

IN THE COUNTY COURT OF DODGE COUNTY, NEBRASKA

IN RE: NOVEL CORONAVIRUS)
AND COVID-19 DISEASE) ADMINISTRATIVE ORDER
) EFFECTIVE APRIL 3, 2020
)

In conjunction with the Administrative Order of the Chief Justice of the Nebraska Supreme Court issued March 12, 2020, this Court issues this Administrative Order.

And further in recognition of the fact that the State of Nebraska and the County of Dodge are experiencing a COVID-19 outbreak via community transmission;

And further in recognition of the fact that this state's highest public officials have recognized the severity of the global pandemic associated with COVID-19;

And further in recognition of the fact that the Health Department has suggested precautionary steps to mitigate the spread of the illness, including avoiding crowds, "social distancing" and refraining from physical contact;

And further in recognition of the fact that many people have chronic medical conditions like diabetes or HIV which make them exceptionally vulnerable to the severe consequences of COVID-19;

And further in recognition of the fact that all efforts should be utilized to mitigate the exposure and spreading of the illness;

CRIMINAL, JUVENILE AND TRAFFIC

THE COURT FINDS, pursuant to Neb. Rev. Stat. § 29-1207(4)(f), that good cause exists to continue matters currently before the Court for a period of approximately sixty (60) days. In keeping with this Order, the period of time between a criminal defendant's currently scheduled court date and the date upon which said defendant's next court appearance is scheduled shall not count against the State of Nebraska in its duty to bring the defendant to trial within six months of the date of filing of the complaint. This order applies to all matters currently scheduled to appear between April 3, 2020 and May 15, 2020, and includes both jury and bench trials. This Court may extend this timeframe by supplemental administrative order.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT, on its own motion, that all criminal, juvenile, and traffic matters currently scheduled with the Court for arraignment should be, and hereby are, continued for a period of approximately sixty (60) days. The Clerk Magistrate is hereby ordered to reschedule cases for arraignment

and notify the parties and/or their counsel of their new arraignment date, time and location. In keeping with this Order, the period of time between a criminal defendant's currently scheduled court date and the date upon which said defendant's next court appearance is scheduled shall not count against the State of Nebraska in its duty to bring the defendant to trial within six months of the date of filing of the complaint.

Further, this Court will continue to address all emergencies, and exigent circumstances requiring hearings, to include bond reviews and juvenile detention and out-of-home placement detention reviews. Any party (prosecutor, defense counsel, defendant, victims, probation officers, etc.) should appear by phone or video conference, if possible. Defendants shall appear by phone for bond reviews

FAILURE TO PAY AND NON-VIOLENT MISDEMEANOR WARRANTS

THE COURT FINDS that good cause exists to suspend the execution of arrest warrants during the period from April 3, 2020 to and including May 15, 2020 on individuals who have failed to pay their fines or costs, or individuals accused of non-violent misdemeanor crimes. In the event law enforcement during this period makes contact with an individual who has an arrest warrant for failing to pay his or her fines or costs or for a non-violent misdemeanor, said individual should be cited and released on that warrant and given a court appearance date approximately 60 days in the future.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, on its own motion, that the execution of arrest warrants between the dates of April 3, 2020 to and including May 15, 2020 on individuals who have failed to pay their fines or costs, or individuals accused of non-violent misdemeanor crimes, is hereby suspended. In the event law enforcement during this period makes contact with an individual who has a warrant for failing to pay his or her fines or costs or for a non-violent misdemeanor, said individual should be cited and released on that warrant and given a court appearance date approximately 60 days in the future.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that law enforcement shall not be required to release an individual who has a warrant that is not addressed by this Order.

CIVIL CASES

All pending civil matters scheduled from April 7, 2020 to May 15, 2020 shall be continued 60 days to a date to be set by the Court.

Pursuant to Governor Pete Ricketts Executive Order No. 20-07, the statutory requirement to set restitution of premises and forcible entry and detainer trials within 14 days is hereby suspended. Property owners and tenants have 14 days from the date of service of process to provide the

Court with written documentation or other objective evidence of any conditions you believe the Court should consider in scheduling the trial. The Court will review the information received and will schedule a trial according to said Executive Order. The issuance of Writs for Restitution of Premises will also be subject to said Executive Order.

Garnishment hearings for exemption shall proceed as scheduled. If there is no objection to the requested exemption, the opposing party shall inform the Court in writing and the exemption shall be granted without hearing.

Motions to Revive Judgments shall proceed as scheduled.

All Civil cases that do not require evidence will be heard telephonically. Further, this Court will continue to address all emergencies and exigent circumstances that require hearings.

PROBATE

All show cause hearings, estate matters, and non-emergency appointments of a Guardian and/or Conservator scheduled between April 7, 2020 and May 15, 2020 shall be continued by the Court to a date to be set.

All petitions for emergency temporary or permanent appointments of a Guardian and/or Conservator will be heard via video conference if available, telephone, or in person at the discretion of the Court.

All adoptions shall proceed as scheduled unless a party requests a continuance. The Court will liberally grant any requested continuance and encourages attorneys to file a motion to continue with a proposed order. The Court will review motions without hearing.

PROTECTION ORDERS

All protection order evidentiary hearings before the County Court shall be heard via video conference, telephone, or in person at the discretion of the Court.

IT IS SO ORDERED.

DATED this 3rd day of April 2020.

FILED IN DODGE COUNTY COURT

APR 03 2020


Kenneth J. Vampola
Presiding Judge
Dodge County Court

