



all matters of concern brought to the Court's attention, all within the Court's discretion.

a. Voir dire of a jury panel will occur, again as reasonably practicable, in a city or village auditorium or civic center, which will provide for more appropriate accommodations regarding social distancing and public health and safety. The use of face masks, gloves, and hand sanitizer will be provided by the Court. Body temperature readings may be taken by court personnel at any court proceeding. The use of any protective wear by anyone entering the auditorium or any courtroom will not be mandatory, but is strongly encouraged. Seating which incorporates social distancing of approximately six feet shall be implemented.

b. Upon selection of a jury and alternate(s), further trial proceedings shall occur in the courtroom. Placement of the jury members shall be both in the jury box, as well as the public section of the courtroom, close to the witness chair, for purposes of trial, all while maintaining social distancing as much as possible. Jury deliberations shall occur in the jury room, with social distancing being practiced as much as practicable, or in some other room in the courthouse which the Court designates, which might be better suited to handle a jury in terms of size, convenience and safety, which the Court, in its discretion, approves. The use of face masks, gloves, and hand sanitizer will be provided by the Court and body temperatures may be monitored by court staff for all persons entering the courtroom. Use of protective wear will not be mandatory, but is strongly encouraged.

c. The remainder of the courtroom shall be open to the public, but only to the extent that social distancing can be maintained to the Court's satisfaction. Witnesses shall be given priority over members of the public with regard to being present in the courtroom during any trial.

2. Trials to the bench shall be conducted on the record with social distancing being practiced by all persons in the courtroom and protective wear

being provided by the Court, again recommended but not mandated. Counsel shall be personally present in the courtroom during any bench trials. The Court will be amenable to requests for witnesses to appear by way of videoconference pursuant to any stipulation between the parties.

3. Arraignment hearings shall be performed either in person, videoconference or by way of written form, advising each defendant of his or her constitutional and statutory rights, allowing the defendant to confirm his or her understanding of the general nature of the charges filed and the possible penalties, and allowing a written plea of not guilty. The Court shall inform all criminal defendants of a future pretrial date and trial date, and also advise the defendant of the potential attendance in person at the next hearing. All pleas of guilty shall occur in person, on the record, and shall no longer be allowed to occur by way of videoconference, except at the discretion of the Court.

4. Preliminary hearings will occur in person or by videoconference, at the discretion of the Court, and shall be on the record. These shall be scheduled by the Court on a case-by-case basis.

5. Pretrial motions shall be handled as follows:

a. Criminal cases shall occur in person or by videoconference, at the discretion of the Court, and shall be on the record, on a case-by-case basis. If an evidentiary hearing is necessary, it shall be specially set by the Court and will occur either in person or by videoconference, preserving the defendant's right of confrontation.

b. Civil cases shall occur in person, or if approved by the Court ahead of time, by videoconference, and shall be on the record. Witnesses may testify by videoconferencing only by stipulation of the parties.

c. Evidence to be submitted for the record shall be delivered to the Court in either electronic or paper form, prior to the hearing, for the Court to consider.

6. Criminal sentencings shall occur in person or, in certain circumstances, by videoconference, at the discretion of the Court, and shall be on the record, at specific times and dates specially set by the Court.

7. Protection order hearings shall occur in person, or upon request and prior approval by the Court, by videoconference, and shall be on the record at times and dates specially set by the Court.

8. The Northeast Nebraska Adult Felony Drug Court shall resume proceedings of both pre-court staffing and in-court attendance by all drug court participants, as previously conducted prior to the Coronavirus event. Social distancing shall be practiced and protective wear shall be provided, as set forth above, which is recommended by the Court but not mandated. Priority for court seating shall be given to drug court participants over the general public so that social distancing can be maintained in court.

9. Any party or their attorney may petition the Court and request a hearing, on the record, for relief from the foregoing Order or to object, in any way, to the Court's procedures in this regard. Any request will be addressed as soon as practicable.

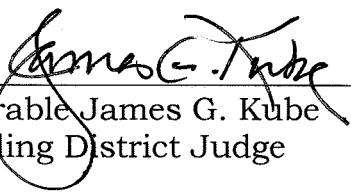
10. All other matters will be handled on a case-by-case basis and communication with the Court and Court staff is hereby requested by all persons wishing to do business with the Court.

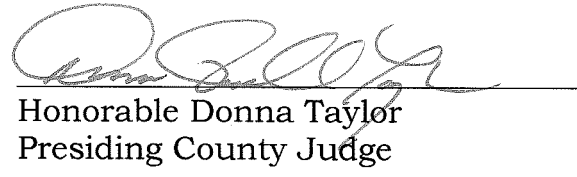
11. All attorneys shall continue to notify the Court and opposing counsel if any client or witness comes within any risk category, as outlined in the Administrative Order of the Chief Justice of the Nebraska Supreme Court on March 12, 2020, and shall fully comply with all provisions of said Order.

12. This Order may be modified at any time, as deemed necessary by the presiding Judges of this district.

All of the district and county court judges of the Seventh Judicial District very much appreciate the cooperation displayed by all persons doing business with the Court thus far and ask that it continue pursuant to the contents of this Amended Order, until further orders are submitted.

Dated: June 26, 2020

  
Honorable James G. Kube  
Presiding District Judge

  
Honorable Donna Taylor  
Presiding County Judge