

IN THE COUNTY COURT OF SCOTTS BLUFF COUNTY, NEBRASKA
IN THE COUNTY COURT OF BANNER COUNTY, NEBRASKA

IN RE: NOVEL CORONAVIRUS)	FOURTH ADMINISTRATIVE ORDER
AND COVID-19 DISEASE)	OF THE COUNTY JUDGES
)	RE: COURT PROCEDURES AND
)	THE CORONA VIRUS/COVID-19
)	STATE OF EMERGENCY

NOW ON THIS 12th day of November, 2020, this matter comes before the judges of the County Courts of Scotts Bluff and Banner on the Court's own motion to determine procedures to be utilized during the continuing state of emergency. Being fully advised in the premises, and in an effort to maintain judicial operations and access to the court system, while mitigating exposure to, and the spread of COVID-19, the Court finds and orders as follows:

On March 13, 2020, President Donald J. Trump declared that the COVID-19 outbreak in the United States is a national emergency

On November 6, 2020, Nebraska Supreme Court Chief Justice Michael G. Heavican issued an administrative order regarding procedures to be followed in Nebraska's trial and appellate courts in response to the public health emergency caused by the novel coronavirus and the COVID-19 disease.

On November 11, 2020, Governor Pete Ricketts announced statewide changes to the state directed health measures which increase restrictions within the State of Nebraska.

Since Nebraska's first reported case, community transmission of the COVID-19 has occurred and Nebraska has recently seen large increases in COVID-19 cases and hospitalizations. In response to this disease, the Centers for Disease Control and Prevention (CDC) and the Nebraska Department of Health and Human Services (NE DHHS) have established guidelines to reduce the risk of contracting or spreading COVID-19.

In conformity with the Chief Justice's administrative orders, the federal and state emergency declarations, and the guidance from the CDC and the NE DHHS, court procedures in the County Courts of Scotts Bluff and Banner should be modified.

IT IS THEREFORE ORDERED that, effective immediately, and continuing temporarily until further order of the Court:

1. Civil and Probate Cases: All hearings for civil and probate cases which are not emergent in nature, and which do not involve statutorily mandated time limits, shall be conducted by telephone or video conference until further order of the Court, unless scheduled as set forth in paragraph 5. Cases considered to be emergent, or which involve statutory time limits (i.e. protection orders, landlord-tenant cases, adoptions, etc.) will be scheduled accordingly.
2. Criminal and Traffic Cases: Arraignments and other pretrial hearings for criminal and traffic cases shall be conducted by telephone or by video conference unless continued by the Court, or otherwise scheduled as set forth below in paragraphs 5 and 7.
3. Juvenile cases:
 - a. The period of time between a juvenile's/parent's currently scheduled court date and the date upon which the juvenile's/parent's next court date is scheduled shall be excluded in computing the time for speedy adjudication, pursuant to the Court's finding of good cause under Neb. Rev. Stat. §§ 29-1207(4)(f), 43-277, and 43-278.
 - b. First Appearances, detention/protective custody hearings will be conducted as required by statute. Such hearings will be conducted in-person, via telephone or via video conference, at the discretion of the Court in consultation with the parties.
 - c. All other juvenile hearings shall be conducted by telephone or by video conference unless otherwise ordered by the Court.
 - d. Juvenile review and permanency hearings in which there are no objections to the case plan/court report shall be conducted upon the written stipulation of the parties. Upon the filing of a written stipulation, the Court will enter appropriate orders.
4. In all case types, the use of written filings is encouraged to keep cases progressing (e.g. written denials/not guilty pleas, written waiver of preliminary hearing, stipulations and agreements, etc.).

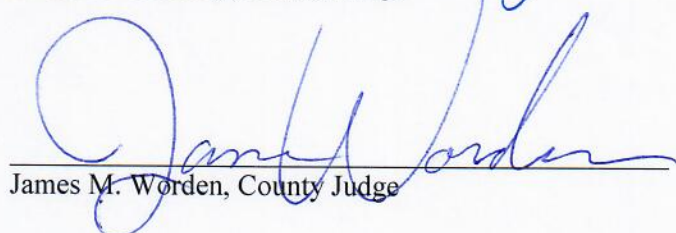
5. Cases of any type may be scheduled as follows:
 - a. Evidentiary hearings, not otherwise addressed herein, may be heard via telephone or video conference upon the agreement of all parties, with approval of the Court. The stipulation of the parties to conduct an evidentiary hearing via telephone or video conference shall be filed with the Court prior to scheduling such hearing. The parties shall be responsible for obtaining the Court's approval for such hearing, and for scheduling such hearing with the Court.
 - b. In-person evidentiary hearings may be ordered and heard at the discretion of the Court upon request of a party.
6. Motions to continue will be liberally granted; objections to said motions shall be scheduled promptly and heard telephonically.
7. The Court may, on its own motion, reschedule matters currently scheduled for in-court appearances to telephonic or video conference hearings.
8. Face coverings must be worn by all parties and counsel, upon entering the County Court area (First Floor) of the Scotts Bluff County Courthouse to include the courtrooms.
9. This Order supersedes any previous order issued by the Court.
10. Expanded news media coverage will be allowed pursuant to court rule. However, the Court may limit the number of news media personnel.

BY THE COURT:





Kristen D. Mickey, County Judge



James M. Worden, County Judge

FILED NOV 12 2020

Shamee Hava
CLERK OF THE COUNTY COURT