

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

IN RE: ORDER ON COURT ) **SECOND ADMINISTRATIVE ORDER**  
PROCEEDINGS IN RESPONSE TO ) **OF THE PRESIDING JUDGE OF THE**  
THE COVID-19 PANDEMIC ) **DOUGLAS COUNTY COURT**  
) **EFFECTIVE MAY 26, 2021**

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**WHEREAS**, pursuant to the Nebraska Supreme Court's order of March 13, 2020, April 6, 2020, June 30, 2020 and November 6, 2020, the Douglas County Court reduced its operation to essential activities.

**WHEREAS**, the Nebraska Supreme Court has now entered an Administrative Order of the Chief Justice of the Nebraska Supreme Court dated May 21, 2021 that allows the Douglas County Court to adopt additional plans for resumption of normal court activities.

**NOW THEREFORE**, by the authority vested in the Presiding Judge of the Douglas County Court the Court shall expand operations effective May 26, 2021 in accordance with the plan set forth below. All prior Orders shall remain in full force and effect except as be amended, modified, or superseded this Order.

**SAFETY AND SECURITY PROTOCOLS FOR ALL IN-PERSON COURT PROCEEDINGS:**

- 1) Effective May 26, 2021, the Court will continue to hold capacity to seventy-five percent (75%) of occupancy as a guideline and each judge will be responsible for setting the number of persons to be allowed in the courtroom at his or her discretion. Access shall be limited to legal counsel, Defendants, Witnesses, Courthouse Staff, and credentialed media. Any non-party requesting admission to any county courtroom must receive permission from the assigned Courtroom Judge prior to admission. As a guideline:

<u>Distance</u>	<u>Occupancy</u>	<u>Authorized</u>
CR226	71	52
CR227	50	36
CR228	82	62
CR229	48	36

- 2) The gallery seating area inside each courtroom will have intervals marked on the benches.
- 3) Plexiglass shields have been installed in every courtroom on the bench, the witness box and the bailiff's desk.
- 4) The presiding judge will make reasonable accommodations to make hearings accessible to members of the credentialed press who shall be admitted to the courtrooms (other than hearings that are closed to the public) upon the proper request per the Nebraska Bench/Bar Media Guidelines.
- 5) **All persons who enter the courtrooms must wear a face covering and must wear it for the duration of the trial or court proceeding unless waived by the presiding judge.**
- 6) Each courtroom will maintain a supply of sanitizing wipes and hand sanitizer for use at each counsel table.

**CRIMINAL ARRAIGNMENTS AND TRIALS:**

- 1) Criminal jury selections and jury trials will continue to proceed as scheduled.
- 2) Jury Criminal Pretrials shall be set in Courtroom #229. Overflow on those dates will be closed and all arraignments shall be heard in Courtroom #228.

- 3) The Court will continue taking pleas via WebEx in jail at 10:00 on Tuesday, Wednesday, and Friday mornings.
- 4) No prisoners shall be transported for any arraignments or pre-trials. This includes criminal pretrials in courtroom #227 or traffic trial pre-trials in courtroom #226 unless specifically directed by the assigned Judge. **Prisoner transports shall be reviewed and reconsidered as necessary.**
- 5) Preliminary Hearings will continue as normal business in Courtroom #625. All parties transported will be screened according to the Douglas County Corrections screening procedures. Transports will be in accordance with the Douglas County Sheriff's Office COVID prevention strategies. The strategies may result in staggering transport trips, which may create a delay in the defendant's arrival in the Courtroom. The Court will continue to promote and encourage written waivers in lieu transporting a defendant.

**CIVIL CASES, SMALL CLAIMS CASES AND EVICTION PROCEEDINGS:**

- 1) Civil Jury Trials will begin July 1, 2021.
- 2) Each Judge shall be responsible for his or her civil docket and utilize available time to address civil motions and all bench trials shall resume and shall be in-person.
- 3) The Court will continue to cap rent and restitution cases at 30 but will allow the other matters to proceed as scheduled as filed, i.e., garnishee liability hearings, debtor's exams, replevins. If more than 30 evictions are scheduled, any number over 30 will be re-set in the afternoon and the 3 civil judges shall handle them.
- 4) **Exhibits shall no longer be e-filed and will be submitted as part of the in-person hearing.** The Court will not be the repository for any Exhibits not offered into evidence.
- 5) Witnesses and non-party persons may be asked to wait outside the courtroom or in another designated location as authorized by the assigned Courtroom Judge.

**ESTATE, GUARDIANSHIP AND CONSERVATORSHIP HEARINGS:**

- 1) All hearings regarding Estates, Guardianships and Conservatorships will continue to be conducted in-person, except by Order of the assigned Courtroom Judge.
- 2) WebEx and telephonic hearings will continue to be an appearance option with the approval of the assigned Judge and with proper coordination.

**WEDDINGS:**

- 1) Unless otherwise ordered, ceremonies are allowed in the courthouse with a maximum twenty – (20) guests in attendance.

**DURATION OF ORDER:**

- 1) This Order shall remain in effect until further Order of the Court.
- 2) This Court Order supersedes, vacates, and modifies any prior Administrative Order
- 3) The Court will monitor conditions and provide updated Orders as need.

**EFFECTIVE DATE:**

This Order shall become effective May 26, 2021.

Dated May 24, 2021.

BY THE COURT:



HONORABLE THOMAS K. HARMON  
PRESIDING JUDGE OF THE  
DOUGLAS COUNTY COURT