page number, e.g., P1-1, P1-2, P1-3 ... RA-1, RA-2, RA-3, etc...

The Circuit Clerk, upon receipt of said attached materials, shall forward all attachments from any such email to the Court presiding over the remote hearing or otherwise submit the same as the Court directs.

- H. All parties attending a remote hearing should ensure they have a good connection/signal to avoid a breakdown in connection during the hearing.
- I. The parties will receive a notice via email a day prior to a video conferencing remote hearing with access instructions. Leading up to and on the day of such hearing, it is the responsibility of the parties to ensure their witnesses are properly noticed, available, and ready to proceed at the appointed time.
- J. On the day of a telephonic remote hearing, it is the responsibility of the parties to coordinate a joint telephone call to Court Administration (217/ 554-7830) five minutes prior to the scheduled start time to ensure final necessary steps may be taken by court staff to start the hearing on time. All participants shall be present through the telephone call at the time the call is placed to Court Administration. No participant can be present in person for a telephonic remote hearing unless allowed by the Court.

Conducting the Remote Hearing. The precise method in which a remote hearing will be conducted remains within the discretion of the judge assigned to the case, within the bounds of applicable law, rules, and practice procedures. Unless otherwise directed by the Court, however, remote hearings shall be conducted as follows:

- A. All persons must use their legal names to ensure they will be allowed to participate in the hearing;
- B. Except as otherwise provided, hearings shall be conducted as if all parties were personally present and in accordance with the Illinois Rules of Civil Procedure, Illinois Rules of Evidence, Illinois Supreme Court Rules, and the Local Rules of the Circuit Court of the Fifth Judicial Circuit;
- C. If requested by a party and if technologically feasible, in a video conferencing remote hearing, the Court will allow breakout meetings, private chats, or other private communication between attorneys and clients; provided, however, that during the testimony of any person, that person may not communicate by private chat or otherwise with any other person;
- D. The Court will make the official record of the remote hearing, and no party may record any part of the hearing through the platform or any other means;
- E. All participants must be in an environment free of distractions;
- F. When a participant is not speaking, the participant should mute his or her microphone;
- G. Any person testifying must appear remotely by both video and audio unless otherwise authorized by the Court;
- H. If a party intends to call a non-party witness during a video conferencing remote hearing, that party shall be responsible for providing the invitation to the witness;
- I. Each witness must be alone in a secure room with the doors closed;
- J. Each witness should ensure there will be no interruptions or distractions for the duration of his or her testimony;
- K. If a party or a party's witness requires the use of an interpreter, that party shall be responsible for coordinating with the Court Administrator how the interpreter will be obtained and involved in the hearing; and
- L. The Court may terminate or suspend the remote hearing for technological or other reasons at any time.

M. In criminal proceedings, a defendant has a right to be present in court at every stage in the proceedings. The Court should make a record at the beginning of the hearing and inquire whether the defendant is aware of his/her right to be physically present in court and whether he/she is waiving that right.

N. Victims have a right in criminal proceedings to be present in court. The Court should admonish any victims who are present regarding this right and obtain the waiver of that right on the record.

Public Access. The Court, parties, and attorneys shall be cognizant that the courts are generally open to the public and that it remains highly desirable that the operations of the courts are as transparent as practicable. In this regard, parties should be aware that although hearing participants may appear remotely, the Court hearing the matter most likely will be in the courtroom and that the courtroom will be open to the public. The daily court schedule shall reflect that a hearing is remote and the date and time of the hearing.

Exhibits. The following protocols govern the submission of exhibits used during a video conferencing remote hearing.

- A. The Share Screen feature may be used to lay foundation, refresh recollection, and authenticate signatures. The Court should not allow an exhibit to be shown through the Share Screen feature without permission. The Court, having received the exhibits before the remote hearing, will display a requested exhibit on a party's behalf through the Share Screen feature, upon request. The Court may disable file sharing and then only enable it after the participant receives permission to show the exhibit. This also ensures no one improperly or accidentally uses exhibits.
- B. Tangible exhibits may result in a matter being ineligible for a remote hearing. However, stipulations and photographs may be useful substitutes for tangible evidence by agreement. Parties may show tangible exhibits through video or a photograph through the Share Screen feature. Such items must be viewable by everyone present for the remote hearing. Agreements regarding tangible evidence must be discussed in advance of the remote hearing.
- C. Parties may submit unanticipated impeachment or rebuttal evidence during the hearing through the Share Screen feature. All such exhibits should be numbered and labeled as provided above.
- D. For impeachment or rebuttal exhibits, those exhibits shall be emailed by the proponent to exhibits@vercounty.org prior to offering the same in the remote hearing. Once emailed, the Circuit Clerk will forward said exhibits to the Court. The Court may then allow said exhibits to be shown to the witness through the use of the Share Screen feature.

Attorney/Client Communications. The Court recognizes that communication between an attorney and client is necessary and appropriate during a contested hearing and that remote hearings are no exception. However, there are certain restrictions that must be enforced during remote hearings as in live courtrooms. For instance, a client cannot communicate with his/her attorney while he/she is testifying. Also, a party usually cannot communicate with any other witness before, during or after the witnesses' testimony. Those same rules apply to remote hearings, whether conducted by video conference or telephonic event. For this reason, the Chat feature in Zoom will be disabled by the Court and allowed to be used only with leave of Court.

Breakout Rooms. The Court is able to move participants to separate Breakout Rooms for privacy when appropriate. The Court may create Breakout Rooms during the hearing or assign Breakout Rooms in advance of the hearing when scheduling the meeting. The Court may create one or multiple Breakout Rooms. The Court may message the separate participants and may also be part of a breakout session. For example, the Court may use the Breakout Room with the attorneys for a side bar to rule on objections or may be used by an attorney to consult with their client. Interpreters and Court Reporters should be included in the Breakout Room when appropriate. Otherwise, the Breakout Room is not recorded. The Court should remind participants to hit "return to main session" to exit the Breakout Room. Do not use "leave meeting."

Waiting Rooms. The Court has the ability to create and manage Waiting Rooms. The Court may utilize a Waiting Room to keep people out of the virtual courtroom until their case is called. The Court may return participants to the Waiting Room even after the Court has admitted them. During a hearing or trial, the Court may use the Waiting Room to exclude witnesses during testimony. Only the Court is able to place people in and out of the Waiting Rooms. While in a Waiting Room, a person is unable to see or hear anyone else involved in the remote hearing.

Court Reporter/Court Specialist. Only the Court's Court Reporter or Court Specialist may prepare an official record of a remote hearing. An admonishment regarding the use of recording devices has been included above.

Concluding a Remote Hearing. At the end of the remote hearing, the Court will conclude the matter in the same manner as if physically in court except the Court may reaffirm that the participants were present for the entire remote hearing and that they were able to hear and/or see entire event.

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

))
))
) No.
))

**JOINT MOTION TO SET TELEPHONIC OR VIDEO
CONFERENCING REMOTE HEARING**

The parties to this action, through this Joint Motion to Set Telephonic or Video Conferencing Remote Hearing, request the setting of a telephonic or video conferencing remote hearing to address the following issue: _____ . The parties, by their signatures below, state:

1. that the issue to be addressed is appropriate for a telephonic or video conferencing remote hearing;
2. that use of a remote hearing will not impede the rights of any party herein;
3. that the parties consent to use of a remote hearing; and
4. that all participants have the ability and necessary equipment to participate in a remote hearing.

Wherefore, the parties to this action pray for the Court to conduct a remote hearing herein [] by telephone [] by Zoom video conference.

Plaintiff/Petitioner

Defendant/Respondent

EXHIBIT 1

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

)
)
) No.
)

**MOTION TO SET TELEPHONIC OR VIDEO
CONFERENCING REMOTE HEARING**

The Plaintiff/Petitioner Defendant/Respondent, through this Motion to Set Telephonic or Video Conferencing Remote Hearing, requests the setting of a telephonic or video conferencing remote hearing to address the following issue: _____.
Said party, by his/her signature below, states:

1. that the issue to be addressed is appropriate for a telephonic or video conferencing remote hearing;
2. that the use of a remote hearing will not impede the rights of any party herein;
3. that the opposing party objects to said form of hearing or has not taken a position; and
4. that all participants each have the ability and necessary equipment to participate in a remote hearing.

Wherefore, the Plaintiff/Petitioner Defendant/Respondent prays for the Court to conduct a remote hearing herein by telephone by Zoom video conference.

 Plaintiff/Petitioner Defendant/Respondent

Certificate of Service

Under penalties as provided by law pursuant to 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that a copy of this motion was sent by E-mail to the parties whose names appear below, using the e-mail addresses indicated therein, or by placing it in an envelope addressed to the party with postage fully prepaid and depositing the same in a US Postal Service Mail Box in _____, Illinois at or before 5:00 p.m. on this ____ day of _____, 20____.

EXHIBIT 2

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

)
)
) No.
)
)

**ORDER ON
JOINT MOTION TO SET TELEPHONIC OR VIDEO
CONFERENCING REMOTE HEARING**

This Court, upon the presentation of a Joint Motion to Set Telephonic or Video Conferencing Remote Hearing by the parties hereto, and upon being fully advised in the premises, now orders as follows:

IT IS HEREBY ORDERED:

the joint motion is allowed.

the joint motion is denied for the following reasons:

A hearing on the issues pending herein as requested pursuant to the joint motion of the parties shall be held by telephonic remote hearing Zoom video conferencing remote hearing personal appearance. The parties shall proceed with the scheduling of said hearing in compliance with applicable guidelines.

ENTERED: _____

JUDGE

EXHIBIT 3

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

)
)
) No.
)

**ORDER ON
MOTION TO SET TELEPHONIC OR VIDEO
CONFERENCING REMOTE HEARING**

This Court, upon the presentation of a Motion to Set Telephonic or Video Conferencing Remote Hearing by the one of the parties hereto, and upon being fully advised in the premises, now orders as follows:

IT IS HEREBY ORDERED:

the joint motion is allowed.

the joint motion is denied for the following reasons:

A hearing on the issues pending herein as requested pursuant to the motion of one of the parties shall be held by telephonic remote hearing Zoom video conferencing remote hearing by personal appearance. The parties shall proceed with the scheduling of said hearing in compliance with applicable guidelines.

ENTERED: _____

JUDGE

EXHIBIT 4

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

))
)) No.
))

NOTICE OF REMOTE HEARING

YOU ARE HEREBY NOTIFIED that a remote hearing by [] telephone [] video conference will be held herein on _____, 20____, at _____ .m., or as soon thereafter as the parties may be heard, in Courtroom ____ before the Honorable _____, judge presiding. The purpose of this hearing is _____.

PARTIES AND/OR COUNSEL PARTICIPATING IN HEARING:

Plaintiff/Petitioner:	_____
Email:	_____
Telephone:	_____
Attorney:	_____
Email:	_____
Telephone:	_____
Defendant/Respondent:	_____
Email:	_____
Telephone:	_____
Attorney:	_____
Email:	_____
Telephone:	_____
Other:	_____
Email:	_____
Telephone:	_____

This remote hearing will be conducted as follows:

- A. All persons must use legal names to participate in remote hearing.
- B. The remote hearing will be conducted as if all participants were personally present and in accordance with the Illinois Rules of Civil Procedure, Illinois Rules of Evidence, Illinois Supreme Court Rules, and Local Rules of the Circuit Court of the Fifth Judicial Circuit.
- C. If a party has not appeared in a proceeding and/or a party does not have an email address or telephone number listed above, that party may participate in the scheduled remote hearing by appearing personally at the courthouse at the scheduled time. If that is not feasible, a timely filed motion to continue should be filed and presented.

- D. During testimony of any person, you may not be allowed to communicate by private chat or otherwise with any other person. The Court has the ability, if feasible, to allow breakout meetings or other private communication between attorneys and clients during the hearing.
- E. The remote hearing will be conducted with an official record made by the Court. No participant may record any part of the hearing through any platform or means whatsoever.
- F. All participants must be in an environment free of distractions, interruptions and other disturbances and shall be alone in a secure room with the doors closed.
- G. When a participant is not speaking, his or her microphone shall be muted.
- H. All participants must be able to appear both by video and audio unless the remote hearing is a telephonic hearing or otherwise authorized by the Court.
- I. A list of any witness names, email addresses, and telephone numbers must be exchanged and filed with the Court at least three days prior to any hearing.
- J. The Court may terminate or suspend the remote hearing for technological or other reasons at any time.
- K. Participants in remote hearings should take time prior to the remote hearing to become familiar with devices to be used. The telephone to be used should be functioning well and with proper service. The device to be used for a video conference should have a camera and microphone that function well. Generally speaking, a telephonic remote hearing will be conducted by the participants placing a joint call to the Court. A video conferencing remote hearing will be conducted by participants using a link provided in an email or text message from the Court to join a Zoom meeting originated by the Court. Participants are asked to place any telephone call to the Court for a telephonic remote hearing 5 minutes before the scheduled time and to stand ready to be admitted to a video conferencing remote hearing 5 minutes before the scheduled time.
- L. Information concerning joining a Zoom meeting may be found at the following link: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>.

Although this hearing will be held remotely, the judge presiding over this matter will be in a courtroom at the Rita B. Garman Vermilion County Courthouse, 7 North Vermilion Street, Danville, Illinois. The courtroom will be open to the public unless otherwise determined by the Court.

Certificate of Service

Under penalties as provided by law pursuant to 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that a copy of this notice was sent by E-mail to the parties whose names appear below, using the e-mail addresses indicated therein, or by placing it in an envelope addressed to the party with postage fully prepaid and depositing the same in a US Postal Service Mail Box in _____, Illinois at or before 5:00 p.m. on this ____ day of _____, 20 ____.

EXHIBIT 5

EXHIBIT C

COVID-19 PRECAUTIONS FOR GRAND JURORS

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

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;
- If you cannot always maintain personal separation, you will be required to wear a face-covering. 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 D

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;
- If you cannot always maintain personal separation (which can be a challenge in the Courthouse), you will be required to wear a face-covering. 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**.